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Restorative justice in criminology?

Critically examining the production, and exclusion, of restorative justice knowledge(s) within undergraduate criminology in England and Wales.

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Submitted in accordance with the requirements for the degree of
Doctor of Philosophy

York St John University

York Business School

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Abstract

This thesis critically examines restorative justice knowledge production within undergraduate criminology in England and Wales. It discusses empirical data collected across two phases. Phase one involved a scoping study to map out restorative justice inclusion across all undergraduate criminology degree programmes in England and Wales. In phase two, perspectives of academics and criminology students, from seven different universities, were collected via interviews, focus groups, and documents.

Findings show that restorative justice knowledge production in undergraduate criminology was minimal, and even when included it was marginalised in curricula. It suggests that factors influencing the lack of restorative justice inclusion were the: repetitive, status quo-maintaining, character of criminology curricula, position of restorative justice as a criminological specialism, and wider socio-economic forces influencing higher education. Findings also indicate that when restorative justice knowledge production was enabled it was largely presented and understood as an alternative justice form. Yet, due to the marginalisation of restorative justice in curricula, and the ambiguity surrounding the concept, there was limited space to explore the complex theoretical and practical knowledges of restorative justice. This research also shows that, when included, restorative justice was a valuable topic and pedagogic tool to support development of the criminological imagination among students by encouraging critical thinking, imagining otherwise, and activism.

Overall, this thesis argues that restorative justice should be core to criminology curricula because it encourages students to question dominant narratives of crime and justice, humanises criminological themes, and supports students to recognise themselves as social actors. However, it also puts forth that the influence of marketisation and neoliberal processes inherent to higher education are problematic for criminology teaching, learning and curricula. It suggests that criminology must evaluate its purpose in the academy and strengthen critical criminological perspectives within curricula if it wants to act against, rather than reproduce, oppression and injustice.

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List of abbreviations

BSC	British Society of Criminology
CJI	Criminal Justice Joint Inspection
CJS	Criminal Justice System
CUG	Complete University Guide
EFRJ	European Forum for Restorative Justice
QAA	Quality Assurance Agency for Higher Education
RJ	Restorative Justice
RJC	Restorative Justice Council
UCAS	University and College Admissions Service
UCD	Undergraduate Criminology Degree

Chapter 1: Introduction

1.1 Introducing the thesis

This thesis provides distinctive insight regarding the character of contemporary criminology and the position of restorative justice within it in England and Wales. By examining the production of restorative justice knowledge(s) within undergraduate criminology in England and Wales, this thesis considers three areas. Firstly, the extent and form of restorative justice inclusion in undergraduate criminology curricula as well as the epistemological and structural factors which influence the extent of its inclusion. Secondly, it examines the knowledges of restorative justice which existed within curricula and among criminology academics and undergraduate students. Lastly, it explores the ways in which restorative justice knowledges were produced within undergraduate criminology and the implications which this had on criminological teaching and learning.

Through critical examination of these three areas involved in the production of restorative justice knowledges in undergraduate criminology, this thesis problematises the purpose of an undergraduate degree in criminology. It shows that criminological perspectives which challenge hegemonic ideas of criminal justice tend to exist on the periphery of curricula. This is problematic because it limits the opportunities and abilities for students to think differently about key socio-criminological issues which affect them and their communities. It argues that the discipline should act to reduce the reproduction of dominant narratives about crime and justice within undergraduate criminology by affording greater attention to development of the criminological imagination and revolutionary understandings of crime and justice. By exploring restorative justice knowledge production in undergraduate criminology, this thesis shows that restorative justice is a valuable concept and pedagogic tool in developing critical thinking and criminological imagination among students. Thus, restorative justice and other critical criminological ideas should be comprehensively included within undergraduate criminology to support and encourage future criminology students, who are civic participants and likely human service providers, to view crime, justice, and society differently, and activate radical change.

This chapter begins by briefly exploring criminology, higher education, and restorative justice to provide context to the areas which intersect the focus of this thesis: restorative justice knowledge production and exclusion in undergraduate criminology. Secondly, the

research aim, questions and approach used within this project are outlined. Then, the ways in which this thesis will contribute to knowledge are discussed. This chapter ends by providing an outline of the structure this thesis will take and how each chapter helps address the overall aim of this project.

1.2 Research context

Criminology higher education

The discipline of criminology has experienced, and continues to experience, significant growth in terms of its subject matter, research ventures, curriculum content, and course provision. Criminology is one of the “most rapidly expanding parts of the Social Sciences” (Young 2011: 1) and is arguably one of the quickest developing academic disciplines in the United Kingdom (Bowling and Ross 2006; McLaughlin and Muncie 2013; Harris *et al.* 2019). Criminology has always been “a point of intersection between a number of academic fields and approaches” (Bosworth and Hoyle 2011: 2; Bowling and Ross 2006; Garland 2011) forcing many inside and outside the field to ask: “What is criminology?” (Bosworth and Hoyle 2011). According to the Universities and Colleges Admission Service (UCAS) 1,044 undergraduate and 200 postgraduate criminology courses were offered in England and Wales in 2021/2022 (UCAS, 2021). Clearly, criminology is “a standard part of the undergraduate curriculum in universities” in England and Wales, as well as internationally (Garland 2011: 299). Given that criminology is largely a new academic discipline, the current, vast, scale of criminology highlights the significant scope of its development. Arguably, the expansive stature of the discipline prompts important questions regarding criminology’s role in the academy and the curricula which it encompasses (Harris *et al.* 2019; Palmer 2020; Bosworth and Hoyle 2011).

The growth of criminological knowledge and degree programmes cannot be considered without recognition of the neoliberalised and marketised academic context in which it has taken place. The 2015 Green Paper published by the UK Government Department for Business, Innovation and Skills ‘Fulfilling our Potential: Teaching Excellence, Social Mobility and Student Choice’ positioned universities as market competitors, leaving their success to be measured by money generated from student fees (UK Government 2015; Maisuria and Cole 2017). In conjunction with UK universities being represented within the business branch of the government, and situated economically as corporations, the cap on university student enrolment numbers was removed (Maisuria and Cole 2017). These changes

incited competition between universities for students as consumers of knowledge (Harris *et al.* 2019; Maisuria and Cole 2017). Thus, as the number of criminology degree programmes in the UK has increased so too has the active marketisation and commodification of academic knowledge. The attractiveness of criminology to students has arguably been exploited by universities across the UK with the discipline serving as “a ‘cash cow’ for cash-strapped universities” increasingly competing to attract students (Harris *et al.* 2019: 138; Palmer 2020). However, despite the extensive growth of the discipline and degree programme provision, research on current criminology curricula content and pedagogy at a national level is lacking.

Restorative justice

The field of restorative justice has developed considerably, similarly to criminology, in terms of theory, practice, application, and research. In contrast with common punitive justice approaches, restorative justice, in a broad sense, is presented as a more ethical and humane response to crime which focuses on repairing harm and relationships rather than punishment (Wright 1996; Zernova 2016). Applications of restorative justice, inside and outside of criminal justice contexts, continue to progress and strengthen in the UK and internationally. Yet, somewhat like criminology, contestations exist within the field of restorative justice regarding its definition and purpose, as well as the extent to which the expansion of restorative justice, and associated practices, is welcomed. As Van Ness and Strong highlight: “[Restorative justice] is a complex idea, the meaning of which continues to evolve with new discoveries” (2010: 41). While restorative justice is a contested concept, there is broad consensus among academics and practitioners in the field that it offers a response to crime which is very different from dominant state justice and punishment approaches (Johnstone 2011; Zernova 2016). Johnstone (2011) argues that while those advocating for restorative justice originally purported that it should be used to reform criminal justice systems, increasingly advocates view it as a social movement aiming to change social relations through the incorporation of restorative values throughout society. Regardless of the extent to which proponents believe in the society-wide changes restorative justice can provide, or whether they are more focused on its ability to reform the criminal justice system (CJS), all agree that restorative justice offers a different way to approach, and understand, crime and justice (Johnstone 2011; Zernova 2016; Johnstone and Van Ness 2007; Zehr 1990).

Given the subject matter of criminology, which, although vast, is generally concerned with crime, justice, punishment and related stakeholders, restorative justice seems clearly relevant to criminology and its curricula. However, somewhat mirroring debates within the field of restorative justice, there are questions regarding in what way restorative justice is relevant to criminology. Some argue that it is relevant because it is a growing area of criminal justice policy and practice internationally (Smith-Cunnie and Parilla 2001; Britto and Reimund 2013; Carson and Bussler 2013). Indeed, since 2012, UK government policy has legislatively ‘embedded’ restorative justice throughout the CJS in England and Wales (Ministry of Justice 2012; 2014a). In this respect restorative justice is deemed as being relevant to both the subject knowledge and potential career prospects of criminology students (Smith-Cunnie and Parilla 2001; Britto and Reimund 2013; Carson and Bussler 2013).

However, for others, restorative justice is relevant to criminology because it offers an alternative way of understanding and approaching crime and justice. Indeed, the values and aims of restorative justice (Johnstone 2011; Pranis 2011) are largely at odds with the punitive ideals currently driving crime control policy in the UK (Roche 2011; Zehr 1990; Garland 2001; Wacquant 2009). Neoliberal and neoconservative political and economic ideology have shaped understandings and approaches to crime and justice in contemporary society (Garland 2001; Wacquant 2009; DeKeseredy 2022; Ruggiero 2022). The ‘punitive turn’ by both left- and right-wing politicians in the UK, has popularised punitive penal policy, informing public perceptions regarding crime and justice (Wacquant 2009). In this context, the dominant view of justice following a crime focuses on establishing the guilt of an offender and punishing them by imposing pain in some form and giving them their ‘just desserts’ (Zehr 1990; Zernova 2016; Wright 2003, 2006). Restorative justice proponents argue that this approach to crime and justice, which members of the public are socialised to accept, is intolerable and unsuccessful (Wright 2003, 2006). In this respect, learning about restorative justice could encourage criminology students to think differently about dominant criminal justice practices and critique their effectiveness (Cunneen 2008; Stroup 2019; Smith-Cunnie and Parilla 2001; Deckert and Wood 2013). Yet, although some academic consideration has been given to the relevance of restorative justice to criminology, no previous research has focused on restorative justice teaching and learning in criminology in a UK context.

This thesis focuses on restorative justice knowledge production within undergraduate criminology because although restorative justice research and practice has progressed in England and Wales it remains a complex and contested concept. As criminology students are

members of civic society and future human service practitioners it is important to examine the way they are taught and understand restorative justice to support the practice to progress further. Moreover, restorative justice is generally understood as being different to dominant criminal justice practices. Therefore, examining restorative justice knowledge production within undergraduate criminology provides a lens to consider the epistemological orientation of the discipline's curricula.

1.3 Research aim, questions, and approach

The overarching aim of this thesis is to critically examine the production, and/or exclusion, of restorative justice knowledge(s) within undergraduate criminology curricula in England and Wales. In doing so, this thesis must examine the extent and form of restorative justice knowledges which exist to expose how such knowledges are produced within undergraduate criminology curricula as well as understand the implications restorative justice knowledge production has for criminological teaching and learning. This aim is achieved through the collection and analysis of primary data from a range of sources, which are utilised to address the following three research questions:

1. To what extent is restorative justice included, and/or excluded, within undergraduate criminology curricula in England and Wales?
2. What knowledge(s) of restorative justice exist among undergraduate criminology students and academic criminology staff in England and Wales?
3. How are restorative justice knowledge(s) produced within undergraduate criminology, and what implications does this have for undergraduate criminological teaching and learning in England and Wales?

Evidence presented and analysed within this thesis, to address the overarching aim and research questions, was collected and analysed over two stages and through a multi-method, qualitative dominant, approach (Grønmo 2019; Johnson *et al.* 2007) in 2019/20. Stage one comprised of a comprehensive scoping study to 'map' out the criminology curriculum within undergraduate degree programmes in England and Wales (Arksey and O'Malley 2005: 22). Scoping involved content analysis of university websites, prospectuses, undergraduate criminology course outlines, and module descriptions. Systematically reviewing all publicly available documents and sources relating to undergraduate criminology degree programmes in England and Wales provided wide-ranging insight of the content of undergraduate criminology degree programmes and the position of restorative justice within curricula.

Finalised scoping data concerned all universities in England and Wales (n=129) which delivered an undergraduate criminology degree (UCD) programme (n= 85) between 2019 and 2020. Module specific data obtained from each of the 85 UCD programmes involved a total of 2,324 modules. Each module was analysed in relation to criminological topic area; restorative justice inclusion; module type (core or optional); and degree stage (Year 1, Year 2 and/or Year 3).

Data collected and analysed during the first stage was used to inform stage two which involved exploration of the criminology curriculum, and the position of restorative justice within it, from the perspective of criminology academics and students in England and Wales. In this stage, purposive sampling was used, guided by the information collected in phase one. As the scoping study established UCD programmes which included restorative justice, this information was used to invite criminology academics who led restorative justice inclusion modules to take part in semi-structured interviews. In total, ten semi-structured interviews with criminology academics from seven different universities were conducted. Eight of the criminology academics interviewed provided the module handbook for the respective restorative justice module which they led and created, for analysis as part of stage two of the project. Three focus groups involving a total of ten undergraduate criminology students who had studied restorative justice as part of their degree at three different universities were also carried out in 2020.

1.4 Contribution to knowledge

The areas which this thesis focuses on, namely undergraduate criminology and the production of restorative justice knowledges within it, are nascent matters of academic inquiry. Thus, this research contributes to knowledge in the fields of both restorative justice and criminology in several ways.

Firstly, this research establishes and contributes to a gap in restorative justice literature regarding its position within the discipline of criminology. As is explored in Chapter 2, considerable research has been conducted regarding the application of restorative justice in criminal justice settings in England and Wales as well as internationally. Many criminologists are proponents of restorative justice and/or concentrate their academic endeavours on exploring the concept. However, no previous research has extensively explored the way in which the discipline of criminology has embraced the concept theoretically or practically. By critically examining the extent and form of restorative justice knowledge production in

undergraduate criminology programmes, this thesis provides insight regarding the position of restorative justice within the discipline. This is important because restorative justice continues to be a complex and ambiguous concept which many members of the public and, as will be empirically explored in Chapters 5 and 6, criminology academics and students are not aware of. This thesis contributes significantly to knowledge regarding the place of restorative justice in criminology by evidencing the position that restorative justice holds within criminology curricula as well as the way it is understood by students and staff. This is important to the future progression of the topic in research, teaching and learning, and in non-academic spaces.

Secondly, this thesis contributes to knowledge and practice regarding the extent and form of restorative justice knowledge production in criminology on a national scale. In doing so, it has implications for restorative justice teaching and learning scholarship and practice. The inclusion of restorative justice within criminology curricula in the UK has not previously been academically considered. A limited number of publications concerning the inclusion of, and/or approach to teaching, restorative justice in criminology and/or criminal justice in higher education exist internationally (Smith-Cunnien and Parilla 2001; Britto and Reimund 2013; Deckert and Wood 2013; Carson and Bussler 2013; Stroup 2019; Waltman-Spreha 2013; Gilbert, Schiff and Cunliffe 2013). Previous research includes perspectives on teaching and/or including restorative justice within individual criminology and/or criminal justice higher education programmes in the USA and New Zealand. However, no work has explored it in a UK setting. Given the growth of criminology in English and Welsh higher education, and the extent of restorative justice research in Britain, it is important and timely to examine restorative justice knowledge production within criminology in a UK context.

Further, while existing literature discusses the relevance of restorative justice to criminology teaching and learning generally, it does not explore this empirically on a national scale. Instead, prior research includes personal reflections from academics who have introduced restorative justice as part of the criminology and/or criminal justice programme for which they are an academic member of staff and, in some cases, the perspectives of students who have studied restorative justice on the respective degree programme (Smith-Cunnien and Parilla 2001; Britto and Reimund 2013; Deckert and Wood 2013; Carson and Bussler 2013; Stroup 2019; Waltman-Spreha 2013; Gilbert, Schiff and Cunliffe 2013). While such ground-level research on individual restorative justice courses provides valuable insight, it is important to empirically examine the extent and form of restorative justice in criminology on

a broad scale to identify common successes and challenges to its inclusion in curricula. This thesis adds a UK and cross-programme perspective to the current literature regarding restorative justice teaching and learning in criminology. This is important because, as will be explored in Chapter 5, the extent and form of restorative justice knowledge production is marginal. Thus, if awareness and understanding of restorative justice is to be developed in criminology higher education, it is important to evidence the way it is included in curricula currently. Further, as research and practice in restorative justice teaching and learning is still emerging, evidence provided in this thesis offers an important starting point to examine restorative justice knowledge production in other higher education subjects and contexts.

Thirdly, this thesis provides unique and timely insights regarding the contemporary character of criminology. The empirical data presented and discussed within this thesis evidences key factors influencing curriculum design and knowledge production within criminology in England and Wales, highlighting that contemporary criminology is largely repetitive and status quo-maintaining by focusing on dominant narratives of crime and justice while critical criminological perspectives exist on the margins. Evidence examined in Chapter 5 regarding the character of contemporary criminology, and the wider socio-economic forces which influence it, comes at an important time for the discipline. As has been highlighted earlier in this chapter and will be further discussed in Chapter 3, the recent growth of criminology in marketised higher education poses important practical and epistemological questions about the purpose of a criminology degree and the discipline's position within the academy (Harris *et al.* 2019; Palmer 2020; Bosworth and Hoyle 2011; Garland 2011; Young 2011). This thesis does not have sufficient scope to provide complete answers to such fundamental and large-scale disciplinary questions. However, this thesis does equip us to approach such questions by offering important contributions to scholarly and practical discussions about the purpose of criminology degrees and the epistemological divisions which exist in the discipline and its curricula (Barton *et al.* 2007; 2010; Young 2011; Palmer 2020; Stockdale and Sweeney 2019, 2021, 2022; Stockdale, Sweeney, and McCluskey-Dean 2022; Stockdale *et al.* 2022; Harris *et al.* 2019; Young and Strudwick 2022; Bosworth and Hoyle 2011).

Lastly, this thesis empirically evidences the application of restorative pedagogy in higher education and its relevance to criminology teaching and learning. In doing so it adds to the emerging area of academic knowledge regarding restorative pedagogy in higher education, and in particular criminology. As is discussed in Chapter 2, restorative pedagogy has most commonly been explored in terms of its use within school settings (Hopkins 2003, 2012;

Morrison and Vaandering 2012; Vaandering 2014a, 2014b; Morrison 2015) and in education on restorative justice (Toews 2013; Pointer *et al.* 2020; Pointer and McGoey 2019; Gilbert *et al.* 2013). This thesis contributes to knowledge regarding the central principles of restorative pedagogy when applied in higher education and the educational value restorative pedagogy can have for criminology education. This is important to the development of restorative pedagogy practices in higher education and to teaching and learning scholarship in criminology.

1.5 Outline of thesis structure

This thesis comprises of eight chapters. Following this introduction (Chapter 1), the structure of the remaining chapters is as follows: the next two chapters (Chapter 2 and Chapter 3) review relevant literature, providing a background and contextualising the empirical work; Chapter 4 explains the methodological approach taken and the research design and methods used in this project; the following three chapters (Chapter 5, Chapter 6 and Chapter 7) present and discuss the empirical findings of the research with reference to relevant literature throughout; lastly, Chapter 8 provides final thoughts and a conclusion to the thesis.

Chapter Two explores literature which addresses what is meant by restorative justice, how it has been applied within the CJS of England and Wales, and restorative justice education. Restorative justice is widely regarded as a complex concept; a range of varying, and often opposing, perspectives exist within the field when considering fundamental questions like what restorative justice is, how it should be applied in practice, and what form of relationship it should have with the CJS. This chapter sets out the key perspectives of restorative justice scholars and practitioners in relation to these questions which inform discussions later in the thesis regarding the knowledges of restorative justice produced within undergraduate criminology. Then, restorative justice policy developments in England and Wales are outlined to provide context to understandings of restorative justice which were found to exist among criminology students and staff as well as opinions given by criminology academics regarding the relevance of the topic to the discipline. Lastly, this chapter explores the limited research which exists on restorative justice teaching and learning in criminology and restorative pedagogy in order to situate how this thesis makes a unique contribution to knowledge in these areas.

The second of the two literature review chapters, Chapter Three, considers the neoliberalisation of the academy, the advancement of consumerism in higher education, and

how the growth and curricula of criminology may be influenced by these socio-economic factors. It starts by outlining the notions of neoliberalism and consumerism generally, before moving to consider the impact that these factors have had on the higher education sector and on the production of knowledge at universities. Then, this chapter explores criminological thought in terms of its contemporary subject matter and the enduring epistemological divisions within the discipline. Lastly, literature and ideas discussed in the first two sections of this chapter are brought together to consider criminological teaching and learning within the neoliberal academy and discuss the purpose of an undergraduate degree in criminology. In doing so, this chapter provides important background information used to analyse key findings from this thesis in later chapters. Primarily, it contextualises the discipline of criminology and its subject matter, and the impact of neoliberal and consumer-orientated policies on universities and higher education, factors which are pertinent to assessing the character of criminology and the production of restorative justice knowledges within it.

Chapter Four explains and justifies the methodological position taken within this thesis, and the research design and methods used. It begins by outlining the data collected and how each data form is used to successfully address each research question and thus the overall research aim. The chapter then outlines the critical methodological position taken and its relevance to the aim of the project. Then an explanation of the two-phase research design and methods used, within each phase, is provided with consideration of the related limitations to the research throughout. Lastly, this chapter reflects on the positionality of the researcher and the impact this had on the research design and process. Finally, the chapter discusses the researcher's approach to various ethical considerations when planning this project and during the collection and analysis of empirical data.

Chapter Five considers the extent and form of restorative justice inclusion within undergraduate criminology curricula in England and Wales. In doing so, it addresses the first research question. It establishes that restorative justice holds a marginal position within undergraduate criminology curricula. However, it also demonstrates that restorative justice inclusion can take different forms. This chapter argues that restorative justice is not extensively included in undergraduate criminology curricula because the criminology curriculum is repetitive and status quo-maintaining, and restorative justice is a criminological specialism. Fundamentally, this chapter puts forth that restorative justice is largely excluded from criminology curricula due to the impacts of neoliberalism and consumerism on criminological higher education.

Chapter Six explores the knowledges of restorative justice which were found to exist within undergraduate criminology in England and Wales. It directly addresses Research Question 2 as well as responding to elements of the third Research Question. This chapter shows that the overarching knowledge of restorative justice in undergraduate criminology was as an alternative justice paradigm. However, it establishes that understandings regarding restorative justice being an alternative took two forms depending on the extent to which criminology academics believed that it offered a different way of delivering justice within the current CJS or could override current criminal justice structures completely. Other knowledges of restorative justice which existed in undergraduate criminology were connected to the prevalent understanding of it as an alternative justice form. Criminology staff and students understood the concept in terms of the key ways in which it differed from common criminal justice practices. This chapter puts forth that the marginalisation of restorative justice evidenced in Chapter 5 meant that there was not space within the curriculum for students to thoroughly explore the concept's complex definitions, theories, and models.

Correspondingly, this chapter shows, that there was propensity among academics to present restorative justice in a practical way by showing the range of criminal and community settings in which it could be applied. Arguably, the common focus on practical understandings of restorative justice was a symptom of two factors: the fact few students had heard of the concept previously which encouraged academics to prove its relevance; and the increasing focus on employability within undergraduate criminology in marketised higher education. Ultimately, this chapter puts forth that knowledge of restorative justice centred on its position as an alternative form of justice and its application in practice due to the marginal, and specialist, position of the topic within criminology curricula.

The final empirical chapter, Chapter 7, draws on the knowledges of restorative justice found to exist in the previous chapter and explores how these knowledges were produced. In doing so it directly addresses Research Question 3. It examines data collected from interviews with academics and focus groups with criminology students to establish common themes in the way restorative justice was taught in criminology at multiple universities. This chapter argues that real-world contextualisation, collaboration, and experiential learning are the central principles of restorative pedagogy in criminology higher education. Resultantly, it establishes that restorative justice is both a valuable topic and educational tool within criminology to support the development of critical thinking, humanisation of criminological issues, and encourage students to recognise their position as social actors. Thus, this chapter argues that

restorative justice, as a topic and tool, has valuable implications for criminological teaching and learning by fundamentally supporting the development of the criminological imagination.

Chapter Eight provides a conclusion to the thesis. It discusses the main findings and themes produced from the empirical research in line with the three research questions and the overall research aim. This chapter considers the execution of the project in terms of its successes and limitations. Then it highlights the implications of the study's findings for criminological and restorative justice education, establishing the project's overall contribution to knowledge and implications for practice. Through discussion of the project's key findings and their implications for scholarship and practice, this chapter argues that the discipline of criminology must reflect on the purpose and function of its undergraduate degree programmes in England and Wales. Moreover, it outlines key areas which must be considered if fundamental changes, which foster a more radical discipline, are to be achieved, arguing that restorative justice education and restorative pedagogy are both important to developing criminology education which acts against marketisation and neoliberalism in the academy.

Chapter 2: Restorative justice theory, practice, and education

2.1 Introduction

As discussed in Chapter 1, restorative justice is widely understood as complex, there are ongoing debates within the field regarding its definition, the way in which it should be applied in practice, and what the aim of the restorative justice movement is (Johnstone and Van Ness 2007; Zernova 2016; Daly 2016). This chapter situates the current study within the broader restorative justice literature, mainly by considering prominent theoretical and practical understandings of restorative justice, its relationship with the CJS as well as restorative justice education. These topics are important to consider given that the focus of this research is the examination of restorative justice knowledges within undergraduate criminology. Further, exploring existing literature regarding restorative justice education in criminology evidences the significant contribution to knowledge which this thesis makes. This chapter shows that there is limited literature regarding restorative justice teaching and learning within criminology higher education and that this thesis provides unique empirical evidence of restorative justice knowledge production in criminology across multiple degree programmes and in a UK context. Thus, this chapter provides important background information to both the phenomena examined in this research as well as the findings produced and presented in later chapters of this thesis.

This chapter starts by providing an overview of restorative justice by exploring key theoretical debates regarding its definition and practical application. It then outlines recent developments regarding restorative justice within criminal justice settings in England and Wales. In doing so, it examines the successes and limitations of recent developments in this context and explores broader debates regarding the relationship between restorative justice and the CJS. Finally, this chapter provides an overview of existing academic literature on restorative justice teaching and learning, with a focus on its inclusion in criminology higher education.

2.2 What is restorative justice?

It is widely recognised that restorative justice within the CJS can be defined theoretically and practically in various, often conflicting, ways (Daly 2002; Johnstone and Van Ness 2007;

Shapland *et al.* 2006; Dünkel *et al.* 2015; Doak and O'Mahony 2011). There is considerable theoretical debate surrounding restorative justice and how it should be explained and applied. Defining restorative justice is difficult because it can take on a variety of forms, include varying elements and actors, as well as being able to be used at different stages of the CJS and in accordance with a range of offences (Daly 2002). The flexibility of the concept's definition has resulted in a range of different and often contradictory practices, and an absence of agreement on their implementation (Dünkel *et al.* 2015; Doak and O'Mahony 2011).

Despite the contestation relating to specific definitions and characteristics, restorative justice is commonly agreed upon as a specific and progressive social movement (Johnstone and Van Ness 2007; Johnstone 2013; Umbreit *et al.* 2005). Within this movement there are various layers, definitions and beliefs about how restorative justice should be implemented within criminal justice and/or across society at large to effectively pursue the aims of restorative justice in different contexts. What binds the various perspectives to the wider restorative social movement is the belief in the concept's ultimate ability to continuously grow and develop and achieve progressive and promising results (Dünkel *et al.* 2015). Viewing restorative justice as having various layers, the characteristics of which are fluid and complex, not only explains the contestation which exists among academics and practitioners in the field, but further enables it to be understood through different conceptualisations (Johnstone and Van Ness 2007). Therefore, as restorative justice is widely recognised as a contested concept (Johnstone and Van Ness 2007) it is important to consider the different ways in which the concept is applied and understood to allow for practical and theoretical exploration in the context of this research.

Models of restorative justice in practice

There are various models of restorative justice which are commonly recognised within the field as being the main forms restorative justice can practically take in a criminal justice setting. These conceptions link to the key theoretical positions within the restorative justice field.

The 'purist model'

Marshall suggests that restorative justice should be defined as "a process whereby all parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future" (1996: 37). McCold (2000)

connects this definition with the ‘purist’ model as it details restorative justice as being process focused and does not include characteristics of retributive or deterrence justice paradigms. McCold argues that it is vital to have a “pure” or “conservative” model of restorative justice to ensure that it is not associated with or used as a label for practices that do not actually constitute restorative justice (2000: 2). The purist model provides a “mid-range” theory of restorative justice which is not concerned with explaining or impacting social, political, or economic structures, but rather focuses on explaining crime, harm, and social responses to such phenomena (McCold 2000: 4). McCold explains that the “purist model utilises a cooperative problem-solving approach involving recognition, reparation, reconciliation, and reintegration of victims, offenders, and others personally affected” (2000: 12). However, this model has been criticised for being too narrow as it only focuses on restorative justice involving face-to-face meetings (Bazemore and Walgrave 1999) and because it suggests that restorative justice must be a voluntary process therefore reducing the extent to which it can be applied (Walgrave 2000).

The ‘maximalist’ model

The ‘maximalist’ model offers an ‘intention based’ definition of restorative justice because it is “every action that is primarily oriented toward doing justice by repairing the harm that has been caused by a crime” (Bazemore and Walgrave 1999: 48). The fundamental aim of this model is “maximal transformation of the [justice] system” (Zernova and Wright 2011: 93). Largely this model directly contrasts with the purist model as it focuses on achieving restorative outcomes, primarily reparation of harm caused by crime, rather than being overly concerned with the process and voluntariness within it (Bazemore and Walgrave 1999; Zernova and Wright 2011). Bazemore and Walgrave argue that “what makes these obligations and processes ‘restorative’, rather than retributive or rehabilitative, is the intent with which they are imposed and also the outcome sought by decisionmakers” (1999: 47). Proponents of the maximalist model argue that the only way to meaningfully reform and replace the current CJS is by formalising restorative justice as the main response to crime through removing the focus of voluntariness to ensure that it can be used as a sanction in all criminal cases (Walgrave 2000). The maximalist model has been criticised primarily because it is too broad meaning there is a lack of recognition given to what practices can and cannot be identified as restorative justice (Sharpe 2004; Daly 2002). Further, McCold argues that the maximalist model does not sufficiently “address the personal/relational nature of crime”,

places an excessive focus on “formal coercion”, and supports rather than opposes the existing CJS (2000: 24).

The encounter conception

The encounter conception understands restorative justice as a process in line with the ‘purist model’, which should be carried out through face-to-face meetings so that individuals who have actually been involved in a criminal event have the chance to be meaningfully involved in the decision-making process (McCold 2000: 401; Robinson 2003; Christie 1977; Johnstone and Van Ness 2007). This conception recognises that it is the discussions between individuals with a stake in an offence which are vitally important to the justice response and that conventional criminal justice processes and professionals are considerably less important (Johnstone and Van Ness 2007; Christie 1977). Robinson (2003) argues that the encounter concept is effective for attaining aims which are familiar to the CJS (rehabilitation, deterrence and social norm reinforcement). As well as further aims which are important to restorative justice, such as giving victims the ability to gain restitution, providing victims with the chance to be involved in post-crime decision making, potentially reducing concern about further crime, encouraging feelings of safety, and promoting understanding of the offender’s circumstances prior to and post a criminal offence (Robinson 2003). Thus, the encounter concept focuses on the meeting of all individuals involved in a criminal incident to provide the opportunity for meaningful decisions to be made about the most suitable response (Johnstone and Van Ness 2007).

The reparative conception

Johnstone and Van Ness (2007) argue that restorative justice can also be understood through ‘reparative conception’, which advocates suggest involves a distinctive set of activities and situations after a crime has taken place which would represent justice. The ‘reparative conception’ is similar to the ‘encounter conception’ in the sense that both are ultimately concerned with reforming the conventional response to crime (Johnstone and Van Ness 2007). Both conceptions further believe that the principle way in which damage is done through a criminal event is loss of the victim’s ‘personal power’ (Zehr 1990: 27); that crime is traumatic and as a result diminishes the victim’s confidence in self-sufficiency (Zehr 1990); both victims and offenders are wronged and further hurt, isolated and traumatised by conventional CJS practices and the over-involvement of professionals; and lastly, both conceptions agree that the most effective way for harm to be repaired is for the offender and

the victim to have an opportunity to communicate with each other in a safe and neutral environment (Zehr 1990). However, what sets the reparative conception and the encounter conception apart from each other is the belief that in the case of the former conception, restorative justice can be carried out even when stakeholders do not want to take part in a face-to-face meeting creating a dialogical process (Johnstone and Van Ness 2007).

The transformative conception

The third proposed conception of restorative justice is the ‘transformative conception’ (Johnstone and Van Ness 2007). This conception concentrates more broadly on restorative justice as a social movement and its original and definitive aim to transform the way in which individuals understand themselves and others in day-to-day social life (Sullivan and Tifft 2001; Ross 1996; Johnstone 2013). There are two central points within this conception of restorative justice. Firstly, that such expansive and profound transformation is required because, without this, lower level attempts to change particular methods or structures, such as social responses to criminality, are not liable to be successful and could perhaps even have consequences largely different to those anticipated (Johnstone and Van Ness 2007). Secondly, even in the instances where such changes do succeed, they can only marginally contribute to the ultimate goal of realising a just society, thus there is a demand for more innate and extensive transformations in order to attain this definitive goal (Johnston and Van Ness 2007). This third conception of restorative justice is significantly different from the previous conceptions outlined, as it is not simply a way of doing justice but is instead a way of life (Johnstone and Van Ness 2007). Indeed, as Braithwaite highlights, the transformative conception of restorative justice is not just about “reforming the criminal justice system, [but] is a way of transforming our entire legal system, our family lives, our conduct in the workplace, our practice in politics” (2003: 1).

Innovative justice mechanism

The final prominent conception of restorative justice within the field is that offered by Daly (2016: 17) which deems it should be viewed as a ‘justice mechanism’ under an ‘innovative justice umbrella’ (Daly 2002; Daly *et al.* 2006). Daly (2016) disputes the effectiveness of claims made by Johnstone and Van Ness (2007) regarding both their identifications of the types of concepts which restorative justice can be, and the three conceptions they provide to classify restorative justice perspectives. Daly (2016) takes issue with these ways of understanding restorative justice because she argues that the conceptual framework simply

adds to the confusion surrounding its definition within the field by incorporating every variation and perspective without coming to a decisive standpoint. Johnstone and Van Ness (2007) suggest that the variability and expansive nature of the concept is of great value in providing strength to the restorative justice movement in every context. However, Daly (2016) opposingly asserts that this lack of ability to define restorative justice is detrimental to its potential success, and ultimately its very existence.

Daly (2016) asserts that restorative justice can, and should, be defined as a justice mechanism, which is easily understandable when restorative justice is considered as an activity rather than a philosophy, idea or perspective for simply thinking about crime and justice. When restorative justice is viewed as a justice mechanism it is most closely linked to the purist model involving a dialogical meeting process, rather than the maximalist model focusing on repairing harm (Wachtel and McCold 2001; Walgrave 2000). Daly therefore defines restorative justice as:

“a contemporary justice mechanism to address crime disputes, and bounded community conflicts. The mechanism is a meeting (or several meetings) of affected individuals, facilitated by one or more impartial people. Meetings can take place at all phases of the criminal process – prearrest, diversion from court, presentence and post-sentence – as well as for offending and convicts not reporting to the police. Specific practices will vary depending on the context but are guided by rules and procedures at a line with what is appropriate in the context of the crime, dispute or bounded conflict” (2016: 21).

Through this definition and the rejection of many aspects of restorative justice which are commonly perceived or believed to be fundamentally and historically truthful, the vision of restorative justice is largely different from any of the conceptions put forth by Johnstone and Van Ness (2007). Daly’s (2016) conception of restorative justice firstly, suggests that the traditional understanding of restorative justice which links it to indigenous practices and suggests that it was dominant in pre-modern methods of justice is a myth (Daly 2002; 2016); secondly, it problematises a prominent philosophical understanding of restorative justice which suggests it is in stark opposition to retributive justice; thirdly, it belittles the notion that restorative justice is ultimately transformative by arguing that it is a mechanism of justice rather than a way of thinking about crime, justice, and society; lastly, it reduces the scope of

restorative justice by removing its ability to be considered as a perspective, vision, concept, or model of justice, and suggests it is simply a mechanism.

Although it could be argued that this definition of restorative justice leaves out or rejects important elements of the restorative justice movement as it has been commonly understood (Johnstone and Van Ness 2007; Johnstone 2013; Zehr 1990), it can also be viewed as a progressive, positive, and beneficial definition within modern and increasingly punitive conventional criminal justice systems (Garland 2001). This understanding of restorative justice provides a workable and coherent definition which can be easily applied in different contexts to enable empirical exploration in the hope of strengthening restorative justice both theoretically and practically. Importantly, defined as a justice mechanism, restorative justice can be evaluated through more advanced methods than assessing participant satisfaction or offender recidivism rates (Daly 2016). Fundamentally, Daly believes that without this detailed and structured definition to empower progressive and necessary empirical enquiry, restorative justice and its advocates are “bobbling on a raft in a sea of hopes and dreams” (2016: 13).

Restorative principles and values

As discussed above there are various models of restorative justice. However, some argue that due to the various definitions and conceptions of restorative justice it is more beneficial to focus on its key values and principles (Pranis 2011; Zehr 2015, 1980; Doolin 2007). Pranis puts forth that “values are the foundation of restorative justice, the touchstone to which we return when in doubt about what to do or how to do it, the yardstick for assessing action” (2011: 72). Similarly, Zehr argues that restorative justice practices are only beneficial if they are “rooted in a number of underlying values” (2015: 27). When discussing restorative practices and values most proponents outline key principles of restorative justice and the values which should guide the achievement of such principles. Indeed, Braithwaite argues that restorative justice is “about struggling against injustice in the most restorative way we can manage [...] it targets injustice reduction; to see the goal simply as crime reduction impoverishes its mission.” (2003: 2). To achieve these principles of restorative justice, Braithwaite suggests that there are some “constraining values” which must be adopted: “non-domination”, “empowerment”, “respectful listening”, “equal concern for all stakeholders”, “accountability”, and “respect for fundamental human rights” (2003: 9).

Zehr puts forth that the underlying principles of restorative justice are to: “focus on the harms” and resultant “needs” of victims, communities and offenders; “address the obligations that result from those harms”; “use inclusive and collaborative processes”; “involve those with a legitimate stake in the situation” such as “victims, offenders, community members, and society”; and “seek to put right the wrongs” (2015: 26). To enable the central principles of restorative justice, Zehr argues that the values of interconnectedness, particularity, and respect must be maintained and used to guide restorative justice processes (2015). Pranis (2011) outlines the principles and values of restorative justice in slightly different terms, but her framework corresponds with the perspectives of Braithwaite (2003) and Zehr (2015). Pranis understands the principles of restorative justice to be that: “all human beings have dignity and value”, “relationships are more important than power”, and “the personal is political” (2011: 59). To achieve these principles of restorative justice Pranis (2011) argues that restorative values should be categorised into two groups: ‘process values’ and ‘individual values’. Process values of restorative justice include ‘respect’, ‘individual dignity’, ‘inclusion’, ‘responsibility’, ‘humility’, ‘mutual care’, ‘reparation’, and ‘non-domination’ (Pranis 2011). Pranis (2011) suggests that if restorative justice processes are guided by these values then individual values of ‘respect’, ‘honesty’, ‘compassion’, ‘patience’, and ‘open-mindedness’ will be supported among members in such processes. Like the lack of consensus in the field regarding the definition of restorative justice, clearly there is also “not a list of its values”, however restorative values are largely consistent despite there being various “ways of expressing them” (Pranis 2011: 72).

Differentiating restorative justice and restorative practices

The application of restorative justice in settings outside of the CJS has grown internationally. Restorative practices are used within a range of settings such as schools, hospitals, care provision, universities, business organisations, and workplaces (Hopkins 2015; Daly 2016; McCluskey 2018; Winn and Winn 2021; Wachtel and McCold 2001; Karp 2019). Restorative approaches in such settings stem from the principles of, and approaches to, restorative justice as it is applied within criminal justice settings (Hopkins 2015). However, restorative practice can inform approaches to communicating, working, relationship building, and interacting, rather than being a specific mechanism applied after a harmful criminal incident between individuals has occurred (Hopkins 2015). Indeed, many in the field (Hopkins 2007, 2013; Sullivan and Tiffit 2001; Wachtel and McCold 2001) argue that restorative practice is a way

of being, a style which informs “daily interactions with family, friends, colleagues and indeed the general public” (Hopkins 2015: 11).

The application of restorative justice principles in daily social interactions aligns with understandings in the field that the fluidity, and complexity, of restorative justice enables it to continuously “evolve with new discoveries” (Van Ness and Strong 2010 cited in Dünkel, Grzywa-Holten, Horsfield, and Parosanu, 2015: 177). Owing to this, it is widely recognised that restorative justice can “mean different things to different people” or “all things to all people” (Fattah 1998: 393 cited in Daly 2016: 10; O’Mahony and Doak 2009: 167).

However, the open-endedness of restorative justice and the multiplicity of its applications, has raised concerns within the field (Walgrave 2003; Daly 2016). Walgrave (2003: ix) suggests that “the most important threat to restorative justice is the enthusiasm with which it is being implemented”. Similarly, Daly (2016) argues that restorative justice “cannot be defined” because individuals “choose to define it as they wish” and because it is a “complex and evolving concept” (2016: 10). Due to this, Daly (2016) asserts that if the scope of restorative justice becomes too broad it may not have a future. Hopkins (2015) argues that such concerns about the ambiguity and overuse of restorative justice as a term incited the creation of the term restorative practice. The term ‘restorative justice’ should refer to criminal justice settings and the term ‘restorative approaches’ or ‘restorative practice’ should relate to the use of restorative justice principles and processes in “wider community settings” (Hopkins 2015: 11).

This section has added to arguments discussed in Chapter 1 regarding the complexity and contested character of restorative justice. It has also explored the developing idea of restorative practice being applied in settings outside of the CJS through the application of restorative values and practices in community settings. The various academic conceptions of restorative justice are largely ideal, theoretical and practical, perspectives of its utilisation. However, as this thesis is concerned with the production of restorative justice knowledges in higher education, it is important to consider prominent models and understandings of the concept which exist within the academic field. Restorative justice being a complex concept with various competing perspectives of its practical application was relevant to the context and rationale for this study as discussed in Chapter 1. The various ways that restorative justice is conceptualised and applied arguably prompts exploration of how knowledge is produced about it in a criminological higher education context. Moreover, the vastness and complexity of the field informs discussion of findings regarding the extent of restorative

justice inclusion in UCD programmes and the knowledges of the concept which are produced in this context.

2.3 Restorative justice and the CJS

Restorative justice has been applied, to varying extents, in a UK context since the 1980s (Johnstone 2013; Smith *et al.* 1998; Wright 1996). However, its first formal introduction within the CJS was in the mid-1990s by Thames Valley Police (Pollard 2000; Johnstone 2011). Following this, restorative justice was introduced to various police forces across the UK and was developed in relation to the youth justice system (Johnstone 2011). While restorative justice advocates and scholars have continued to develop and examine the restorative justice movement since the 1980s in a UK context, notable developments regarding the top-down progression of restorative justice in the CJS were initiated in 2010 by the Conservative and Liberal Democrat Coalition Government (Ministry of Justice 2010).

This section explores the relationship between restorative justice and the CJS. It begins by discussing the financial and legislative ‘embedding’ of restorative justice throughout the CJS in England and Wales by the Coalition and then Conservative Governments since 2010 to provide insight into how restorative justice can be practically applied in this context. In doing so, it highlights key areas of focus set out by the Ministry of Justice to support the progression of restorative justice which are of importance to this research, namely improving “awareness and understanding” among members of the public and criminal justice agencies (Ministry of Justice 2014a: 4). Then this section explores theoretical and practical debates regarding embedding restorative justice within the CJS. Consideration of such debates within the field are important to the examination of this study’s findings regarding the extent and form of restorative justice inclusion in criminology curricula discussed in Chapter 5; restorative justice knowledge production considered in Chapter 6, and the implications that such knowledge production has for criminology teaching and learning explored in Chapter 7.

Restorative justice in the England and Wales CJS since 2010

Conscious of the variety of definitions, goals, values, aims, and understandings which exist and intersect within the field of restorative justice it is important to consider the way restorative justice is defined and operationalised within England and Wales by policy, programmes, and regulatory organisations. Interest in restorative justice from the UK government has rejuvenated considerably in recent years. Although various configurations of restorative justice have been present in the UK since the 1980s (Maglione 2018b; Garland

2001; Johnstone 2013), the current wave of progression was first initiated by the Coalition Government's 2010 Green Paper *'Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders'* which promoted "increased opportunities to use restorative justice approaches" as part of CJS reform (Ministry of Justice 2010: 22). The Ministry of Justice defines restorative justice as:

"The process that brings those harmed by crime, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward" (2012: 3).

This official definition adopted in England and Wales is based on that put forth by prominent restorative justice academic John Braithwaite. It considers restorative justice as a way of dealing with the 'hurt' which is inherently caused through crime, by bringing individuals who have a stake in a criminal offence into communication in order to aid the healing process and repair the damage caused (Braithwaite 2004: 28). A principal function of restorative justice in this context is to help ensure that individuals experiencing the harmful effects of crime can become central to the criminal justice process which is often not possible when other criminal justice methods are applied (Braithwaite 2004: 28). Braithwaite, like others in the field, argues that the inclusion of individuals who have experienced harm from crime in the justice process is a fundamental element of restorative justice and enables harm to be repaired more effectively (2004: 28).

Increased commitment to restorative justice in England and Wales was largely informed by macro-level actions of the European Union (EU) and other international jurisdictions. Indeed, Gavrielides (2018: 254) asserts that implementation of restorative justice practices in a criminal justice context has increased internationally over the last two decades. The EU institutional and policy reforms to relocate victims to the centre of the justice system has caused interest in restorative justice to reappear and practically materialise (Gavrielides 2016). The EU's commitments to restorative justice were signified in 2012 through the 'Victims Directive' initiated by the European Commission which institutes minimum requirements regarding the rights, assistance, and safeguarding of victims of crime (2012; Hoyle and Rosenblatt 2016). The directive gave specific attention to protecting victims within 'the context of restorative justice services' (Article 12 of Directive 2012) and specified minimum standards for the training of officials involved with victims (Article 25 of Directive 2012).

Top-down progression of restorative justice throughout the EU sparked its intensification and development in the UK (Ministry of Justice 2013; Hoyle and Rosenblatt 2016). To stimulate top-down implementation of restorative justice the UK government formulated strategies to increase funding and new legislation, appearing to highlight strong commitment to its use within the CJS. In 2013 developments to the ‘Code of Practice for Victims of Crime’ (the Victims’ Code) introduced the right for all victims of crime in the UK to be provided with information about taking part in restorative justice practices (Ministry of Justice 2013a). Changes to the Victims Code (2013) were essential in ratifying the EU wide injunction regarding victims’ rights which had to be integrated into UK law by November 2015 (Hoyle and Rosenblatt 2016). Accordingly, restorative justice funding increased significantly to enable training and delivery in relation to crimes involving both youth and adult offenders (Ministry of Justice 2013a). In 2013, Youth Justice Offending Teams throughout the jurisdiction were allocated £2 million to increase restorative justice training, and £30 million additional funding was allocated by the Ministry of Justice to expand restorative justice provision across the England and Wales CJS (Hoyle and Rosenblatt 2016). In April 2014 UK courts were assigned the power to defer sentences in order to enable restorative justice practices in relation to any type of offence, restorative practice or offender profile, on the condition that the offender and “*every other person who would be a participant in the activity concerned*” approved (Part 2 Crime and Courts Act 2014). Since initial attention given to restorative justice in the Coalition Government’s 2010 Green Paper and the precedent set by the European Commission’s ‘Victims Directive’ in 2012 the UK government has legislatively and financially supported the expansion of restorative justice within every area of the CJS (Ministry of Justice 2010; 2013a; 2014a; 2017).

Since 2012, numerous policy papers in the form of Action Plans (Ministry of Justice 2012; 2013a; 2014a) and Progress Reports (Ministry of Justice 2013b; 2014b; 2017) have been published, outlining strategies “to develop a more strategic and coherent approach to the use of restorative justice in England and Wales” by “embedding” restorative justice within the CJS. Key elements of this vision include that restorative justice should function at a large scale, be bound by strong standards and successfully meet the needs of victims and offenders; strong standards should be set which permit ‘innovative’ service provision to be developed at a local level; should be incorporated with other interventions (for example drug treatment, housing, employment support, etc.); should only be utilised in appropriate instances in order to meet the needs of victim(s) and offender(s) (Ministry of Justice 2012). Top-down

implementation of restorative justice has continued in recent years through strategic planning for expansion and the establishment of best practice standards. The UK government has linked closely with the Restorative Justice Council (RJC) by supporting schemes and commissioning the RJC to assess the quality of restorative justice services within the CJS. The alliance has enforced the expectation that restorative justice schemes in England and Wales are required to abide by the 'Best Practice Guidance for Restorative Practice' created by the RJC (2011). However, ground-level adoption, uses, and understandings of restorative justice often differ from its conception and practical guidance at a higher institutional level, which arguably causes significant concern for its use currently and in the future (Wood and Suzuki 2016; Hoyle and Rosenblatt 2016).

Numerous specific limitations to the progress of embedding restorative justice were identified by the Criminal Justice Joint Inspectorates (CJJI) (2012; Ministry of Justice 2012). These concerned areas including: low public awareness and understanding particularly among victims, often due to confusion as to what restorative justice involves; inconsistent understanding by criminal justice agencies of the function and outcomes of restorative justice; inconsistent delivery of restorative justice throughout the chain of justice (for example out of court, in-court, community sentencing and prisons); and the need to increase the 'statutory footing' of restorative justice within the CJS (Ministry of Justice 2012: 4). In response, the *Restorative Justice Action Plan for the Criminal Justice System for the Period to March 2018* (Ministry of Justice 2014a) set out three key areas of focus to ensure the limitations were overcome and to enable the potential of restorative justice to be realised. One key area identified, and of direct relevance to the aim of this research, was "Awareness and Understanding" (Ministry of Justice 2014a: 4). This action is concerned with ensuring the people (both the public and criminal justice officials) should have effective awareness of restorative justice and understand how it can be accessed, the benefits, and what it involves so that informed decisions can be made about participating (Ministry of Justice 2014a: 4). This area of focus provides strong justification, and links effectively, to the rationale of this thesis. Criminology undergraduate students are both members of the public and potentially future criminal justice practitioners, academic criminology staff are also members of the public and have a role in shaping public discourse about the CJS and justice forms. Thus, the notion of 'awareness and understanding' in relation to official UK government defined and instructed restorative justice, as well as other theoretical and practical perspectives are important to the discussion of empirical findings presented in Chapter 6 of this thesis.

In less than a decade, UK government support for the use of restorative justice within the CJS has developed significantly. Tens of millions of pounds have been spent on initiatives to extend restorative justice throughout the England and Wales CJS (Hoyle and Rosenblatt 2016). Restorative justice practices can now be used in accordance with any type of offence, with offences committed by both youths and adults, at any stage of the criminal justice process from pre-sentencing to release, and in line with any sanctions including imprisonment (Ministry of Justice 2012; 2014a). Therefore, from a legislative and funding perspective it seems apparent that restorative justice is now central to the CJS at every stage. Consequently, on at least a practical level, it appears that it is a fundamental form of justice within English and Welsh criminal justice. Indeed, such policy developments evidence that there is variation in the forms ‘justice’ can take within England and Wales. The ability for restorative justice to be applied throughout the CJS in England and Wales is extremely interesting when considering restorative justice knowledge production in undergraduate criminology. Firstly, because it suggests that it is a practice which is relevant to a range of criminological topics, something empirically explored in Chapter 5; and secondly, because of the implications that such practical developments of restorative justice application have for knowledge production regarding the topic in criminology (see Chapter 6).

Embedding restorative justice in the CJS: theoretical and practical debates

Questioning the embedding of restorative justice in the CJS

The political context which has initiated the ‘embedding’ of restorative justice cannot be ignored when researching the production of knowledge(s) of restorative justice within criminology. The expansion was initiated in 2010 by the Conservative and Liberal Democrat Coalition and has since been continued by the Conservative government in a neoliberal socio-economic and political context (Ministry of Justice 2010; Ministry of Justice 2012; Harvey 2007; Wacquant 2009; Garland 2001). Such circumstances of its implementation mean that the official purpose and form of restorative justice in the UK is realistically impacted considerably by neoliberal and neoconservative logic and values (Pavlich 2005; Richards 2011; Woolford and Ratner 2007). Due to this, in the context of the UK, restorative justice exists as an amalgamation of the various conceptions of the practice explored earlier in this chapter (Maglione 2018b: 3). Maglione (2018a) puts forth that the current form of restorative justice in UK criminal justice policy reproduces the social relations of neoliberalism by

supporting ‘ethopolitics’ through the emphasis placed on responsibility, individualisation, and de-politicisation in opposition to the notion of community as central to restorative justice (Rose 1996a, 1996b; Christie 1977).

Arguably, the way that restorative justice is included in the UK CJS promotes that the structural and socio-economic conditions which impact crime and criminalisation are forgotten, as stakeholders are encouraged to only focus on self-improvement and morality (Maglione 2018a). In this context it is suggested that restorative justice is not made available to everyone, and in addition to its ideological individualising function is ultimately used as a cost-saving method in the CJS (Maglione 2018a, 2018b; RJC 2014; 2015; Cavadino and Dignan 2013). In this way restorative justice can be viewed as an apparatus of the state to perpetuate the ideology of crime, justice, and community tied to neoliberal values through the power/knowledge relation which support its inclusion in UK criminal justice policy (Maglione 2018a). This argument concerning the political rationality for the expansion of restorative justice in the UK provides a key perspective on the form which it takes in relation to the key practical conceptions within the field more broadly.

The view of restorative justice described by Maglione (2018a, 2018b) is important to the consideration of its implementation in England and Wales and to the aim of this research because it problematises the function of restorative justice within current UK criminal justice policy. Exposing the political rationality of restorative justice expansion in England and Wales suggests that its actual motivations and purpose are dangerously different to those originally advocated, and to those which are envisioned by the various strands of the restorative justice field. Consideration of restorative justice as apparatus of the current neoliberal and neoconservative state (Maglione 2018a, 2018b; Woolford and Ratner 2007) highlights that it is timely and important to critically examine the knowledge(s) of restorative justice being produced, and/or excluded, due to the fact that its current official function appears to be considerably different to prominent theoretical and practical perspectives in the restorative justice movement.

The UK Government’s development of guidelines and measurements for quality assurance through organisations which are regarded as being committed to restorative justice such as the RJC appears to evidence comprehensive dedication to the ‘embedding’ of restorative justice in the CJS. Nevertheless, such organisations are institutional bodies who are placing guidelines and quality measurements on restorative justice in a top-down manner, and

therefore arguably damaging the fundamental bottom-up nature of this form of justice (Maglione 2018a: 11). Indeed, Wood and Suzuki (2016) argue institutionalised top-down implementation produces problems which are among the most significant inhibitors to the future of restorative justice. Institutionalisation causes two key issues for ground-level quality assurance, uses, and understandings of restorative justice: firstly, it permits that best practice guidelines and goals are co-opted to enable other institutional goals and outcomes to be met, which are not necessarily related to restorative justice (Fattah 2004; Hudson 2007); secondly, it provides involved institutions with authority to legitimate, and arguably astutely redefine what is meant by 'restorative' through funding, programme models, implementation and through the establishment of goals and success and/or quality measurements (Wood and Suzuki 2016: 156).

Although involvement of various organisations such as the RJC has potential and appears to evidence genuine commitment to its effective use within the England and Wales CJS, institutionally produced best practice guidelines and measurements can be counterproductive and problematic. Evidence from other jurisdictions, and earlier restorative justice application in the UK, highlights that quality guidelines and measurements from above do not always promote the effective use of restorative justice for those at the ground level, nor support the development of understanding (Hill 2002; Hoyle 2002) and can cause movement away from restorative justice being adopted in the manner originally intended (Hoyle and Rosenblatt 2016). Therefore, ground-level knowledge and perspectives of restorative justice must be considered due to the UK government's continued commitment at an institutional level, and the recent identification of 'awareness and understanding' as being a key area of concern for the adoption, utilisation, and progression of restorative justice in an accurate way (Hoyle and Rosenblatt 2016; Wood and Suzuki 2016; Ministry of Justice 2014a).

Gavrielides (2016) asserts that although top-down implementation of restorative justice is a promising development in relation to its utilisation within the CJS, it can be problematic. In addition to official legislation from above, it is argued that due to the nature of restorative justice this must be met with bottom-up action and development (Gavrielides 2016).

Furthermore, it is evidenced that ground-level awareness and understanding is key to the potential of recent restorative justice policy, and core components of restorative justice theoretically, such as the understanding of 'conflict as property' (Gavrielides 2018, 2016; Christie 1977). Considering these views, as well as the identified limitations of restorative justice by the UK government, and the areas of focus for success set (Ministry of Justice

2014a, 2017) it appears important that restorative justice knowledge production in criminology is empirically explored to provide evidence of the ground-level understandings of the practice and its relationship to the CJS.

What relationship does restorative justice have with the CJS?

The legislative embedding of restorative justice across the CJS of England and Wales has been seen as both promising and problematic by restorative justice scholars and advocates (Maglione 2018a, 2018b; Johnstone 2013; Gavrielides 2018; Wood and Suzuki 2016; Hoyle and Rosenblatt 2016; Cavadino and Dignan 2013). Such debates link clearly to wider and enduring discussions within the field regarding the relationship between restorative justice and the CJS. This section examines literature regarding the relationship between restorative justice and the CJS. Consideration of debates regarding this relationship provide context to the discussion of findings in this thesis regarding the production of restorative justice knowledges within undergraduate criminology, the position of the topic within curricula, and the implications restorative justice has for criminological teaching and learning.

Within the restorative justice field there are, generally, two perspectives concerning how it functions in criminal justice settings: alongside the current CJS or as the new approach to criminal justice, and social justice, all together. Notably, it is recognised that this distinction between perspectives on the relationship between restorative justice and the CJS clearly does not encapsulate the wide range of views which exist among restorative justice activists and scholars. Nonetheless, exploring this general distinction is of most relevance to this research. When restorative justice started to develop significantly, in terms of research and practice, most advocates positioned it as inherently different to common criminal justice approaches (Barnett 1977; Christie 1977; Zehr 1990; Walgrave 1995, 2011; McCold 2000; Van Ness and Strong 2002). Restorative justice was viewed as a way of thinking about crime as social harm rather than as an offence against the state, justice as a “subjective-moral experience”, and the justice process as informal involving emotions and something which could be constructive rather than punitive (Walgrave 2011: 559; Christie 1977; Zehr 1990; Van Ness and Strong 2002). While these perspectives of restorative justice are still largely prominent across the field, increasingly there are different ideas about how to apply restorative justice and orientate criminal justice to view crime and justice differently via restorative justice.

On one hand, some believe that a reformist approach should be taken, whereby restorative justice is integrated alongside the dominant CJS (Zernova and Wright 2011). Those who

support this idea, view it as being the best way to harness the potential of restorative justice in policy and practice (Walgrave 2011; Van Ness and Strong 2002; Daly 2016). From this perspective “restorative justice is about healing responses to crime or wrongdoing and is not a general social justice theory about the distribution of social and/or economic goods” (McCold 2000: 361). Integration of restorative justice within the CJS means that criminal laws and the justice system as defined and delivered by the state remain the framework within which restorative justice would operate (Zernova and Wright 2011). Yet, from this perspective, integrating restorative outcomes and processes with criminal justice, restorative justice could become a legitimate and recognised alternative within the CJS (Johnstone 2013; Zernova and Wright 2011). However, concerns exist regarding this vision in action, as it could lead to the importance of voluntariness in restorative justice participation being removed, restoration and punishment becoming conflated causing further harm, or the marginalisation and/or co-opting of restorative justice (Bazemore and Walgrave 1999b; Walgrave 2000, 2011; McCold 2000; Dignan 2003; Zernova and Wright 2011).

However, there is an opposing perspective which argues for restorative justice to transform criminal justice completely. This vision of restorative justice providing a completely different form of justice links strongly to the transformative conception of restorative justice discussed earlier in the Chapter (see Section 2.2). From this viewpoint, trying to reform the CJS by incorporating restorative justice within it would not be successful and would be damaging to the potential of restorative justice (Morris 1995; Zernova and Wright 2011; Sullivan and Tift 2001; Ross 1996; Johnstone 2013). Unlike the reformist perspective, this radical view of restorative justice believes that it can offer an alternative to criminal justice as well as furthering social justice more broadly by providing a new way of understanding justice, social interactions, and harm (Braithwaite 2003; Sullivan and Tift 2001; Ross 1996; Johnstone 2013; Zernova and Wright 2011; Zernova 2016). As Morris puts forth:

“Trying to patch restorative justice onto the existing fundamentally retributive system is a transplant the social body will reject ... restorative justice without transformation of the roots of social injustice and without dismantling the contours of our present retributive system is not enough” (1995: 288).

Furthermore, this view of restorative justice suggests that true reform cannot take place within the CJS because it places responsibility on individual offenders, ignoring social issues. Many crimes which cause large-scale harm are not recognised sufficiently as crimes (such as

white-collar crime) (Harris 1998; Morris 2000; Sullivan and Tifft 2000). Therefore, the restorative justice movement must aim to completely transform criminal justice together with the way society thinks about crime, justice, and relationships for restorative justice to be successful (Johnstone and Van Ness 2011; Zernova and Wright 2011; Johnstone 2013; Zernova 2016).

As highlighted by Zernova and Wright, “it may not be an exaggeration to suggest that each proponent has his or her own vision of restorative justice” (2011: 114). Indeed, the two perspectives on the relationship between restorative justice and the CJS discussed above do not represent all the nuances which exist from the vision of one restorative justice proponent to another (Zernova and Wright 2011; Johnstone 2013). However, the general distinction between the ways that restorative justice can offer an alternative to the CJS are important when thinking about how knowledge is produced about the concept in criminology. Further, discussions in this section add to literature regarding the embedding of restorative justice in the English and Welsh CJS explored earlier in this chapter. The current application of restorative justice in the CJS suggests that a reformist approach is being taken, in which the practice is being applied alongside common justice processes. This is of interest to discussions regarding the extent of restorative justice knowledge production in criminology discussed in Chapter 5.

2.4 Restorative justice teaching and learning

So far, this chapter has explored definitions and models of restorative justice, the development and application of restorative justice in the CJS of England and Wales, and related debates regarding the relationship between restorative justice and the CJS. This chapter now moves to consider literature regarding restorative justice teaching and learning which is an emerging area of scholarship. This section begins by discussing the developing academic and practical area of restorative pedagogy to provide insight into how restorative practices are being used to inspire the way learning about restorative justice is facilitated in a range of contexts. Then, this section considers approaches used when teaching and learning about restorative justice in criminology degree programmes by examining previous research in this area. In doing so, it provides context to the findings discussed in this thesis regarding the inclusion of restorative justice in criminology degree programmes and staff and students’ experiences of teaching and learning restorative justice.

Restorative pedagogy

Largely, the development of restorative pedagogy scholarship to date stems from two areas: restorative schooling (Hopkins 2003, 2012; Morrison and Vaandering 2012; Vaandering 2014a; 2014b; Morrison 2015), and education on restorative justice (Toews 2013; Gilbert *et al.* 2013; Vaandering 2014b; Pointer *et al.* 2020; Pointer and McGoey 2019). Restorative schooling not only involves the use of restorative justice practices in reaction to harmful behaviour or conflict, in many cases restorative values and principles are also actively used within school communities to inform interactions and relationship building (Morrison 2011; Hopkins 2003). In this context teaching staff are key members of, and actors in, the restorative community, embodying restorative approaches as well as encouraging them (Hopkins 2003). Hopkins suggests that “the restorative mindset inevitably impacts on pedagogy” (2012: 125). In this way, if education is taking place in an environment centred on restorative practices and values, such as a restorative school, this promotes that all teaching and learning activities, in relation to any topic, will likely involve restorative pedagogy. Secondly, developments in restorative justice education in a range of contexts has also shaped knowledge regarding restorative pedagogy (Toews 2013; Gilbert *et al.* 2013; Vaandering 2014b; Pointer *et al.* 2020; Pointer and McGoey 2019). In this context, restorative pedagogy refers both to teaching and learning about restorative justice, as well as facilitating this education in a restorative way (Pointer *et al.* 2020). While the notion of restorative pedagogy may have developed slightly differently in different educational contexts, the key principles involved are largely the same.

Restorative pedagogy involves the facilitation of restorative practices and the infusion of restorative values and principles in educational spaces (Pointer *et al.* 2020; Gilbert *et al.* 2013). Toews (2013: 6) highlights that, for some, it is difficult to understand how education about restorative justice can be a form of restorative practice in and of itself. Yet Toews, similarly to other restorative justice educators and scholars, argues that restorative justice education is “a restorative practice that can lead to outcomes similar to those in other restorative practices such as victim offender dialogue” (Toews 2013: 6; Pointer *et al.* 2020; Vaandering 2014a; 2014b; Pointer and McGoey 2019; Gilbert *et al.* 2013). Developing, encouraging, and facilitating pedagogic approaches which incorporate values inherent to restorative justice and practices enable educational experiences and spaces to be shaped by such values (Vaandering 2014a; Pointer *et al.* 2020). The restorative values of respect, accountability, participation, self-determination, interconnectedness, nonviolence,

particularity, humility, trust and transparency, and transformation are central to restorative pedagogy (Pointer *et al.* 2020: 14; Toews 2013: 16–17).

Restorative pedagogy is new and developing, yet links closely to critical and feminist pedagogy as well as relational theory (Pointer *et al.* 2020; Freire 1970; Vaandering 2014b; Pointer and McGoey 2019; Llewellyn and Parker 2018). The transformative potential of restorative pedagogy as well as the attention it gives to relationship building, collaborative learning, and the equality of power in educational spaces aligns it strongly with the democratic, dialogical, and emancipatory principles of these more advanced pedagogic philosophies. Arguably, infusing restorative values within educational settings offers ways to overcome the common hierarchical power structures that exist when the teacher or lecturer is viewed as having authority and intellectual superiority over learners in the class (Luckner and Nadler 1992; Freire 1970; Pointer *et al.* 2020). In contrast to the “banking” concept of education outlined and critiqued by Freire, in which a teacher deposits knowledge into passive students (Freire 1970: 45; Barton *et al.* 2010), restorative pedagogy inherently facilitates relationship building and positions teachers and students as equals (Llewellyn and Llewellyn 2015; Pointer *et al.* 2020; Toews 2013). Indeed, Hopkins highlights that central to restorative pedagogy is continuous communication between teachers and students (Hopkins 2012: 125). In an educational space in which power hierarchies are removed and relationships and dialogue are centred, learning and knowledge production arguably become equal processes where the ‘teacher’ is also a ‘student’ and the ‘student(s)’ are also ‘teacher(s)’ (Pointer *et al.* 2020; Freire 1970).

Restorative justice teaching and learning in criminology

As discussed in earlier sections of this chapter, the restorative justice movement has grown in terms of policy and practice within criminal justice settings and beyond. However, as Deckert and Wood highlight, considering the progression of restorative justice internationally, “surprisingly little has been written on how this subject is taught within universities” (2013: 70). As highlighted in Chapter 1, in the context of restorative justice teaching within criminology higher education programmes specifically, academic literature is limited. Most of the literature published in this area concerns restorative justice teaching and learning in criminology and/or criminal justice university curricula in the USA (Stroup 2019; Britto and Reimund 2013; Carson and Bussler 2013; Kitchen 2013; Waltman-Spreha 2013; Smith-Cunnien and Parilla 2001). One publication focuses on teaching restorative justice within a

criminology degree programme in New Zealand (Deckert and Wood 2013). Each piece of existing literature in this area draws on the experience of including restorative justice within one criminology programme, most commonly in the context of the authors being course leaders and/or faculty members (Stroup 2019; Smith-Cunnien and Parilla 2001; Kitchen 2013; Britto and Reimund 2012; Carson and Bussler 2013; Deckert and Wood 2013; Waltman-Spreha 2013). However, although consideration is given to the extent of restorative justice inclusion in criminology and/or criminal justice programmes at universities in the USA and New Zealand, existing literature does not provide empirical evidence of this.

While academic literature regarding restorative justice teaching and learning in criminology is minimal, and is not directly representative of a UK context, the existing literature highlights several themes important to this thesis. Smith-Cunnien and Parilla (2001) consider broadly why and how restorative justice should be included in criminology and/or criminal justice programmes. They draw on their own experiences and perspectives of including restorative justice in criminology and/or criminal justice programmes, which they themselves have taught, within their discussion, albeit in a less focused way than other literature. Two articles focus on the way in which restorative justice should be included within criminology and/or criminal justice degree programmes via the authors discussing their own experiences of doing so at their respective universities (Britto and Reimund 2013; Stoup 2019). The remaining literature in this area concentrates on the approach to teaching restorative justice as part of criminology programmes in higher education. Carson and Bussler (2013) consider, through discussion of personal (staff) and student reflections, the experience of developing and teaching a restorative justice module available to students completing degrees in education and criminal justice. Deckert and Wood (2013) evaluate the effectiveness of teaching an undergraduate criminology module entitled ‘Understanding Restorative Justice’ using the Socratic Method (commonly used in Law degrees). Kitchen (2013) highlights the effectiveness of using a restorative circle in all sessions of a restorative justice module, which she led for criminology students. Waltman-Spreha puts forward approaches that are effective in supporting students to engage university students on “the topic of restorative justice and serious offences” (2013: 91). Despite the variations in focus, all current literature in this area considers to some extent if, why, and how restorative justice is included within criminology degree programmes, restorative justice teaching approaches in this context, and the challenges that come with such endeavours in these respects.

Most existing literature concurs that restorative justice should be included in criminology and/or criminal justice degree programmes for three key reasons. Firstly, the increased use of restorative justice in criminal justice settings internationally (Smith-Cunnien and Parilla 2001; Britto and Reimund 2012; Carson and Bussler 2013; Deckert and Wood 2013; and Kitchen 2013). As Smith-Cunnien and Parilla state:

“The most obvious reason for including restorative justice in a curriculum is that its influence on criminal justice policy and practice has grown to a point that students need to be made knowledgeable about it” (2001: 390).

Similarly, Britto and Reimund highlight that restorative justice has “evolved tremendously” in relation to all elements of the CJS “including police, courts, corrections, juvenile justice, and conflict negotiation in a variety of settings” (2013: 150).

The second common justification is the significance of restorative justice in developing critical thinking among students (Smith-Cunnien and Parilla 2001; Britto and Reimund 2012; Carson and Bussler 2013; Deckert and Wood 2013; and Stroup 2019). The literature highlights that studying restorative justice as part of a criminology and/or criminal justice degree “challenges students to think critically about key assumptions that underlie the current criminal justice system” (Smith-Cunnien and Parilla 2001: 392). Further, by learning about the complexity of restorative justice in terms of theory, practice, and policy, and assessing related implications, students are supported to develop critical thinking skills (Stroup 2019; Smith-Cunnien and Parilla 2001; Britto and Reimund 2012; Carson and Bussler 2013; and Deckert and Wood 2013). Importantly, rather than the development of critical criminological thinking being viewed as a pleasing by-product of criminology students learning about restorative justice, it is understood as a fundamental justification for the topic’s relevance to criminology programmes (Smith-Cunnien and Parilla 2001).

Thirdly, within the majority of relevant literature, the positive impact which learning about restorative justice can have on criminology students’ vocational prospects and abilities is a key justification for the topic’s inclusion within criminology degree programmes (Smith-Cunnien and Parilla 2001; Britto and Reimund 2012; Carson and Bussler 2013; Kitchen 2013; and Stroup 2019). Knowledge and understanding of restorative values and practices, particularly when this knowledge is developed through actively engaging in restorative practices, can develop students’ practical skills relevant to future careers in the ‘restorative justice arena’ specifically, as well as in criminal justice practice and policy making (Smith-

Cunnien and Parilla 2001; Kitchen 2013; Stroup 2019; Britto and Reimund 2013). It was also noted that including restorative justice within criminology programmes opened students up to new employment or volunteering interests and prospects as well as supporting their personal growth (Britto and Reimund 2013; Carson and Bussler 2013; Kitchen 2013; Stroup 2019).

In addition, some existing literature in this area suggests two further justifications for the inclusion of restorative justice in criminology degree programmes: 1) the increased coverage of restorative justice within relevant criminology and criminal justice textbooks (Smith-Cunnien and Parilla 2001; Kitchen 2013); and 2) because restorative justice aligns with national educational standards for criminology (Smith-Cunnien and Parilla 2001). Smith-Cunnien and Parilla (2001: 390) highlight that the growing application of restorative justice in the USA, and the development of the restorative justice movement internationally, has caused the topic to be covered in “mainstream” criminology and criminal justice textbooks. Such attention given to restorative justice in the field of criminology therefore means “that it can no longer be dismissed out of hand” (Smith-Cunnien and Parilla 2001: 390). Similarly, Kitchen (2013) emphasises the range of textbooks relevant to criminology and/or criminal justice students which now include restorative justice. Nonetheless, both Smith-Cunnien and Parilla (2001), and Kitchen (2013) put forth that the extent of coverage of restorative justice varies between textbooks, and that it is ultimately the choice of individual educators what resources students are encouraged to engage with during a programme.

2.6 Conclusion

This chapter analysed several key facets of restorative justice in order to situate this research within existing literature as well as highlighting the gaps in knowledge to which this thesis significantly contributes. Consideration of restorative justice theory and practice showed that it is complex and contested because there are various perspectives in the field regarding its definition, application, and the relationship it should have with the CJS. Yet, this chapter has also discussed the top-down embedding of restorative justice in England and Wales since 2010 to consider the existence of the practice within the CJS in this context currently. The complexity of restorative justice and its embedding within the English and Welsh CJS are important when examining the production of restorative justice knowledge in undergraduate criminology. These factors suggest that there are various knowledges of restorative justice which could be produced within undergraduate criminology and several justifications which could be provided to support its inclusion within curricula.

This chapter has also provided important context to a key contribution to knowledge which this thesis makes, as outlined in Chapter 1. Namely, that this research provides the first empirical evidence of restorative justice knowledge production in criminology in a UK context and is the first study to explore restorative justice teaching and learning across multiple criminology degree programmes. As highlighted in previous literature in this area, restorative justice teaching and learning in criminology is important to empirically explore because there is little evidence of the extent of restorative justice knowledge production within the discipline, particularly in a UK context, which is troubling given the growth of both criminology and restorative justice. The next chapter considers other key themes important to this research, specifically the impact of neoliberalism and consumerism on higher education, contemporary criminological thought, and criminological teaching and learning in the neoliberal consumerist academy. Consideration of these themes provides further important context to the study's findings regarding the production of restorative justice knowledge within undergraduate criminology.

Chapter 3: Contemporary criminology and higher education

3.1 Introduction

This chapter contextualises the current study within broader literature concerning contemporary criminology and higher education. It argues that contemporary criminology curricula, and the discipline as a whole, must be considered in the context of broader debates surrounding the production of knowledge and English and Welsh higher education. It shows that the purpose of criminology in research and education has always been contested; and that criminology, like every other aspect of higher education in England and Wales, has been influenced by the relentless processes of neoliberalism and pursuit of marketisation in undergraduate education. In doing so, this chapter provides background information to the research questions answered in this thesis, as it evidences the contemporary context of undergraduate criminology in which knowledges of restorative justice are being produced and/or excluded.

The first section of this chapter considers what criminology is by exploring ongoing epistemological divisions within the discipline and the idea of the criminological imagination. It highlights that there are various ways that criminological issues can be considered in research and teaching and argues that the criminological imagination is an important lens through which individuals can connect to central areas of concern in criminology. Secondly, the socio-economic advancement of neoliberalism and consumerism in society generally and English and Welsh higher education specifically is explored. This section argues that contemporary higher education is influenced significantly by the infusion of marketisation and neoliberal processes in academic institutions and throughout teaching and learning practices. Lastly, the chapter considers the impact that epistemological divisions within criminology and the neoliberalisation and marketisation of higher education has on the content and purpose of undergraduate criminology in England and Wales. This final section argues that the purpose and subject matter of criminology is directly influenced by external socio-economic forces shaping the discipline and universities. It suggests that such influences cause criminology to focus on mainstream understandings of crime and justice and reduce opportunities for criminology degrees to focus on the development of a criminological imagination among students.

3.2 What is criminology?

As discussed in Chapter 1, criminology within England and Wales has developed considerably in recent decades (Bowling and Ross 2006; Young 2011; McLaughlin and Muncie 2013; Harris *et al.* 2019). Despite the significant growth of criminology, its focus, meaning, and purpose is contested (Rock 2017; Harris *et al.* 2019; Bosworth and Hoyle 2011). The eclecticism of contemporary criminology highlights both the extent to which it has developed throughout its history and the ambiguity which exists regarding what criminology is and stands for (Bowling and Ross 2006; Barak 2020; Rafter 2011; Garland 2011). While there is extensive literature accounting the historical development of criminal justice institutions, much less has been written about the origins of criminology (Rafter 2011). Within the literature on criminology's history which does exist, there are varying interpretations of its origins (Moore 2021; Bowling and Ross 2006; Lynch 2000; Rafter 2011; Becker and Wetzell 2006). Often Cesare Beccaria, Jeremy Bentham, and Immanuel Kant are identified as being the original criminologists, with their work on rational subjects and the social contract providing the 'classical' criminological perspectives on crime, law, and punishment (Bowling and Ross 2006; Rafter 2011; Becker and Wetzell 2006). However, this understanding has been counteracted by the suggestion that criminology started as a "series of cottage industries" which involved individuals who worked in "lunatic asylum[s]" or collected "statistics on courts and prisons" trying to "explain crime as an aside to their central occupations" (Rafter 2011: 144). Regardless of whether criminology began with 'classical' perspectives on legality and responses to crime or if it originated as a string of cottage industries, as it further developed in the nineteenth century criminology involved consideration of 'moral insanity' and psychology, delinquency, evolutionary explanations for crime, and crime as a social phenomenon (Bowling and Ross 2006; Rafter 2011).

Much literature regarding the origins of criminology ignores that from its inception it was applied in colonies as a tool of oppression (Moore 2021; Agozino 2003). Moore (2021: 2) highlights that as well as the work of Beccaria, Bentham and Kant, criminology's origins are often linked to the work of Cesare Lombroso who attempted to identify the biological characteristics of the criminal other or 'born criminal' drawing significantly on the concept of the 'racial other' developed in Race (pseudo)Science of the nineteenth century. On examining the history of criminology Lynch argues that it is a "Science of Oppression", explaining that "the discipline has much to hide [...] and criminologists' strict adherence to principles and claims of 'objectivity' and 'neutrality' have helped hide the unspoken task that is criminology

from view” (2000: 144, 152). Similarly, Moore (2021) highlights that much criminological work concerning its history and key themes fails to accurately account for the fact that criminology and criminal justice institutions developed from colonialism. Similarly, Earle argues that issues of “race, racism, and colonial history” are often forgotten within “criminology’s broadening gaze” (2023: 517).

It is recognised that the discussion of the origins of criminology above is much too brief given its complexity and vastness, however it is intended to provide some context as to the discipline’s development prior to considering what contemporary criminology is in the remainder of this section. This section examines contemporary criminological thought to provide important background to the research findings regarding undergraduate criminology teaching and learning and the production of restorative justice knowledges within this context. Firstly, this section explores the epistemological divisions which continue to exist within the discipline. Consideration of epistemological debates within the field offer important perspectives on what criminology is and thus what the purpose and content of a degree in criminology might be. Notably, the discussion of epistemological divisions below focuses on there being two key ‘strands’ of criminological thought: ‘critical’ and ‘mainstream’ criminology. In doing so, this thesis does not seek to suggest that there are not more nuanced and varied epistemological perspectives within the discipline, but accounts for the two major strands of criminological thought which are widely recognised in the field (Young 2011; Carrington and Hogg 2002; Barton et al. 2007; Bowling and Ross 2006; DeKeseredy 2022; Ruggiero 2022). Secondly, it explores the notion of the criminological imagination to evidence what many criminologists view as being the value and intended outcome of studying criminology. Exploring the criminological imagination does further evidence ongoing divisions within the field, however it also suggests that the development of such an imagination can result in criminological teaching and learning which is transformative. By considering criminological thought and the purpose of the discipline, this section provides important context to the consideration of restorative justice knowledges which exist in undergraduate criminology and how these are produced.

Criminological thought: epistemological divisions

Since its inception in the late 19th century, criminology has continued to be “a point of intersection between a number of academic fields and approaches” (Bosworth and Hoyle 2011: 2; Bowling and Ross 2006; Garland 2011). Indeed, criminology continues to be a

discipline which combines and draws from a range of academic fields and methods such as sociology, psychology, anthropology, history, law, politics, statistics, and philosophy (Bosworth and Hoyle 2011: 2; Bowling and Ross 2006; Garland 2011; Rock 2017). An individual researcher's understanding of criminology is influenced by which of the academic fields, entangled within the discipline, that their work aligns with most (Rock 2017). For some, the central focus of criminology is examining, explaining, and resolving the social problem of crime (Young 2011). As outlined in *The Oxford Handbook of Criminology*, the subject is distinctive as it is "the only highly developed social science which explicitly takes a social problem, and thus a political question... as its defining subject matter" (Maguire *et al.* 1994: 5, cited in Young 2011: 219). Thus, criminology is understood by some as a discipline with a linear and specific focus of inquiry – crime and the CJS. However, others reject this notion that crime and responses to it can be investigated, and described, as a separate entity to the rest of society (Young 2011). Such individuals do not view crime as extraordinary, nor do they believe that the causes and consequences of crime occur in isolation. Rather they understand the influence of social, cultural, historical, political, and economic conditions on crime and the CJS (Barton *et al.* 2007; Young 2011; DeKeseredy 2022).

Transformation of criminological thought, as accounted by Garland (2001), influenced by changes to socio-economic, cultural, and political conditions regenerates the epistemological divide which has arguably constantly existed within criminology as an academic discipline (Richie 2011). Richie (2011) suggests that there is a continuous epistemological propensity to divide the fundamental focus and purpose of criminology between two intellectual groupings. One strand of criminology, often referred to as mainstream criminology, is concerned with administrative or orthodox issues of crime, justice, and punishment and related policy (Muncie 1999; Bowling and Ross 2006; Garland 2002; Richie 2011). Arguably, due to the nature of criminology focusing on institutions of power in relation to crime and criminal justice, it is realistic that the subject would contain a mainstream group which concentrates on government policy and immediate crime control issues (Garland 2011). Correspondingly, the development of criminology in Britain during the 1960s and 1970s was influenced by government funding for university centres of criminology to conduct research on policy focused criminal justice issues (Harris *et al.* 2019; Downes 1988; Bowling and Ross 2006). Nonetheless, Hoyle and Bosworth (2011: 541) emphasise that despite this obvious necessity for criminology to explore crime and criminal justice, it must also pay significant attention to wider issues of social justice.

Critical criminology is the second strand which focuses on criminological themes theoretically, principally by producing ideas surrounding social structure, philosophical understandings of law, justice, and punishment, as well as issues of social control, norm creation, oppression, and marginalisation (Richie 2011; Muncie 1999; Lynch 2014; DeKeseredy 2022; Ruggiero 2022). Critical criminology research considers social, political, and economic dynamics that cause and perpetuate marginalisation, oppression, and exploitation (Arrigo 2001; Young 2011; DeKeseredy 2022). Thus, social justice is central to the field of critical criminology (Richie 2011). In relation to crime and criminal justice, this often involves questioning the formation of criminalisation and punishment to explain the reasons why notions of deviance and othering are constructed in relation to certain groups (Arrigo 2001). Associated areas within critical criminology include crimes of the powerful (Box 1983; Sutherland 1985; Green and Ward 2004), zemiology as a perspective to critique the cause and consequence of social harm (Boukli and Kotze 2018; Canning and Tombs 2021), demystification of official and historical discourses in order to act against the perpetuation of social, gender and racial inequalities, and ultimately providing individuals, who have experienced harm through repressive social structures, with a voice (Hogg and Carrington 2013).

When considering the differences between the two main strands of criminology, Bernard (1999: 11) highlights that because mainstream criminology is rooted in applied research and confines itself to matters of institutionally defined crime and criminal justice, it neglects the opportunity (and ability) to think innovatively about wider, more substantial issues within the field such as social justice. Critical criminology's attention to the pursuit of social justice highlights that it is concerned with transformation of social and political structures which reproduce criminalisation and inequality, to enable a more liberating and empowering society (Arrigo 2001). However, due to the largely theoretically orientated nature of critical and radical criminology, the difficulty in applying claims made to the real world often undermine their precedence (Cohen 2017). Further, the areas of inquiry for critical criminology often clash with the perspectives of funders which thus reduces the number of research opportunities (Walters 2009). Social justice and the reduction of inequalities and harm caused by criminal justice and social control are not interests limited to critical criminology, arguably these are also traditionally central themes throughout the field. However, criminology's relationship to state power, which has grown stronger within the forces of neoliberalism, causes the subject matter of mainstream criminology to be focused on

government policy and crime reduction, rather than wider social change. Resultantly, there is a strong sense that criminology is forgetting the importance of justice within all of its subject matter, and further is failing to engage in the pursuit of social justice (Clear 2010; Richie 2011; Sokoloff and Burgess-Proctor 2011).

The criminological imagination

The criminological imagination emerged from the sociological imagination established by C. Wright Mills in 1959. The sociological imagination was developed by Mills as a way to connect and understand society through personal biography, historical context and social structure (Mills 1959; Barton *et al.* 2007; Young 2011; Yeomans 2019). For Mills, the sociological imagination:

“...enables its possessor to understand the larger historical scene in terms of its meaning for the inner life and the external career of a variety of individuals. It enables him [or her] to take into account how individuals, in the welter of their daily experience, often become falsely conscious of their social position... By the fact of his [or her] living he [or she] contributes, however minutely, to the shaping of this society and to the course of its history, even as he [or she] is made by society and by its historical push and shove. The Sociological Imagination enables us to grasp history and biography and the relations between the two within society. That is its task and its promise... The sociological imagination is the most fruitful form of self-consciousness. By its use men [and women] whose mentalities have swept only a series of limited orbits often come to feel as if suddenly awakened in a house with which they had only supposed themselves to be familiar... by their reflection and by their sensibility, they realise the cultural meaning of the Social Sciences.” (Mills 1959: 5, 6, 7, 8).

The sociological imagination can enable the relationship between “the personal troubles of milieu and the public issues of social structure” to be recognised and understood (Mills 1959: 8). Similarly, the criminological imagination offers a way to understand crime and responses to it, beyond hegemonic individualised narratives, illuminating crime as a constructed concept influenced by social relations (Barton *et al.* 2007; Sim *et al.* 1987; Hall 1988). Instead of viewing crime and offending as individual instances of private troubles, devoid of connection to any historical, socio-economic, or political context, the criminological imagination promotes that those personal lived experiences are related to wider public issues

(Barton *et al.* 2007; Mills 1959; Gramsci 1971). This connection provides “an opportunity to reinterpret or reimagine the real” (Barton *et al.* 2007: 4).

Several criminologists have argued that the criminological imagination is important to the discipline for two key reasons. Firstly, because it highlights areas where criminology is failing and ways that both empirical and theoretical research in the field can improve (Whitehead 1985; Williams 1984; Barton *et al.* 2007; Young 2011; Frauley 2015; Yeomans 2019). From this perspective the criminological imagination problematises positivist orientated views and research on crime and justice. It suggests mainstream criminology individualises crime, promotes notions of fundamental differences between people in society (e.g., victims vs offenders), and fails to recognise that crime can be caused by a range of factors which differ from one individual to another, influenced by socio-economic, relational and political conditions (Barton *et al.* 2007; Young 2011). Indeed, some criminologists suggest that to move away from mainstream notions of crime and justice, which are increasingly individualised and harmful, criminology must focus on applying and developing the criminological imagination (Barton *et al.* 2007; Young 2011; Frauley 2015; Yeomans 2019). As Barton *et al.* put forth:

“Criminology necessitates an imaginative, multidisciplinary approach which has the potential to cultivate mutually beneficial interdisciplinary relationships which could enable theorists, activists and practitioners to escape the dominant criminological paradigm that remains rooted in individual and social pathology” (2007: 12).

Similarly, Frauley argues that the criminological imagination provides a method which “offers a hopeful and humanist” criminology that recognises the oppression in which it is involved and produces informed research which acts against positivist perspectives (2015: 20). While the importance of the sociological imagination to criminological thought and research has been explored considerably, Williams reflects on the “demise of the criminological imagination” and argues that it “is certainly no more frequent today, and is probably less likely to be seen than thirty years ago” (2015: 58).

Secondly, the criminological imagination has been highlighted as important to criminology education (Barton *et al.* 2010; Carrabine *et al.* 2014, 2020; Barton and Davis 2015). Barton and Davis (2015) highlight that criminology academics are both researchers and educators, thus they should support the development of the criminological imagination among their students. In ‘Criminology: A Social Introduction’ Carrabine *et al.* devote the first part of the

textbook to the criminological imagination, highlighting that the book aims “to apply, and hopefully nurture, a criminological imagination” (2014: 6). They suggest that this involves understanding that: crime “does not exist as some autonomous entity but is a social construct,” “the criminal is also socially constructed,” and “crime control and punishment are also shaped by social influences” (Carrabine *et al.* 2014: 6). Barton *et al.* argue that it is vital that criminology students are supported to develop a “critical criminological imagination” because it is “an integral part of the teaching of critical criminology in higher education” and is an imagination which students can use to engage with criminology as well as wider society (2010: 24, 40). These perspectives suggest that the importance of the criminological imagination to criminology education centres on the need to encourage students to be critical and think beyond mainstream narratives of crime and justice (Barton *et al.* 2010). Like the arguments for development of the criminological imagination in criminological thought and research, its progression in education clearly links to the critical strand of the discipline. Indeed, the criminological imagination arguably links clearly to critical pedagogy as it encourages students to recognise and counteract powerful narratives, relating to race, class, and gender hierarchies which influence social problems and injustices via marginalisation and oppression (Barton *et al.* 2010; Barton *et al.* 2007; Freire 1970). In doing so, the criminological imagination supports learners to become empowered to work against the oppression of themselves and others, enabling the transformative power of education (Freire 1970; Ellsworth 1992; Kincheloe 2008a, 2008b; Redhawk Love 2008).

However, the potential of the criminological imagination in education is arguably impacted by the mainstream perspectives which dominate the discipline, the marginalisation of such an imagination in the discipline more generally and the socio-economic conditions of contemporary higher education (Young 2011; Williams 2015; Barton *et al.* 2010; Barton and Davis 2015). In order to overcome these issues Barton *et al.* suggest that:

“...expanding the criminological imagination requires the development of an analysis which recognises and addresses the realities and complexities regarding the production and application of criminological knowledge [and] an analysis of an awareness of harms and social injustices” (2007: 8).

Contemporary criminology teaching and learning and the knowledge production in criminology degree programmes will be further explored in Section 3.4 of this chapter.

Before doing so, the next section of this chapter discusses the contemporary context of higher education and related knowledge production in England and Wales.

3.3 Contemporary higher education

The higher education sector in England and Wales has changed and expanded significantly in recent decades. This section considers the ways in which the advancement of neoliberalism and consumerism have directed and shaped higher education in England and Wales, both in terms of the way universities operate and the knowledge that is produced within them. In doing so, this section sets out key factors currently influencing universities and higher education which are important to discussions in this chapter, and the examination of findings later in this thesis. This section starts by discussing the processes of neoliberalism, consumerism, and the production of knowledge, to provide insight to these concepts which are relevant throughout the thesis. Then it discusses the ideological and procedural facets of neoliberalism and consumerism which have come to inform the way academic institutions are structured and operate as well as influencing the academic knowledge which is produced within universities. Overall, this section argues that the socio-economic and political forces in England and Wales significantly influence teaching and learning in higher education.

Neoliberalism, consumerism, and knowledge production

Neoliberalism

Neoliberalism is generally understood as a theory of political economic methods which advance the freedom of individuals and entrepreneurship by prioritising “strong private property rights, free markets, and free trade” (Harvey 2007: 2). Neoliberalism as a political and economic ideology is centred on the notion of the “free, possessive individual” and views the “state as tyrannical and oppressive” (Hall 2011: 706). Beyond enabling individual freedom, endorsing the rule of law, and creating favourable circumstances for capitalist ventures, the state, guided by the ideology of neoliberalism, should not interfere (Harvey 2007). These priorities and actions, central to the theory of neoliberalism, offered a new approach to extend and transform capitalism (Harvey 2007; Peck and Theodore 2019; Theodore, Peck and Brenner 2011), particularly due to the perceived threat “Keynesian welfarism” posed to weakening the capitalist system in the 1970s (Theodore, Peck and Brenner 2011: 15). The doctrine of neoliberalism was actioned and instilled into economic policy in the UK, as well as many other countries globally, in the late 1970s and early 1980s (Harvey 2007; Davies and Bansel 2007; Cahill and Konings 2017; Peck 2010). Although, as

is highlighted by Cahill and Konings (2017), Hall (2011) and Harvey (2007) charting the advancement of neoliberalism is not a straight forward task, due to it being advanced in different locations, contexts, and forms at different rates over the past 30 to 40 years, its introduction and continuous development should be considered as a “revolutionary turning-point in the world’s social and economic history” (Harvey 2007: 1).

The nonlinear development of neoliberalism, in terms of the contexts which it has affected, the locations in which it has been applied, and the differentiation in terms of the speed at which it has progressed have caused some to problematise the term neoliberalism. Peck and Theodore (2019) argue that while the hegemonic neoliberal theory and practices which exist today can clearly be traced back to the political and economic policies of the Chicago School of Economics doctrine and the neoliberal state system supported by Margaret Thatcher, advanced neoliberalism is, in practice, far more complex. Rodgers suggests that to fully understand the current extent and implications of neoliberalism, the concept should be considered in relation to the four “distinctly different phenomena” which it informs: 1) “the late capitalist economy of our times”; 2) “a strand of ideas”; 3) “a globally circulating bundle of policy measures”; and 4) “the hegemonic force of the culture that surrounds and entraps us” (Rodgers 2018: 81). Although Rodgers himself explains that these “four neoliberalisms are “intricately related” (2018: 81), and others agree that neoliberalism is not the most suitable term as it joins together too many complex elements (Hall 2017; Ott 2018), arguably the term is “politically necessary, to give resistance content, focus and a cutting edge” (Hall 2017: 318). Despite debates regarding the effectiveness or appropriateness of using the term neoliberalism, arguably it is not merely an ideology or policy which exists unchanged, rather it is a process with procedural qualities and actions (Peck and Theodore 2019; Harvey 2007).

Neoliberalism is hegemonic across political, economic, and social spheres (Hall 2017; 2011; Peck and Theodore 2019; Harvey 2007). Resultantly, neoliberalism, and its dominance, is not a fixed concept and practice, but rather has advanced, and continues to, as a process (Harvey 2007; Peck and Theodore 2019). Foucault’s concept of ‘biopolitics’ is central to the form of power which is characteristic to neoliberalism (Mendieta 2014). As Foucault states “the growth of a capitalist economy gave rise to the specific modality of disciplinary power, [...] whose ‘political anatomy,’ could be operated in the most diverse political regimes, apparatuses, or institutions” (1977: 221). Harvey argues that the power of neoliberalism as an advancing process is in the power of its apparatus to become embedded within “our intuitions and instincts, to our values and our desires, as well as to the possibilities inherent in the social

world we inhabit... in common sense as to be taken for granted and not open to question” (2007: 5). Neoliberal governance is biopolitics in that it necessitates and distinctively requires “the intervention of political power into the very processes of life itself” (Mendieta 2014: 43). Thus, the processes and progression of neoliberal power touch all institutions, knowledge, and apparatuses – including the universities and academic knowledge (Mendieta 2014; Harvey 2007; Cahill and Konings 2017).

Consumerism

The socio-economic order of late capitalism has centred, and continues to centre, on the maintenance of a hierarchical social structure, persistent growth, and consumption (Baudrillard 2016). Consumerism is a fundamental part of everyday life in capitalist society (Miles 1998; Baudrillard 2016). Indeed, Bocoock argues that the most fascinating quality of consumerism is its service in legitimating “capitalism in the eyes of millions of ordinary people” (1993: 2). Miles suggests that when examining consumerism, consideration of the “complexities which lie behind the act of consumption” is more important than exploring how goods or services are consumed (1998: 4). Consumerism is significant to, yet separate from, neoliberalism (Olsen 2019). The construction and importance of the sovereign consumer stems back, at least, to the development of consumer-orientated economies from the 1930s to the 1980s (Olsen 2019; Bocoock 1993). During this period, and the advancement of neoliberalism, consumption has arguably become more important to economic and social relations than production (Bauman 1998; Goodwin, Ackerman and Kiron 1997). While consumerism has been a core element of the maintenance and perpetuation of capitalism for decades, the power of consumption and consumer culture aligns with, as well as serves, neoliberal pursuits intensely (Olsen 2019).

The ideology and processes of neoliberalism have meshed effectively with consumer capitalism (Olsen 2019). In particular, the prioritisation of individual freedom and the development of free, unregulated markets in this “new [neoliberal] world order” work inherently with the advancement of consumerism (Harvey 2007: 10; Olsen 2019; Clarke 2010). Unregulated and profit orientated market competition established through neoliberal ideals enables everything and anything to become a commodity which can be consumed (Harvey 2007; Peck 2010). Although the backseat approach of the state is central to this political and economic agenda, it is still required to guarantee, and open opportunities for, markets to exist and be able to thrive (Harvey 2007). Thus, if a market is non-existent in specific sectors or services, such as education, healthcare or environmental planning for

example, then they necessitate creation by state authority if required (Harvey 2007). This opening up of new markets, and profit accumulation, means that more services and/or goods are on offer to be consumed.

Therefore, while consumerism has been a central element of social relations and life since before the “neoliberal turn,” the processes of neoliberalism have ultimately established new markets and, in doing so, new services to be consumed (Harvey 2007: 71; Baudrillard 2016). Individual freedom and the belief that human actors are capable of rational choice within neoliberal ideology and procedural practice align strongly with the notion of consumer choice (Clarke 2010; Olsen 2019). Instilling the individual freedom to choose and, at the same time, making available more opportunities and products in the form of goods or services which can be consumed simultaneously: promotes freedom through increased individual choice; drives market competition through diversification of market choices, to ultimately heighten profit accumulation; and progresses consumerism by amplifying the role of the consumer as a social and economic actor (Olsen 2019; Clarke 2010; Harvey 2007; Peck 2010; Peck and Theodore 2019).

The production of knowledge

The ‘production of knowledge’ is the notion that knowledge and power are interconnected, and that power passes between social institutions through the production of knowledge (Foucault 1980; Mader 2014). In *Power/Knowledge* Foucault states that:

“Power must be analysed as something which circulates, or as something which only functions in the form of a chain... Power is employed and exercised through a netlike organisation... Individuals are the vehicles of power, not its points of application” (1980: 98).

Central to this understanding of power is the importance of relations between individuals and institutions. Specifically, in what ways individuals are influenced and disciplined by different institutions, and whether people support or challenge such effects, explored particularly in Foucault’s works such as: *The History of Sexuality* (1978), *Power/Knowledge* (1980), *The Birth of the Clinic* (1973) and *Discipline and Punish* (1977). Arguably, many of Foucault’s concepts and perceptions come from the way in which he problematises the function of certain institutions within society (Vallier 2014). Fundamental to the interactions and relations between individuals, institutions, and corresponding social structures is the way in which power is produced and functions (Mills 2003). This vision of power operating

throughout society between institutions and individual subjects is important to the production of knowledge through ‘regimes of truth’ (Foucault 1977).

Throughout Foucault’s career he problematised truth, and considered “how discourse, institutions, politics, and subjects are established within regimes of truth” (Deere 2014: 517). Foucault’s problematisation and consideration of the knowledge/power nexus evidenced the repressive and empowering potential of knowledge and the importance of examining this in different contexts. Foucault states: “it is not possible for power to be exercised without knowledge, it is impossible for knowledge not to engender power” (1980: 52). The interconnection of power and knowledge is important, firstly because it establishes the notion that knowledge is a fundamental factor within power relations, and thus the fight over power (Foucault 1980: 52); secondly, it further highlights that Foucault proposes that at the same time when knowledge is produced claims to power are also being made (1980: 52). Foucault’s perspective and extensive consideration of the inherent interconnection between power and knowledge, which is maintained through the social relations of individuals and institutions, is key to exploring higher education, its purpose, and the political and socio-economic conditions in which academic knowledge is produced (Ball 2013; Manathunga and Bottrell 2019).

The neoliberal and consumerist academy

The advancement of neoliberal practices, and with it the continuation and progression of consumerism, have impacted many sectors, not least that of higher education (Abendroth and Porfilio 2015; Giroux 2014; Harvey 2007; Winkle 2013; Maisuria and Cole 2017). As Harvey highlights “deregulation, privatization, and withdrawal of the state from many areas of social provision have become all too common” and resultantly, “advocates of the neoliberal way now occupy positions of considerable influence in education (the university and many ‘think tanks’)” (2007: 3). While the neoliberal turn in relation to universities, and higher education, has been progressing for several decades, in a UK context and internationally, universities were first overtly positioned as contributing directly to the UK’s economic productivity by the Gordon Brown-led government in the late 2000s (Maisuria and Cole 2017). At this time, universities became organisations of industry: higher education policy blatantly insisted that universities create capabilities in future generations of workers “such as entrepreneurialism and a competitive spirit, to reproduce neoliberal capitalist relations of production and ideological agenda *for* and *in* education” (Maisuria and Cole

2017: 605). The positioning of higher education as a means of perpetuating neoliberalism, by privatising and marketising universities and academic education, knowledge, and research, as well as infusing knowledge produced and exchanged within the academy with principles and ways of understanding the world which are central to neoliberalism (Maisuria and Cole 2017; Pucci 2015; Evans and Giroux 2014; Harvey 2007).

To account for the influence of neoliberalism, and the progress of capitalist and consumerist relations, both “*for and in* [higher] education” (Maisuria and Cole 2017: 605) the discussion below has been divided into two parts. The first considers how the higher education sector in the UK has continued the neoliberal capitalist agenda via its contemporary structure, processes and values; the second, considers how the neoliberal capitalist agenda of the UK is infused within higher education itself to inform the new generation of workers.

Neoliberalism *for* the higher education sector

The trend of making neoliberalism fundamental to higher education in terms of it being an economic sector continues to strengthen. Since 2010, the UK Government has initiated policy changes which situate universities as businesses and students as consumers (Harris, Jones and Squires 2019; Maisuria and Cole 2017; Abendroth and Porfilio 2015). Most notably, the Conservative and Liberal Democrat coalition government increased tuition fees to £9,000 per year in 2012, and in 2013 announced that by 2015/16 the cap on the number of students universities could enroll each year would be removed (Hubble and Bolton 2018; Browne 2010; Higher Education Policy Institute 2014; Natale and Doran 2012; Maisuria and Cole 2017). Further, UK universities became part of the Department of Business, Innovation, and Skills, and in 2015 the UK government put forth a Green Paper suggesting reforms to higher education, the paper was entitled: ‘Fulfilling our Potential: Teaching Excellence, Social Mobility and Student Choice’ (UK Government 2015). Changes to the higher education sector, particularly since 2010, have been justified for reasons of equality and excellence in higher education such as allowing more students, especially from low-income backgrounds, to attend university, increasing the quality of higher education and associated services, and helping to ensure students develop the knowledge and skills to achieve optimum careers (Maisuria and Cole 2017). However, many argue that these changes to higher education, and related justifications, are not grounded in social justice or the betterment of education, but rather directly situate universities as businesses, and education as a commodity to be consumed (Winkle 2013; Natale and Doran 2012; Giroux 2014; Jabbar *et al.* 2018; Maisuria and Cole 2017; Abendroth and Porfilio 2015).

The neoliberalisation of the higher education sector has caused universities to become market competitors keen to attract students, in doing so making money directly from their fees as well as through the resources they will purchase while completing their degree. A clear example of the way in which universities in the UK explicitly compete to attract students was evidenced following the increase to student tuition fees in 2012 (Jabbar *et al.* 2018). While the policy from the UK government set fees to £9,000 per year, universities were not required to charge the full amount so that a sense of market competition and consumer choice was enabled (Browne 2010; Jabbar *et al.* 2018). However, because universities did not want to appear lesser or of lower quality than others, most universities opted, from the beginning, to charge the full amount possible (Jabbar *et al.* 2018). Although undergraduate and postgraduate student tuition fees have increased, and universities can enroll more students, Maisuria and Cole (2017: 606) highlight that this extra money does not necessarily go to increase and improve resources for high quality education provision and student support. Instead, the growth in revenue created by the corporatisation and marketisation of universities tends to go towards sustaining operational costs of the university and on recruiting more students, for more profit (Natale and Doran 2012; Maisuria and Cole 2017). Another means of income generation for universities, in line with the free-market business processes which influence the sector, is the outsourcing of university services to private companies to increase profits (Winkle 2013).

While neoliberal forces push universities to focus on profit and cost saving, it is important that the services they offer are competitive and viewed as satisfactory to students, the consumers (Jabbar *et al.* 2018; Tomlinson 2017; Branch and Christiansen 2021). Evidencing and measuring excellence throughout higher education institutions is central to maintaining the sector as a competitive, profit-driven, free market (Tomlinson 2017; Bergami 2019; Maisuria and Cole 2017). A range of formal metrics exist within UK higher education to assess and rank the quality of various elements of every university deemed as a way to assure quality, provide consumers with informed choices through university performance, and create competition (Tomlinson 2017; Sørensen and Traweek 2022). Key quality assurance metrics used by universities across the UK are the National Students Survey (NSS) which provides students with the opportunity to reflect on and formally rate their university experience (Office for Students 2021); the Teaching Excellence Framework (TEF) to which each university enters for assessment and receives a ranking of either Gold, Silver, or Bronze (Department for Education 2017; Gillard 2018); and the Research Excellence Framework

(REF) which assesses research quality at UK universities and is used to guide the distribution of research funds nationally (Sousa and Brennan 2013; REF 2022; UK Research and Innovation 2022).

These quality assurance metrics as well as other consumer-orientated changes to the sector, particularly in the past decade, were actively established by the UK government to develop competition between universities and increase consumer choice (Department of Education 2010; Tomlinson 2017; Makki and El-Kassar 2021). In the Browne Review, published in 2010, the Department of Education explained:

“Our proposals are designed to create genuine competition for students between HEIs [Higher Education Institutions], of a kind which cannot take place under the current system. There will be more investment available for the HEIs that are able to convince students that it is worthwhile. This is in our view a surer way to drive up quality than any attempt at central planning” (Department of Education 2010: 8).

Thus, instilling, within higher education, free-market values and situating students as rational choice consumers is central to current education policy in England and Wales (Marginson 2000; Jabbar 2018; Hook 2019; Makki and El-Kassar 2021).

The experiences and expectations of students and staff at universities have been impacted significantly by the neoliberalisation of the higher education sector (Breeze, Taylor and Costa 2019; Bottrell and Manathunga 2019a, 2019b; Alajoutsijärvi *et al.* 2021). The discourse around students as consumers arguably creates a dynamic whereby students feel increasingly free and authorised to make judgements about the quality of the education which they are receiving and the effectiveness of the academic staff who are teaching them (Hook 2019). Leathwood and O’Connell suggest that in a UK context, students being “active consumers of educational services” promotes that they take “responsibility for their own learning as independent, autonomous and self-directed individuals” (2003: 599). However, others argue that students who enter into higher education surrounded by the language of consumption, tuition fees, choice, quality assurance and excellence, believe that they are owed a degree simply for being paying attendees of a university (Jabbar *et al.* 2018; Baldwin and James 2000; Tomlinson 2017; Natale and Doran 2012). Yet, for university staff, who engage with and teach students, the pressure to satisfy the expectations of student consumers is significant (Gates *et al.* 2015). This consumer culture combined with the high staff workload, caused by the removal of the student enrolment cap, and the constant performance monitoring according

to the range of student satisfaction, teaching excellence and research excellence quality assurance metrics has increased stress, demotivation, isolation, and fatigue among academic staff throughout the UK (Lopes and Dewan 2015).

Neoliberalism *in* higher education

Universities connect together fundamental aspects of society: the state, the public, and the private sphere (Pucci 2015). As a result, universities hold an important social role by producing knowledge and in doing so creating regimes of truth (Foucault 1980; Giroux 2014). The production of knowledge within academic institutions is shaped by the power which circulates both outside and inside such institutions (Giroux 2014; Pucci 2015; Olssen and Peters 2005). Neoliberalism and advanced consumerism, as has been discussed, create distinct structural and practical dynamics for the higher education sector. While these dynamics transform the purpose and values of universities by positioning them as economic market competitors and situate students as consumers, such dynamics also entrench neoliberalism into education itself (Maisuria and Cole 2017; Davies and Bansel 2007). As Harvey asserts, “the academy is being subjected to neoliberal disciplinary apparatuses of various kinds [and] also becoming a place where neoliberal ideas are being spread” (cited in Pender 2007: 14). Arguably, the ‘knowledge economy’ which has developed means that knowledge is now both an input to, and output of, social and economic processes (Brennan and Little 1996; Olssen and Peters 2005; Pucci 2015; Giroux 2014). Knowledge produced within the academy is informed by neoliberal capitalism and informs the progression of that same social and economic regime (Olssen and Peters 2005; Pucci 2015; Giroux 2014), in doing so, inciting “a battle over the soul of higher education” (Pucci 2015: 3).

The ever-increasing number of students attending universities, and neoliberal forces orchestrating the sector, prompt questions to be asked regarding the purpose of higher education (Pucci 2015: 4). While this question has been considered multiple times by employing a range of literature and theories, Pucci (2015) argues that currently there are two key perspectives, which offer conflicting answers, regarding the objective of university education. One side views education as emancipatory by providing students with knowledge of the social world, and their place within it, in order to supply students, as social actors, with skills and understandings that will enable them to engage with and transform society (Freire 1970; Giroux 1980; Pucci 2015; Davis 1998; hooks 1994; Brookfield 2003). Giroux links the purpose of education back to that of classical Greece, suggesting that education is:

“Intrinsically political, designed to educate the citizen for intelligent and active participation in the civic community. [...] Thus, in this perspective education was not meant to train. Its purpose was to cultivate the formation of virtuous character in the ongoing quest for freedom” (1980: 329).

Similarly, Maisuria and Cole highlight that the “Latin term ‘universitas’ means ‘fuller’ and ‘wholeness’ to describe the process of broadening horizons” highlighting that universities, in principle, are a means of developing an individual’s mind and awareness of the world around them (2017: 607). Contrastingly, the second view of education recognises the purpose of universities as a means of driving economic development through the creation of highly skilled workers for the private sector (Pucci 2015). From this perspective, higher education is a way to indoctrinate among new generations the ideals and functions of neoliberal capitalism to enable related ideology and practices to perpetuate in economics, politics, and social relations, through individual workers and citizens (Giroux 2014). Giroux argues that universities are slowly dying as they are no longer a “center of critique, vital source of civil education, and critical public good,” rather they are sites of neoliberal capitalist ideological, and practical domination (2014: 16; Heller 2016; Maisuria and Cole 2017).

Ideological domination is the notion that certain ideas and beliefs prevail due to their assimilation into the concept of ‘common sense’ (Giroux 2011). In the case of England and Wales, capitalist ideology and supporting ideas dominate and are viewed as ‘common sense’ in neoliberal higher education both directly and indirectly (Strunk and Betties 2019; Barton *et al.* 2007). Ideological domination through ‘common sense’-making within an educational context involves the notion of the ‘hidden curriculum’ (Giroux 2011; Strunk and Betties 2019). Prevailing ideologies often explicitly infiltrate the curriculum through content, development of certain forms of critical thinking skills and methods of teaching (Strunk and Betties 2019). Giroux and Purpel (1983) put forth that further to this, ideology enters the curricula implicitly through the imposition of what is viewed as having value or being worthy and which knowledges, ways of thinking, and ways of understanding are acceptable. The consequence of the latter regarded as the ‘hidden curriculum’, is socially reproduced in line with dominant ideology and associated social systems through every group of students overtime, except if in some instances they are radically interrupted (Kemmis and Fitzclarence 1986; Giroux 1981; Freire 1970). Therefore, the hidden curriculum permits that hegemony continues conceptually with oppressed groups unsuspectingly enabling their own oppression (Giroux 1981). Hence resistance scholarship, in relation to education, highlights the

concealed oppression experienced by students, which is inherently exploitative because of its hidden nature enabling reproduction of social relations and systems of control (Bottrell and Manathunga 2019a; 2019b; Clarke, Chadwick, and Williams 2017; Breeze, Taylor and Costa 2019).

3.4 Contemporary criminology higher education

According to the University and College Admissions Service (UCAS) 1,044 undergraduate and 200 postgraduate courses involving criminology were offered in England and Wales in 2021/2022 (UCAS 2021). This shows that criminology is “a standard part of the undergraduate curriculum in universities” in England and Wales, as well as internationally (Garland 2011: 299). The speed and extent of the discipline’s development is accentuated when considering that criminology is a relatively new academic subject area. Criminology was first established around 1890 with the aim of replacing criminal anthropology, criminal psychology, and the sociology of crime with a specific discipline focused on crime and punishment (Garland 2011: 298). Many suggest that criminology was first established in Britain following the second world war as a specific discipline focusing on the relationship between crime and society (Bowling and Ross 2006; Garland 2011; Rock 2017). Garland argues that even in the 1970s, “criminology was still very much a newcomer” in Britain with only a small number of universities offering criminology modules and courses (2011: 299; Radzinowicz 1962; 1999). Garland suggests that were it not for the appointment of Hermann Mannheim, Max Grinhut, and Leon Radzinowicz to academic positions at “elite British universities,” criminology in Britain “may not have developed sufficient academic impetus to become an independent discipline” (2002 cited in Bowling 2006: 13). Since the first criminology courses were established in the 1970s, the number of criminology degree programmes has grown at an unprecedented rate, which has arguably had both positive and negative impacts on the discipline and related teaching at universities (Garland 2011; UCAS 2019; Harris *et al.* 2019; Stockdale and Sweeney 2019, 2022; British Society of Criminology (BSC) Learning and Teaching Network 2019; Palmer 2020).

This section considers the subject matter and purpose of a criminology degree by bringing together previous discussions in the chapter regarding contemporary criminological thought, the criminological imagination, and the impact of neoliberalism and marketisation on higher education. It argues that the subject matter of criminology is influenced by the growth of criminology in the academy, the discipline’s inherent connection to the state, and quality

assurance processes in higher education. Further it puts forth that criminology has been used by universities to attract students for financial gain, which has moved the purpose of a criminology degree away from the development of transformative and emancipatory knowledge and a criminological imagination. Instead, undergraduate criminology leans towards the production of state-orientated understandings of crime, justice and punishment, and correspondingly focuses on employability.

What is the subject matter of a criminology degree?

As discussed earlier in this chapter, there are generally two epistemological perspectives within the discipline: mainstream and critical criminology (Muncie 1999; Bowling and Ross 2002; Garland 2002; Richie 2011). Regardless of if one views criminology as being focused only on solving ‘the problem of crime’ or believes that criminological inquiry should extend beyond crime and the CJS, the subject matter of criminology exists, and for the past five decades has been evolving, within a swiftly transforming world (Garland and Sparks 2000; Garland 2001; Brown 2011; Young 2011; DeKeseredy 2022). Indeed, the criminal and/or social justice issues of concern across criminology have been influenced by the social implications and reactions to marketisation and neoliberalism discussed earlier in this chapter in a similar way to higher education (Garland 2001; Garland and Sparks 2000; Harvey 2007; Wacquant 2009). In keeping with such structural, political, and cultural forces of transformation the discipline of criminology continues to increase in scope with numerous research areas linking to its general concern with crime, deviance, criminal justice, and social control (Bowling and Ross 2006; McLaughlin and Muncie 2013; Brown 2011). The growing eclecticism of criminology is arguably not removed from the neoliberal values steering criminal justice policy and academic institutions (Barton *et al.* 2007; Barton and Davis 2015; Serrano *et al.* 2018).

Contemporary crime control and policy in England and Wales is characterised by a punitive ideal established by notions of rational choice and individual responsibility which are inherent to the neoliberalism and commodification processes guiding economics, politics, and society (Garland 2001; Wacquant 2009; O’Malley 2015; Hamerton and Hobbs 2022; Wright *et al.* 2020; DeKeseredy 2022). In this context, structures of deterrence and surveillance, constrained welfare provision, fear of crime rhetoric, the threatening and undeserving poor, and punitive responses to crime are increasingly common (Garland 2001; Wacquant 2009; O’Malley 2015; Hamerton and Hobbs 2022; DeKeseredy 2022). These dominant structures

result in what has been described as the ‘new penology’, ‘New Right penology’ or ‘neoliberal penalty’ comprising of individualised and risk-based approaches to crime control and criminal justice, focused on deterrence, incapacitation, exclusion and punishment through penal politics and philosophy, increased sentencing, policing, and privatisation (Feeley and Simon 1992; Garland 2001; Pratt *et al.* 2005; Wacquant 2009; O’Malley 2015: 1; Hamerton and Hobbs 2022). These developments in criminal justice policy and practice impact the subject matter of criminology (Garland and Sparks 2001; Brown 2011; Hamerton and Hobbs 2022). Indeed, O’Malley highlights that “debate over the impact of neoliberalism on penal policy and practice is by now familiar to criminologists” (2015: 1). Hamerton and Hobbs assert that while “the degree to which penal policies have been shaped by neoliberalism remains open to debate” criminologists largely agree that “neoliberal precepts underpin the marketisation and privatisation of the criminal justice system” (2022: 6). Thus, just as universities, and those who study and work within them, have been influenced by the political and socio-economic development of neoliberalism and marketisation, so too has the subject matter of criminology.

The influence of neoliberal processes and consumerism on both criminal justice policy and higher education impact the subject matter of criminology degrees in three ways. Firstly, the growth of criminology in the academy over recent decades has significantly increased research areas in the discipline and thus its subject matter. Barak argues that although throughout its history criminology has continued to diversify its areas of enquiry, “recently the crossbreeding of older and newer ways of thinking about crime and justice has become a thriving enterprise” (2020: 1). He provides a list from 2019 which includes 44 different criminologies, and asserts that, although such expansion of the discipline is interesting, he does “not necessarily equate the creation of more criminologies with an improved criminology” (Barak 2020: 1-3). Similarly, Garland (2011) argues that while the eclecticism of criminology can be interesting, it is also one of the discipline’s largest obstacles with regards to its empirical and theoretical focus, as well as its position as a taught academic discipline within universities. However, Hoyle and Bosworth (2011) suggest that the extent and range of topics in contemporary criminology is a positive thing, providing the opportunity for reflexivity and progress in relation to matters of criminal justice and social justice. Regardless of the extent of support or concern regarding the vastness of its subject matter, criminology is a diverse discipline which has continued to extend due to its growth in the academy (Bowling and Ross 2006; McLaughlin and Muncie 2013; Garland 2011; Hoyle

and Bosworth 2011; Harris *et al.* 2019; Barak 2020). Ultimately, this suggests that the knowledges produced within undergraduate criminology could relate to a variety of areas due to the vast subject matter recognised within criminology.

Secondly, as criminology is largely concerned with crime and criminal justice it inherently links to state-authorised views of such phenomena and therefore its subject matter in criminology degrees is likely to centre on mainstream criminological issues. Garland (2011) argues that due to the vastness of contemporary criminological thought, and the discipline's relationship to power, it is difficult for the subject to link both epistemological strands in relation to research and curriculum content. It is suggested that even when issues and topics are approached from a critical criminological perspective rather than a mainstream one, the practices and policies involved are state defined, thus limiting the extent to which ties between criminology and the government can be detached (Garland 1992, 2002, 2011; Hoyle and Bosworth 2011; Harris *et al.* 2019). Garland (2011) further argues that attempts by criminology to separate itself from the state would risk the discipline eliminating itself within the academy. Therefore, perhaps it is realistic for most of criminology's subject matter in education and research to focus on mainstream criminological perspectives to avoid harming the position of criminology in the academy (Hoyle and Bosworth 2011). However, this arguably undermines the inherent criminological goals which the critical criminology strand places precedence upon, namely, understanding crime and responses to it as socially constructed, advancing social justice, evidencing state and corporate crime, and acting against injustices experienced by historically oppressed communities (Ruggiero 2022; DeKeseredy 2022). Thus, arguably, the growth of criminology in the academy exacerbates epistemological divides and, due to its relationship with the state, mainstream criminology is given precedence in the subject matter of education and research over critical criminological issues (Cohen 2017; Barton and Davis 2015; DeKeseredy 2022; Ruggiero 2022).

Thirdly, as discussed earlier in this chapter, higher education is increasingly informed by quality assurance guidance and metrics which is a result of the proliferation of neoliberal processes in the academy (Tomlinson 2017; Bergami 2019; Maisuria and Cole 2017). Since 2007, the subject matter of undergraduate criminology, like other disciplines, in England and Wales has been informed by 'Subject Benchmark Statements' produced by the Quality Assurance Agency for Higher Education (QAA). Each version of the QAA Benchmark Statements for Criminology have been revised by a "review group" or "advisory group" of "subject specialists drawn from, and acting on behalf of, the subject community" (QAA

2007; 2014: 2; 2019; 2022). ‘Benchmarks’ for criminology were first established by the BSC in 2006 (BSC 2006). The BSC Criminology Benchmarks were developed to establish “a threshold standard for an Honours degree in Criminology and a range of related courses” (BSC 2006: 2). In 2007 the QAA revised and published the Criminology Benchmarks produced by the BSC and the benchmark document was named ‘Criminology’ (QAA 2007). In 2014 these Benchmarks were reviewed in line with the requirement of subject benchmark statements produced by the QAA (Palmer 2020: 5; QAA 2014). Since 2014, a further two benchmark statements have been developed and published in 2019 and 2022 (QAA 2019; 2022). While the benchmark statements are intended to “provide general guidance for articulating the learning outcomes associated with a course,” the QAA asserts that they are “not intended to represent a national curriculum in a subject” (2022: 1; 2019: 1). Despite it not being an obligation for criminology programmes to use the QAA Benchmark Statements to strictly inform the subject matter of their curricula, in light of the aim of this project it is important to recognise that such quality assurance guidance does exist. The influence of the QAA Benchmarks for Criminology on the subject matter of criminology degrees in England and Wales will be explored in greater detail in Chapter 5.

So far, this section has shown that the subject matter of criminology is influenced by the same socio-economic and political conditions which impact contemporary higher education. It has suggested that the growth of criminology in the academy, the discipline’s inherent connection to the state, and quality assurance processes in higher education are all important to examining the production of knowledge within undergraduate criminology. Literature reviewed so far suggests that criminology research and education is increasingly focused on mainstream notions of crime and justice. Arguably, the prevalence of neoliberal penalty and marketised higher education require that criminology concentrates more on its mainstream strand, rather than its critical side, to ensure it remains present and welcome in the academy. It has been important to consider these themes because literature regarding the subject matter of criminology degrees is lacking, and knowledge production within undergraduate criminology is the focus of this project. Therefore, the perspectives discussed in this section so far provide significant context to contemporary criminological subject matter as well as the epistemological and external factors which can influence it. The remainder of this section considers the purpose of undertaking a degree in criminology.

What is the purpose of a degree in criminology?

Like the purpose of higher education in England and Wales broadly, the purpose of a criminology degree has arguably been shaped by external forces currently influencing the academy (Giroux 2014; Pucci 2015; Masuria and Cole 2017; Harris *et al.* 2019; Palmer 2020). The vast and rapid growth of undergraduate criminology programmes in England and Wales shows that studying criminology is attractive to students (Bowling and Ross 2006; Hoyle and Bosworth 2011; Harris *et al.* 2019; Stockdale and Sweeney 2019, 2022). However, arguably the appeal of the subject to prospective students has been abused, positioning it as “a ‘cash cow’ for cash-strapped universities” increasingly competing to attract students in a competitive profit-orientated higher education sector (Harris *et al.* 2019: 138; Jabbar *et al.* 2018; Palmer 2020). Indeed, as highlighted in Chapter 1, universities are increasingly positioning criminology in a way which appeals to the popularity of true and fictional crime documentaries, films and tv shows. For example, in a section of the UCAS website entitled ‘Why study a degree in criminology at university?’ it states:

“Are your favourite true crime podcasts and documentaries just not in depth enough for you? Do you tend to think past the good vs. evil dichotomy that can frame an average discussion around crime?” (2022).

Similarly, Trebilcock and Griffiths (2022) highlight that many criminology students become interested in the subject through watching popular documentaries, films, and television programmes about crime, the CJS, murders and serial killers. Indeed, the “public image” of criminology is often referenced as the reason for individuals’ interest in the discipline (Cohen 2017: 46). While developing an interest in criminology via popular culture is not necessarily an issue, in practice it may mean the purpose of its degree programmes are misrepresented or mainstream orientated (Cohen 2017; Barton *et al.* 2007; Barton and Davis 2015).

Like many other disciplines, arguably the central purpose of studying criminology is to develop knowledge of the subject. However, due to the marketisation and neoliberalisation of universities, employability has become a central focus of criminology programmes (Barton *et al.* 2010; Jameson *et al.* 2012a; Jameson *et al.* 2012b). With universities and individual subject areas such as criminology increasingly being measured by graduate outcomes, the purpose of academic programmes is shaped by employability (Daniels and Brooker 2014; Hill *et al.* 2016). Trebilcock and Griffiths (2022) evidenced that some students do undertake a degree in criminology because they are interested in helping others and/or securing justice by

working in the CJS and for other related organisations and sectors. While a focus on graduate outcomes enables students to engage with real-world work environments and experiences, this arguably simplifies university education and focuses on the identity of students as future contributors to capitalist society rather than individuals learning about society, their place within it, and abilities as social actors (Daniels and Brooker 2014; Freire 1970; Giroux 1980; Pucci 2015; hooks 1994; Davis 1998; Brookfield 2003). Focusing criminology degrees on employability arguably orientates them towards the mainstream and reduces opportunities to develop knowledge and critical thinking skills via academic exploration and critical pedagogy (Serrano *et al.* 2018; Barton *et al.* 2010). Barton *et al.* (2010) and Barton and Davis (2015) argue that the development of critical thinking is vital to the purpose of criminology and is negatively impacted by compliant and employability-focused higher education.

As discussed earlier in this chapter, traditionally higher education was viewed as emancipatory (hooks 1994; Freire 1970; Giroux 1980). By developing knowledge, university education can enable individuals to explore a variety of understanding and perspectives to support them to engage more fully with other social, intellectual, and personal growth (Barton *et al.* 2010; Giroux 1980; Maisuria and Cole 2017; Pucci 2015). Viewing education as transformative and emancipatory connects strongly to the criminological imagination discussed in the first section of this chapter. Like higher education generally, the criminological imagination seeks to connect individual experiences and views with their position in social relations and history (Mills 1959; Barton *et al.* 2007; Barton *et al.* 2010; Young 2011; Frauley 2015). Correspondingly, several criminologists have suggested that development of the criminological imagination should be a fundamental purpose of a criminology degree (Barton *et al.* 2010; Carrabine *et al.* 2014, 2020; Barton and Davis 2015; Frauley 2015). Similarly, criminology students suggest that better understanding their own lived experiences and position as social actors motivated them to study criminology, suggesting that students would be interested in critical criminology and criminological imagination rather than only learning about mainstream criminological views (Trebilcock and Griffiths 2022; Barton *et al.* 2010; Barton and Davis 2015).

However, the marketisation of higher education has arguably diminished its transformative and emancipatory potential and, in undergraduate criminology, impacted the drive and opportunities to focus on developing the criminological imagination (Pucci 2015; Young 2011; Barton and Davis 2015; Frauley 2015). Barton *et al.* (2010) suggest that, while the influence of commodification and neoliberalism on universities is harmful to all disciplines, it

is particularly damaging to criminology because of the significance of critical thinking and imagination in thoroughly engaging with criminological issues. Criminologists that view development of the criminological imagination as central to a degree in the subject, suggest that the contemporary conditions of higher education result in criminology teaching and learning which does not act against oppression, marginalisation, and injustice but instead reproduces hegemonic narratives (Young 2011; Barton *et al.* 2010; Barton and Davis 2015; Frauley 2015). A criminology degree which does not provide opportunities for meaningful critical thinking and imagination arguably reduces itself to only focusing on dominant and ‘common sense’ notions of crime and justice and produces future criminologists and social actors who are not able or willing to transform themselves or society (Mills 1959; Barton and Davis 2015; Freire 1970; Giroux 2011).

In addition, the divides which exist within the discipline can also influence the focus and purpose of criminology education. On consideration of the purpose of criminology, Hoyle and Bosworth (2011) put forth that the discipline has many ‘borders’ which often intersect and blur with one another, and resultantly a sole focus is difficult to establish. Although Hoyle and Bosworth (2011) recognise the advantages which come with the diversity of contemporary criminology, they identify that the subject’s inherent links to state power and institutions often means that key criminological issues are not given the correct attention. This potential imbalance in attention is important to recognise when exploring criminology knowledge production and curricula in this thesis, as it suggests that the epistemological conditions could feed into the content and focus of criminology degree programmes.

3.5 Conclusion

This chapter has considered existing literature regarding contemporary criminological thought, the criminological imagination, and the current higher education sector in England and Wales orchestrated by neoliberal processes and marketisation. By exploring contemporary criminology and higher education, this chapter has established that the purpose and subject matter of undergraduate criminology is shaped significantly by the growth of the discipline and the dominant socio-economic forces influencing higher education and criminal justice policy and practice. It has argued that the contemporary character of higher education has pushed undergraduate criminology to focus on mainstream criminological issues to the detriment of critical criminological perspectives and the criminological imagination. Such epistemological division and imbalance arguably reflect the wider social context in England

and Wales. This chapter has shown that the structure of university courses, and forms of teaching and learning, reflect wider conditions and accepted norms in any particular society. Thus, arguably criminology courses will reflect the dominant social narratives of crime, punishment, and justice in England and Wales rather than question them.

The arguments made in this chapter are important to the discussion of findings produced from this research. In particular, arguments regarding the epistemological divisions within the discipline, contemporary higher education, and the purpose of undergraduate criminology are further developed in relation to findings presented in Chapter 5 and Chapter 6. Further, arguments on the importance of criminological imagination in criminology education as well as the subject matter and purpose of a criminology degree are expanded upon through the discussion of findings presented in Chapter 7. Prior to examining the project's findings, in the next chapter this thesis discusses the research design and methods employed to conduct the study.

Chapter 4: Research design and methods

4.1 Introduction

This chapter discusses the design of the research, detailing the methodology used and methods of data collection. This thesis used a multi-method, predominantly qualitative approach. The research design, methods used, and critical methodological approach taken successfully addressed the overarching research aim. Data was collected in two phases. The first phase comprised of a scoping study which provided a broad picture of restorative justice in undergraduate criminology curricula in England and Wales via descriptive data in both quantitative and qualitative forms. The second phase involved focus groups with criminology students, semi-structured interviews with criminology academics, and the collection of module specifications from each academic interviewed.

This chapter begins by setting out the research aim and questions, as well as outlining how each research question was addressed through the methods used. Then the critical, theoretical, epistemological, and ontological perspective which informs the research design is discussed. The chapter then outlines and justifies the research design, providing reflections on how the research design changed during the data collection process. Methods used to collect and analyse data are explained in relation to each of the two research phases. Finally, the chapter reflects on the researcher's positionality and on ethical considerations which were made when designing and carrying out the research. Throughout this chapter, discussion of the limitations of the research design and methods used is provided.

4.2 Research aim, questions, and data collection summary

As detailed in Chapter 1, the overall aim of this research is to critically examine the production, and exclusion, of knowledge(s) of restorative justice within undergraduate criminology in England and Wales. In line with the overall aim, the project set out to answer the following four research questions:

1. To what extent is restorative justice included, and/or excluded, within undergraduate criminology curricula in England and Wales?
2. What knowledges of restorative justice exist among undergraduate criminology students and academic criminology staff in England and Wales?

3. How are restorative justice knowledges produced within undergraduate criminology, and what implications does this have for undergraduate criminological teaching and learning in England and Wales?

To answer the research questions, and achieve the overall aim of the thesis, primary data was collected via a multi-method, qualitative dominant approach. The interconnected fields of restorative justice, criminology, and higher education explored within this thesis are complex, and required that a range of sources were engaged with to answer the research questions. Therefore, the use of a mixture of methods was essential to effectively explore multiple data sources and perspectives providing a “fuller picture and deeper understanding” of the complex social phenomena involved in this research (Johnson *et al.* 2007: 122).

Data was collected in two phases. Phase one generated information which directly addressed RQ 1 by assessing the extent to which restorative justice was included within undergraduate criminology curricula and the forms such inclusion took. This phase also informed the responses to RQ 2 and RQ 3 by providing documentary evidence of the knowledges and construction of restorative justice within undergraduate criminology curricula. The first phase comprised of a scoping study used to collect descriptive numerical and documentary information about all undergraduate criminology degree programmes in England and Wales offered in 2019/20. Scoping data covered all universities in England and Wales (n=129) which delivered an UCD programme (n= 85) between 2019 and 2020. Specific data from 2,324 modules offered within the 85 UCD programmes was obtained. Each module was analysed in relation to restorative justice inclusion; criminological topic area; module type; and degree stage. Modules which contained restorative justice (n= 33) were further categorised in relation to the extent to which restorative justice was included within the module, either focused inclusion (n=10) or unfocused inclusion (n=23).

Phase two addressed RQ 2 and RQ 3 by exploring the perspectives, understandings, and experiences of criminology academics and students to evidence the knowledges of restorative justice which existed among them and the construction of such knowledges in a criminological teaching and learning context. Data collected from criminology staff in this phase further addressed RQ 1 by providing insight as to the conditions which influence the extent and form of restorative justice inclusion in criminology curricula. In this second phase data was collected from criminology academics via semi-structured interviews (n=10) and undergraduate criminology students via focus groups (n=3) which involved a total of ten

participants (n=10). All criminology academics interviewed (n=10) were asked to make their respective restorative justice inclusion module handbook available to the researcher for analysis. In total eight module handbooks (n=8) were collected, five from focused restorative justice modules and three from unfocused modules. Transcripts of the data collected during the semi-structured interviews and focus groups were thematically analysed. Phase one provided evidence of the extent and form of restorative justice knowledge(s) within undergraduate criminology curricula in England and Wales. Then phase two evidenced understandings and perspectives of restorative justice as well as the construction of and approaches to teaching and learning about restorative justice within undergraduate criminology. Table 4.1 below shows the different methods of data collection and analysis used to answer the four research questions.

<p>Research Question 1.</p> <p>To what extent is restorative justice included, and/or excluded, within undergraduate criminology curricula in England and Wales?</p>	<p>Scoping study</p> <p>Semi-structured interviews with criminology academics (n=10).</p>	<p>Descriptive numerical analysis of quantitative data collection from scoping study.</p> <p>Content analysis of qualitative documentary data collected from scoping study.</p> <p>Thematic analysis of interview transcripts.</p>
<p>Research Question 2</p> <p>What knowledges of restorative justice exist among undergraduate criminology students and academic criminology staff in England and Wales?</p>	<p>Semi-structured interviews with criminology academics (n=10).</p> <p>Focus groups with undergraduate criminology students (n=3).</p>	<p>Thematic analysis of interview and focus group transcripts.</p> <p>Content and thematic analysis of restorative</p>

	<p>Module handbooks provided by academics interviewed (n=8).</p> <p>Restorative justice inclusion module descriptions (n=33) collected during scoping study.</p>	<p>justice inclusion module handbooks.</p> <p>Content analysis of qualitative documentary data collected from scoping study.</p>
<p>Research Question 3</p> <p>How are restorative justice knowledges constructed within undergraduate criminology, and what implications does this have for undergraduate criminological teaching and learning in England and Wales?</p>	<p>Semi-structured interviews with criminology academics (n=10).</p> <p>Focus groups with undergraduate criminology students (n=3).</p> <p>Module handbooks provided by academics interviewed (n=8).</p> <p>Restorative justice inclusion module descriptions (n=33) collected during scoping study.</p>	<p>Thematic analysis of interview and focus group transcripts.</p> <p>Content and thematic analysis of restorative justice inclusion module handbooks.</p> <p>Content analysis of qualitative documentary data collected from scoping study.</p>

(Table 4. 1 - Methods of data collection and analysis used to answer each research question)

4.3 Methodological approach

The overarching aim of this research, concerning the production of restorative justice knowledge(s) within undergraduate criminology, causes several disciplinary areas to

intersect. Such interdisciplinarity predominantly encompasses restorative justice, criminological thought, and teaching and learning in higher education. The complexity of the interconnected fields, and the research deriving from a criminological perspective, warrants that a critical approach is taken to recognise and assess the influence of each field on the phenomenon being investigated. Similarly, as the production of knowledge(s) within undergraduate criminology is the research focus, and critical examination of such is the overall objective, it is appropriate that a critical theoretical position guides the methodology. The ‘production of knowledge’ is the notion that knowledge and power are interconnected, and that power passes between social institutions through the production of knowledge (Foucault 1980; Mader 2014). Correspondingly, epistemologically, this thesis recognises and holds that all knowledge, in all social contexts, is produced through power relations. Therefore, interconnection of knowledge and power are central to the focus and aims as well as the methodological and epistemological position of this thesis.

Correspondently, subjectivity its key to the production of knowledge and the critical methodological position taken in this thesis. “World and men [and/or women] do not exist apart from each other; they are in constant interaction” (Freire 1970: 27). Indeed, central to the research design and methods used is the notion that while individuals are shaped by the social realities in which they exist, they at the same time create such social realities (Kemmis and Fitzclarence 1986). This perspective places precedence on subjectivity, the notion that there are multiple truths and ways of knowing oneself, others, and society – there is no one set reality which exists. The focus of this research and the position of those involved in the research as participants, required that relevant considerations of subjectivity were deeply reflected upon when designing and conducting this empirical research.

In the context of this project, there are several reasons why these fundamental principles of a critical epistemological and methodological position, are essential. Firstly, the principal concern of this project being the production of knowledge(s) of restorative justice (a form of justice widely recognised as being different to hegemonic justice forms) within commodified HE curricula requires this thesis to be critical. Justice education, while complex and challenging, is potentially revolutionary. Indeed, as Cohen states: “the question of justice must be near the top of the revolutionary agenda” (2017: 134). The potential de-professionalising, harm-orientated, communicative, and humanising character of restorative justice within criminal justice matters provides a form of justice which either in conjunction with, or in replacement of, current criminal justice methods could be transformative in

various ways (Woolford and Ratner 2010). Restorative justice, a response to criminality, for some has revolutionary potential, yet for others is entangled in neoliberal values, due to its recent expansion via top-down influenced policy and practice (Sullivan and Tifft 2000; 2001; Zernova and Wright 2011; Maglione 2018b, 2018a). The contestations which exist within the field of restorative justice, and to some extent criminological thought, regarding the harmful and promising aspects of restorative justice, promote that awareness and understandings of its existence be explored and examined from a critical criminological perspective. As Daly (2016 :13) highlights, progression of restorative justice requires that empirical evidence of its development is gathered to establish the realities of used definitions and impacts.

Secondly, the centrality of examining discourse and ideology in relation to socio-political concepts and ideas, as well as the relationships these have with policy and practice is central to critical criminology and resistance scholarship (Hudson 2011; Courpasson and Vallas 2016). Top-down implementation and institutionalisation of restorative justice through EU and UK Government policy in recent decades, establishing it as a form of criminal justice, has been problematised within the restorative justice field for being contradictory to its intended purpose, values and goals (Maglione 2018b, 2018a; Cavadino and Dignan 2013; Woolford and Ratner 2007; Wood and Suzuki 2016; Hoyle and Rosenblatt 2016). The recent state legislative and financial commitment to restorative justice, as well as the commodification of higher education are central to the rationale for this research.

Problematisation of these developments, in both respects, justifies taking a critical approach to empirically exploring knowledge production of restorative justice in this context providing empirical evidence to support its future development.

Thirdly, although there are various philosophical perspectives within the restorative justice field, the inherent grass roots nature of restorative justice links to the ground-level character of critical criminological theory. Arguably, the understandable connection mainstream criminology has with state authority, and thus top-down criminal justice methods, requires that research concerning an inherently community ground-level form of justice be examined from a critical perspective (Cohen 2017). Critical thought recognises that crime has 'no ontological reality' (Hulsman 1986: 28), it is socially and historically constructed, and its meaning has no permanency in space and time (Christie 1986). Accordingly, the value, purpose, and definitions attributed to responses to criminality, such as restorative justice, are socially constructed, and influenced by the historical, political, and socio-economic relations of society at a given time and within a certain space. A methodological position enabling

responses to crime to be considered as socially constructed, and supporting that related inquiry involves grassroots perspectives, was vital to the design of this research due to its focus being knowledge production of restorative justice, which is a response to criminality.

Finally, contemporary criminology curricula at undergraduate level in England and Wales being key to this research provides a further motivation for essentialising a critical perspective throughout. Critical theoretical principles provide a “powerful analytic framework” for considering discrepancies and injustice within education as “functions of power, domination, and exploitation” (Strunk and Betties 2019: 71). Reproduction of ideology within criminology arguably has a significant association with the maintenance of social control structures such as criminal justice methods (Cohen 2017; Barton *et al.* 2010; Barton *et al.* 2007; Barton and Davis 2015). The way in which students are taught about, and informed on, the topic of restorative justice will, arguably, have a considerable impact on whether restorative justice represents a possible alternative response to crime as a ‘justice counterpublic’ or if it is understood as having less transformative potential (Woolford and Ratner 2010; Fraser 1997). Accordingly, critically approaching criminological knowledge production within HE allows this project to establish why certain forms of awareness and understandings, regardless of what these are, exist while others are excluded, and where such knowledge(s) are derived from. The value that this position places on the experiences and understandings of criminology students, but also their multiple roles as members of civic society and potential human services practitioners, adds to knowledge of developing means of resistance within the academy (Clarke, Chadwick and Williams 2018; Freire 1970) and understanding of the production of knowledge regarding restorative justice in criminology.

4.4 Research design and methods

Multi-method approach

The research design comprised of a multi-method, qualitative dominant approach. Using a mixture of methods, to both collect and analyse data, supports that the research questions are “investigated as comprehensively as possible” (Grønmo 2019: 414). Johnson *et al.* put forth that qualitative dominant mixed method research is that which “relies on a qualitative, constructivist-poststructuralist-critical view of the research process”, while also “recognising that the addition of quantitative data and approaches” can benefit a project (2007: 124). In keeping with the critical methodological position taken within this research, most information was collected and analysed using qualitative approaches. Quantitative data was only collected

as part of the scoping study to provide a clear picture regarding the amount of UCD programmes in England and Wales, as well as the proportion of those which did and did not include restorative justice modules within the curricula. Collecting quantitative data early on in the research enabled the descriptive numerical analysis to inform the rest of the research and support the collection of rich qualitative data (Grønmo 2019; Morgan 2014). Most of the research was designed using qualitative methods. Documentary resources were collected, and content analysed as part of the scoping study and semi-structured interviews, focus groups, and module document collection were later conducted with information analysed thematically. The multi-method approach enabled both broad and in-depth data to be collected to support the critical exploration of the production of restorative justice knowledge(s) in undergraduate criminology in England and Wales.

The research took a systematic approach involving two phases, with phase one informing phase two. The first phase comprised of a scoping study used to collect numerical and documentary information about all undergraduate criminology degree programmes offered within England and Wales in the academic year 2019/20. Quantitative data collected at this stage was analysed descriptively, and qualitative data in the form of documents was content analysed. Originally, a multiple case study framework was due to be used following completion of the scoping study. The intention was that four UCD programmes, which included restorative justice in their curriculum, would each constitute a case in the multiple case study framework. However, this approach was later deemed inappropriate for two key reasons.

Primarily, comparison and contrast enabled through utilisation of a multiple case study approach required that a similar form and amount of data was collected in relation to each case (Yin 2003; Baxter and Jack 2008). While access was successfully obtained with four UCD programmes which included restorative justice, during the data collection process (January 2020 to May 2020) the COVID-19 outbreak began in England and Wales. Thus, the impact of COVID-19 significantly limited the likelihood that detailed data could be collected from each of the four cases in the multiple case study and at this time a new approach was considered. Secondly, findings from the scoping study evidenced that there was a small number of UCD programmes which included focused restorative justice modules (n=10). Most restorative justice modules were unfocused (n= 23), with restorative justice being included as part of a module focusing on a different topic. Using a multiple case study framework which only considered focused restorative justice modules would therefore not

have enabled an accurate examination of restorative justice knowledge production in undergraduate criminology curricula. Therefore, due to the challenges posed by COVID-19, and because of the character of restorative justice inclusion modules found to exist from the scoping study, the multiple case study framework in phase two was no longer appropriate or feasible. Instead, data was collected using a mixture of qualitative methods from seven different UCD programmes, in relation to six focused restorative justice modules and three unfocused restorative justice modules.

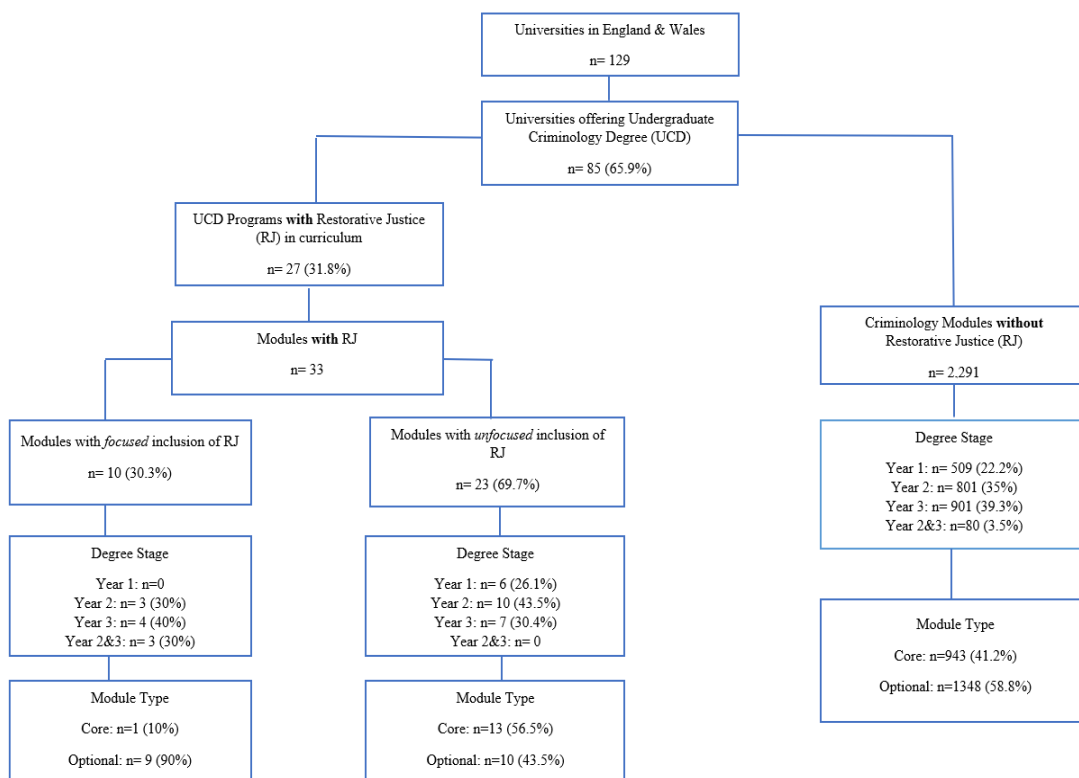
The resultant multi-method, majority qualitative, research design decided upon was consistent with the critical methodological position to which critical analysis of discourse and the experience of individuals is quintessential. Horkheimer (1937) argued that to use only one method within social research would result in the area of focus being represented by an inaccurate picture; he instead recommended that various methods should be utilised supplementing each other. The layering of methods through the scoping study and then use of focus groups, semi-structured interviews, and collection of module handbooks reduces the possibility of an ‘inaccurate picture’ being produced from the research (Horkheimer 1937; Wodak and Meyer 2009). The multiple perspectives collected in relation to restorative justice in undergraduate criminology from different universities as well as different positions within each university enabled intertextuality and recontextualisation of competing discourses to be intricately considered (Wodak and Meyer 2009). Accordingly, a mixture of qualitative methods authorised throughout both research phases effectively enabled the intertextuality of discourse and understandings to be exposed, allowing analysis of the power/knowledge relationship in relation to restorative justice knowledge production in undergraduate criminology. It is important to note that challenges caused by COVID-19 did not only contribute to changes to the research design but also the recruitment of participants in the design which was employed. The number of criminology academics and students who participated in the project was limited by difficult conditions caused by COVID-19 during the data collection period between January and May 2020 (these issues will be discussed further in the ‘Semi-structured interviews’ and ‘Focus Group’ sections of this chapter).

Phase one: scoping the criminology curriculum

In line with the research aim, the first phase of the project involved a comprehensive scoping study. This provided wide-ranging insight of the existence of restorative justice within undergraduate criminology degree programmes in England and Wales. Scoping comprised of

content analysis of university websites, prospectuses, undergraduate criminology course outlines, and module descriptions. Systematically reviewing all publicly available documents and sources relating to undergraduate criminology degree programmes in England and Wales provided detailed evidence of criminology curricula in this context, in doing so, offering evidence of the extent and form of restorative justice knowledges within the undergraduate criminology curricula in England and Wales.

Finalised scoping data concerned all universities in England and Wales (n=129) which delivered an UCD programme (n= 85) between 2019 and 2020. Module specific data obtained from each of the 85 UCD programs contained 2,324 modules. Each module was analysed in relation to restorative justice inclusion; criminological topic area; module type (core or optional); and degree stage. Modules which contained restorative justice (n= 33) were further categorised in relation to the extent to which restorative justice was included within the module, either focused inclusion (n=10) or unfocused inclusion (n=23). Figure 4.2 provides an overview of data collected during the scoping study in research phase one.



(Figure 4.2: Scoping Study Data Collected and Outline of Findings)

The scoping study was structured by clear, project-specific, criteria to ensure an appropriate amount, and quality, of information was gathered. Despite minimal literature detailing the

application of scoping studies within social science research, core steps outlined by Arksey and O'Malley (2005: 22-23) provided appropriate guiding standards for this stage of the project. Most commonly scoping studies are defined as those which:

“Aim to map rapidly the key concepts underpinning a research area and the main sources and types of evidence available, and can be undertaken as stand-alone projects in their own right, especially where an area is complex or has not been reviewed comprehensively before” (Mays *et al.* 2001: 194; Arksey and O'Malley 2005).

Utilising this scoping study definition, Arksey and O'Malley's (2005) methodological framework outlines different types of scoping studies which mainly focus on information collection in relation to literature or past research evidence of a specific research area. However, as suggested in the earlier definition, the key elements of a scoping study are the mapping of concepts, sources, and evidence available for research (Mays *et al.* 2001: 194). Based upon the outlined definition of a scoping study (Mays *et al.* 2001: 194) and taking inspiration from the associated methodological framework outlined by Arksey and O'Malley (2005), the scoping study enabled information about the extent and form of restorative justice in undergraduate criminology curricula to be gathered in relation to specific components.

Key steps of the scoping method include: (1) identifying the research question; (2) identifying relevant studies; (3) study selection; (4) charting the data; and (5) collating, summarising and reporting the results (Arksey and O'Malley 2005: 22-23). Although advocating for the use of scoping across academic disciplines, the core steps were largely in keeping with health science research. To ensure that the scoping study was fitting to this project, the steps put forth by Arksey and O'Malley (2005: 22-23) were tailored by the researcher so the approach could be used to collect data relevant to the aim of this project (see Table 4.3). Indeed, Arksey and O'Malley (2005) advocate that the scoping steps be altered and used creatively in accordance with the research area in which they are being applied. Table 4.3 below shows the way in which the original scoping steps established by Arksey and O'Malley (2005: 22-23) were adapted for this research.

Step	Original steps	Project-specific scoping steps
1	Identify the research question	Identify the scoping question
2	Identify relevant studies	Identify undergraduate criminology degree programmes in England and Wales
3	Study Selection	Reviewing and recording all modules offered as part of each undergraduate criminology degree programme in terms of University Name, Module Name, Module Type (core or optional), and degree stage (Year 1, Year 2, Year 3, or Year 2 and Year 3)
4	Charting the data	Categorising module content of all undergraduate criminology modules offered (in terms of extent of restorative justice inclusion and criminological topic area)
5	Collating, summarising, and reporting the results	Analysis of module categories in line with scoping question and establishing scoping findings

(Table 4.3 – Project-Specific Scoping Steps)

Scoping step one: identify the scoping question

Step one required that the scoping question was developed. The project-specific scoping question was: *What is the extent and form of restorative justice inclusion within undergraduate criminology in England and Wales?* This question, at this stage of the project, was effective for several reasons. Firstly, in mapping out restorative justice educationally it was important that the question linked to consideration of the commonality and the form of restorative justice in undergraduate criminology curricula across the whole of England and Wales. The openness of the question lends itself to scoping and its inherent lack of concern with placing value on information which is gathered (Arksey and O'Malley 2005: 27). Secondly, it is in keeping with the overarching aim of this research and RQ 1, thus ensuring

that information gathered through the scoping method would provide evidence of the extent of restorative justice inclusion, and/or exclusion, in undergraduate criminology curricula throughout England and Wales. Thirdly, also considering the form of restorative justice inclusion enabled the evidence gathered to inform later research stages, such as highlighting possible participants for phase two, and giving context to varying knowledges of restorative justice and the production of such knowledges in undergraduate criminology.

Scoping step two: identify undergraduate criminology degrees

Arksey and O'Malley (2005: 23-24) put forth that the second scoping step should involve identification of relevant studies to ensure comprehensive findings. In this project, rather than identifying studies, it was necessary to identify 'relevant undergraduate criminology degree programmes' to answer the overall scoping study question. Two strategies, both involving open online resources, were used to identify relevant universities. Websites of "existing networks, relevant organisations and conferences" were considered (Arksey and O'Malley 2005: 23). These included the European Forum of Restorative Justice (EFRJ) website and the BSC website. The EFRJ website included a page with information about restorative justice modules and teaching in various European countries which was created in 2013 (EFRJ *website accessed October 2019*). As such information had not been updated for several years, it was initially consulted and checked to identify universities acknowledged by the EFRJ as teaching restorative justice in some capacity in England and Wales. Then the discipline and level in which restorative justice was being taught was considered. The BSC website contained information lists of universities across the UK which were involved in each regional network of the BSC. Due to such lists being classified regionally, only universities which were part of networks in England and Wales were identified as being relevant for further consideration within the scoping study.

Once a full list of universities found to deliver an UCD programme from the BSC and EFRJ was collated, this information was cross-referenced with another online source to ensure accuracy. Arksey and O'Malley (2005) stress the importance of consulting with a variety of sources when scoping to certify the relevance and accuracy of cases (or studies) selected and data charted or, in the case of this study, categorised. The Complete University Guide (CUG) website, an independent organisation providing information relating to each university in the UK to prospective students, was consulted. The list of universities developed at this stage of scoping was checked in relation to the list of universities in England and Wales provided on the CUG website. This allowed information collected previously to be confirmed, changed

and/or added. Data collected during step two of the scoping study showed that, of the 129 universities in England and Wales, 85 delivered an UCD programme between 2019 and 2020. Importantly, due to the online (easily changeable) nature of the sources informing the scoping study and the precarious character of degree programmes within higher education, data relating to each criminology programme can only be considered true of the academic year the study took place – 2019/2020. It is possible that there were additional criminology degrees which were not listed on university websites, or that universities which stated on their website that a criminology degree was being offered, may not have been delivering it in practice.

Scoping step three: reviewing and recording modules

All universities identified in stage two as offering a UCD (n=85) were involved in step three ‘module recording’ (Arksey and O’Malley 2005: 25-26). During step three, all modules offered as part of each of the 85 UCD programmes were reviewed, and information from each module was recoded on a Microsoft Excel spreadsheet. A total of 2,324 undergraduate criminology modules were listed as being offered across the 85 UCD programmes identified in England and Wales. Each module was reviewed using content analysis of module titles, module descriptions, and programme specification documents accessed via each university’s website. Content analysis of all 2,324 modules offered as part of the 85 UCD programmes initially focused on the topic area covered in the module, the module type (core or optional) and the degree stage(s) in which it was offered (Year 1, Year 2, Year 3, or Year 2 and 3). Contextual information collected about each module was recorded on the Excel spreadsheet, which also included the module title and the university where it was offered.

Like the issues regarding the accuracy of identifying which universities delivered UCD programmes, by only using online information, it was not possible to be certain if all the modules listed on universities’ websites were actually delivered that year. Further, there may have been modules which were delivered as part of UCD programmes in practice, but which were not outlined on the respective university’s website. Fully authorising all of the modules delivered on each of the 85 UCD programmes in England and Wales for the academic year 2019/20 would have required contacting the programme leader for each programme. Given the practical and timeliness challenges this would have brought to the researcher, as well as the often-changing character of higher education course provision, this further approval of modules was not carried out. It was decided that the 2,324 modules, identified through

content analysis of UCD information accessed via each universities website, would make up the modules involved in the scoping study.

Scoping step four: categorising module content

This stage moved beyond reviewing and recording the general information regarding each module and focused on assessing the content of modules. In this stage module descriptions for each of the 2,324 undergraduate criminology modules as part of the 85 UCD programmes recorded in step three were re-reviewed to assess the academic content which it covered.

Seventeen broad topics were identified, as outlined below. Initial analysis of modules explored the extent to which they included restorative justice. All modules were categorised as having either *no* restorative justice inclusion, '*focused*' restorative justice inclusion, or '*unfocused*' restorative justice inclusion. Modules categorised as '*focused*' were those which included restorative justice as the main area considered within the module content. Modules which were categorised as '*unfocused*' partially included restorative justice within a module which was focused on a different criminological topic. These categorisations were developed after inferring from all module descriptions which included restorative justice that in some the topic was more substantially included than in others. In all modules categorised as *focused*, restorative justice was included in the title of the module and accounted for the majority of module content. In all *unfocused* modules, restorative justice was not included in the module title but was mentioned as being included in one or two sessions of content. In total, 33 modules were found to include restorative justice in some way. Of the 33 modules which included restorative justice: 23 were categorised as *unfocused* and ten were *focused*. The remaining 2,291 undergraduate criminology modules did not include restorative justice. Every module was ascribed a categorisation of either: '*focused* restorative justice inclusion', '*unfocused* restorative justice inclusion', or '*no* restorative justice inclusion' as appropriate.

Notably, given that the extent of restorative justice inclusion within each module was deduced from module titles and descriptions, there is a chance that some modules may have in practice covered the topic in an unfocused way but not indicated it in the module description. Indeed, there were some modules which, from the description and wider focus of the module, seemed as though restorative justice might have been covered. However, as restorative justice was not explicitly mentioned in the title or description these modules were categorised as not including restorative justice.

All modules were then categorised in relation to the criminological topic area which they focused on. In total 17 criminological topic areas were determined through analysis of the title and the description of each of the 2,324 modules offered across the 85 UCD programmes in England and Wales. Notably, the modules identified as including restorative justice in an unfocused way were associated with the topic area which linked most to the overall content of the module; focused restorative justice modules were categorised as focusing on the criminological topic of restorative justice. The content analysis and categorisation of all modules in terms of criminological topic area involved multiple steps of analysing, categorising, and reviewing each module title and description to ensure that categories developed accurately reflected the contents of the modules positioned in each category. Initially, the researcher planned to use categorisations of criminological topic areas from well-recognised criminology textbooks. The adoption of categories based on topic areas in the QAA Benchmark Statements for Criminology was also considered. However, neither of these approaches to categorising modules were used to ensure that presupposed categories and/or meanings of topics were not placed on modules and curricula. Further, as will be discussed in Chapter 5, the QAA Benchmark Statements for Criminology do not include a list of specific topics or key themes which could have been applied. Fundamentally, as this study is the first of its kind, there was no way of knowing what topics would exist in curricula. There was potential that, on exploring the criminology curricula via the scoping study, some topics could have held an unexpectedly large position in curricula or topics common in textbooks or the QAA Benchmarks could have been under-established. Thus, this scoping step took an inductive and systematic approach to content analysing and to categorising the modules without supposed parameters and classifications.

The broad criminological topic categories developed from academic content were: 1) Crimes of the Powerful and Mass Atrocities; 2) Criminal Justice; 3) Criminal Psychology; 4) Criminological Thought, Ideas and Debates; 5) Forms of Criminality, Deviance and Harm; 6) Green Criminology and Environmental Harm; 7) Identity and Diversity; 8) International Criminology and Criminal Justice; 9) Justice; 10) Representations of Crime, Deviance and Justice; 11) Research Skills and Work Experience; 12) Responses to Crime and Deviance; 13) Restorative Justice; 14) Social Order, Policy and Governance; 15) Theoretical; 16) Victims of Crime; 17) Youth Justice. For examples of specific module titles which were included in each category please see Appendix G. In some programmes, optional modules were offered to students which, although broadly relevant to a degree in criminology, were

not concerning criminological areas. This was due to some UCD programmes offering students modules delivered by other degree programmes at the university. For example, optional modules in: Law such as ‘Child Law’ and ‘Gender and the Law’; Education such as ‘Social Sciences in the Classroom’; Social Work such as ‘Social Work Perspectives’; and Psychology such as ‘Ideas and Controversies in Psychology’ and ‘Psychological Disorders in Society’. All modules of this form were categorised as: ‘Other’.

Scoping step five: establishing and reporting scoping findings

Once all relevant information for each of the 2,324 modules offered across the 85 UCD programmes in England and Wales had been categorised and recorded, key findings were established and reported. Due to the large number of modules from which data was collected, and the range of information categories for all modules, the possibilities for analysis were extensive. Initially analysis focused on establishing the number of modules which included restorative justice in a focused way; included restorative justice in an unfocused way; did not include restorative justice; were associated with each of the 17 criminological topic areas developed; and those which were offered to undergraduate criminology students but were delivered by other programmes at the respective university. Then both focused and unfocused restorative justice inclusion modules were analysed to understand trends in terms of the module type (core or optional) and degree stage(s) (Year 1, Year 2, Year 3, or Year 2 and 3) in which such modules were offered. Unfocused restorative justice modules were also examined in terms of the criminological topic area which they were associated with to identify topic areas to which restorative justice was relevant in undergraduate criminology curricula. All modules were then compared and contrasted in relation to criminological topic area and other characteristics such as the module type (core or optional) and degree stage(s) (Year 1, Year 2, Year 3, or Year 2 and 3) in which they were offered.

Finalised scoping results were written up into a scoping report which included all types of analysis which had been carried out. As the data was recorded on an Excel spreadsheet, this software was used to produce graphs which best outlined relevant findings. Once all results were written up, they were consulted in line with the overall aim of the project, as well as RQ 1 which the scoping study addressed, to identify key findings to be presented in the thesis. Scoping findings relevant to this project are reported in Chapter 5 of this thesis.

Phase two: exploring perspectives of the criminology curriculum

The second phase of the research aimed to explore the criminology curriculum, and the position of restorative justice within it, from the perspective of undergraduate criminology students and criminology academics in England and Wales. This phase was informed by data collected and analysed as part of the scoping study in phase one. The quantitative and qualitative analysis in phase one provided a wide-ranging, descriptive view of the extent and form of restorative justice knowledge production in undergraduate criminology curricula across England and Wales. Phase two was designed to build on and contextualise the information gathered in phase one, by listening to the understandings, experiences, and perspectives of individuals who had studied and taught restorative justice in undergraduate criminology.

In this phase, undergraduate criminology students' perspectives were collected via three focus groups; each focus group took place at a different university. The first focus group comprised of two students, the second comprised of two students, and the third comprised of six students. All students who participated in the focus groups were female. Students who took part in each focus group had all studied a focused restorative justice module as part of their respective UCD programmes prior to the focus group taking place. Additionally, within focus groups each student created two concept maps to visually map out, firstly, their understandings of the CJS in England and Wales and, secondly, their understandings of restorative justice. Concept maps were used to visualise the ideas being discussed and incite discussion and participation.

In phase two the perspectives of ten criminology academic staff were collected via semi-structured interviews. Of the ten academics who participated in interviews four were male and six were female. The criminology academics who took part in the interviews were from seven different universities. The three focus groups with students took place at three of the seven universities where semi-structured interviews with staff took place. All three of the module leaders responsible for the restorative justice module which each group of students had studied were interviewed within the ten semi-structured interviews. Additionally, module handbooks from the nine restorative justice modules which academic staff interviewed had led or taught on were collected as documentary evidence. Please see Table 4.4 below which outlines the data collection methods used and the amount of information which was collected in phase two of the project.

University Offering UCD	Staff Interviews	Student Focus Groups	Number Of Students Present for Focus Group	Restorative Justice Concept Maps	Criminal Justice System Concept Maps	Module Documents
1	1	1	2	2	2	2
2	2	1	6	6	6	2
3	1	1	2	2	2	1
4	1					1
5	2					1
6	1					1
7	2					2
<i>7</i>	<i>10</i>	<i>3</i>	<i>10</i>	<i>10</i>	<i>10</i>	<i>10</i>

(Table 4.4 – Summary of Data Collected in Research Phase Two)

Semi-structured interviews

To explore, in depth, the experiences of those who had designed and taught UCD modules which included restorative justice, and their perspectives of restorative justice knowledge(s) in criminology curricula, ten semi-structured interviews with criminology academics were carried out. Seven interviews were conducted with academics who, at the time of the interview or prior to this time, led a focused restorative justice module as part of the UCD programme at their respective universities. Two academics interviewed were responsible for leading an unfocused restorative justice module. One academic was responsible for leading seminars on an unfocused restorative justice module. Thus, data collected from academics related to seven focused restorative justice modules, and three unfocused restorative justice modules.

Due to the importance of academic’s perspectives to the research questions, and the overall aim of the research, it was vital to utilise a qualitative data collection method which would enable rich and detailed insight to be gathered from such individuals (Marx 2008).

Qualitative semi-structured interviews were chosen primarily because they support that the direction of the information gathering process is largely guided by participants (Wincup 2017). As the central concern of this research phase was gaining insight from individuals

experienced in teaching restorative justice, it was fitting that an unrestrictive method was utilised. Semi-structured interviews being “flexible in nature” (Davies 2015: 6) best permitted that academic staff involved were able to reflect on their own experiences and provide their own opinions about teaching restorative justice in an unrestricted way. Semi-structured interviews adhere effectively to the project’s critical theoretical and methodological perspective. Indeed, Hudson (2011) highlights the value of semi-structured interviews to critical criminological research. This is due to the space they give the research participant to discuss, in detail, their own experience and enable the researcher and participant to discuss a range of relevant topics and issues which arise, while still being guided by questions which will ‘illuminate’ the central research questions (Hudson 2011: 340). Thus, both in relation to the aims of the project and the methodological approach taken, semi-structured interviews provided the most appropriate method to collect ground-level information of staff experiences, perspectives, and understandings.

Semi-structured interviews were also an effective data collection method practically. Due to the time constraints which academics in all areas of higher education experience, interviews being semi-structured enabled them to easily fit around the availability of participants. All participants were informed that the interview would take around one hour, however, due to the flexible character of the method if a participant had more or less time than one hour the interview could be tailored accordingly. Furthermore, the relatively stand-alone nature of the interviews meant that they could be completed prior to the student focus groups and thus, were a good opportunity to further discuss the specific module at the respective university before meeting with related students, adding to the researcher’s awareness of the module context in each case and potentially improving information collected in focus groups. Additionally, this connection made during the staff interview process helped with any student recruitment issues.

Semi-structured interview sampling

This phase of the research used purposive sampling; this approach was appropriate as it ensures that “characteristics of the [sample] population are the basis of selection” (Ritchie *et al.* 2014: 113). In doing so, purposive sampling enables in-depth “exploration and understanding of the central themes and questions” that the researcher intends to study (Ritchie *et al.* 2014: 113; Bryman 2012). Given the small number of UCD programmes which included restorative justice exposed through the scoping study, the population of academics teaching restorative justice in England and Wales was similarly small. Thus, it was important

to purposively sample the academics which did teach restorative justice in undergraduate criminology to enable detailed and insightful exploration of their experiences via semi-structured interviews. Data collected from the scoping study in phase one was used to purposively identify the sample population – academics who taught restorative justice as part of UCD programmes in England and Wales.

Semi-structured interviews: obtaining access

Once the instances of restorative justice inclusion within undergraduate criminology programmes were identified and analysed, relevant university websites were re-consulted. For each of the ten universities which included a focused restorative justice module, contact information for the lecturer leading each module was searched for online and used to make contact via email to invite participation in the study. In most cases it was possible to obtain this information, however when such contact details were not found, initial contact was made with the head of the UCD programme at the respective university. Initial contact was made with one relevant member of staff, either the restorative justice module leader or UCD programme lead, from each of the ten criminology departments. A brief email outlining the purpose of the study, invitation to participate, and what this would involve was sent to a relevant individual at each of the ten departments. All interview participants were recruited between January and May 2020. A total of six focused restorative justice module leaders agreed to take part in the study. Of the remaining four focused restorative justice module leaders contacted, three did not respond to emails inviting them to take part in the project, and one did originally respond but while attempting to organise the interview communication broke down.

When the decision was made to change the research design due to the impacts of COVID-19 and scoping study findings, contact was also made with academics who led and/or taught on unfocused restorative justice modules. In February 2020, seven academics who led unfocused restorative justice modules, at six different universities, were contacted via email using the same approach as that used in the case of individuals involved in focused restorative justice modules. Four module leaders contacted agreed to take part in the project. Three academics did not respond to the initial email, and despite several attempts to re-contact each academic, no response was received. Of the four unfocused restorative justice module leaders who initially agreed to take part, in practice only three participated in interviews. The one academic who did not end up participating expressed that due to their high workload they were struggling to find time to meet for the interview.

As many academics were invited to participate and/or were interviewed during the beginning of the COVID-19 pandemic, it is important to recognise the impact that this context had on the capacity and willingness of individuals to participate as well as on the researcher's ability to successfully recruit participants. While a representative sample of criminology academics expert in restorative justice working at universities in England and Wales did participate in the project, due to the recruitment challenges caused by COVID-19 and related work and personal pressures of potential participants, it was not possible to involve a representative sample of criminology academics in England and Wales in the project. It is recognised that this represents a methodological limitation that might temper the solidity of the arguments made. Nonetheless, through the semi-structured interviews the project did successfully gather the perspectives and experiences of most academics' expert in restorative justice in England and Wales and criminology academics who taught restorative justice but were specialists in other criminological areas. Thus, given the impact of COVID-19 on the research context, the data collected from these participants alongside the scoping study of all UCD programme modules (n= 2,324) offered in England and Wales, provided strong evidence of restorative justice knowledge production in undergraduate criminology in England and Wales as well as indicative evidence of the character of undergraduate criminology in this context.

Semi-structured interview schedule design

To ensure that the principles and purposes of semi-structured interviews, as outlined above, were maintained in practice, the interview schedule was developed accordingly. Principally it was important when drafting the schedule that questions were constructed as prompts to encourage the participant to explain their perspective and provide detail of their views and experiences of matters relating to the research aim. The semi-structured interview schedule was revised several times. This was vital for two reasons: to minimise the steering of answers which would reduce the authenticity and quality of responses and discussions; and to prevent participants feeling as though their academic knowledge and/or experience was being tested which could significantly reduce the capacity of the interview. The final interview schedules were made up of open questions which encouraged the specific experiences and views of each participant to guide the discussion (see Appendix A). Nonetheless, prompting questions which related to each key area which the semi-structured interview was intended to cover were included to ensure that information relevant to the research was collected in relation to the specific participants experience and expertise.

Semi-structured interview analysis

Each interview audio recording was transcribed and then analysed thematically. Specifically, reflexive thematic analysis was employed because it is an effective method to produce inductive data-driven analysis (Braun and Clarke 2022). Reflexive thematic analysis was identified as being particularly relevant to this project due to its applicability for “research seeking to understand people’s subjective experiences or perspectives” (Braun and Clarke 2022: 225). Similarly, it positions the researcher as a subjective actor in the research process, who must continuously reflect critically on their “research practice and process” (Braun and Clarke 2022: 5). In keeping with the qualitative paradigm of this project, reflexive thematic analysis requires that the researcher recognises and acknowledges their assumptions, positionality, and their engagement with the data, in order to reflect on the influence they have on analysis (Braun and Clarke 2022). Further, reflexive thematic analysis was appropriate to the data being analysed because it enabled, when relevant, specific language and discourse to be thoroughly examined within the themes produced during analysis. Terry (2022) highlights that some facets of data require more complex examination and suggests that combining thematic analysis with discourse analysis can help interrogate intricacies of language which exist as part of the themes produced. Utilising discourse analysis alongside reflexive thematic analysis within this project allowed the researcher to “tell a rich story”, about the qualitative data collected, “as well as identifying and drawing out specific discursive features of interest” (Terry 2022: 255).

All transcripts, from both interviews and focus groups, were uploaded to NVivo (a software package designed to help with qualitative data organisation and analysis). The early stage of analysis involved the researcher reading through the transcripts alongside notes taken during the data collection process to ensure thorough familiarity with the data being analysed. Codes were then generated from the data through a continuous process of analysis, reflection, and refining to develop clear code labels. The conceptualisation of codes produced outputs of analysis and enabled the analysis of larger, related, units of meaning in the form of themes.

Focus groups

The research involved three focus groups with undergraduate criminology students enrolled at three different universities. In total ten students participated in the focus groups. All students who took part had studied a focused restorative justice module as part of their UCD prior to the focus group taking place. The use of focus groups added an important element to this project: it allowed the knowledges of restorative justice in undergraduate criminology to

be explored from the perspectives of criminology students; and provided an opportunity for students to discuss their views of teaching and learning approaches within the restorative justice module they had studied. Focus groups are an appropriate and effective method of inciting and facilitating genuine discussion regarding a specific topic with a “community of interest” (Goldman 1962: 61; Smith 1954; Stewart and Shamdasani 2015). As the researcher did not have a preconceived awareness of the knowledges and perceptions of restorative justice held by students, focus groups offered the best way for participants to outline and consider their knowledges and views of the topic in an explorative and unrestricted way (Stewart 2018). This approach enabled a large amount of detailed data to be collected from criminology students regarding their “perceptions, thoughts, feelings, and impressions” of restorative justice, and the respective modules they had studied, in their own words (Stewart 2018: 688; Asbury 1995).

While a benefit of focus groups can be the discussion which they support and enable between participants, arguably, this can also be a limitation (Atkins and Wallace 2012; Stewart and Shamdasani 2015). Atkins and Wallace (2012) suggest that, in research regarding understandings and experiences in education, interviews may be more appropriate than focus groups due to the opportunity they offer for participants to freely express personal perspectives, experiences, and opinions on a one-to-one basis without being influenced by the presence of others. However, as this project aimed to collect information regarding the knowledges of restorative justice among criminology students, it was important to ensure that participants did not feel that their academic knowledge was being examined or judged by the researcher. Hess (1968: 194) highlights that a key advantage of the interactive aspect of focus groups is the ‘security’ which this offers. In contrast with one-to-one interviews, in which participants might feel pressure to justify the views they express or be concerned about the interviewer’s judgement of their perspective on the topic, focus groups are less exposing for participants and views can be given without pressure to expand or justify them (Hess 1968: 194). Thus, focus groups were deemed to be the most appropriate way to collect the views of undergraduate students, primarily because this approach supported students to discuss and explore the topic of restorative justice, rather than feel like they were being examined on their knowledge which could have been the result if one-to-one interviews were employed (Stewart and Shamdasani 2015). Collecting information on students’ restorative justice knowledges via focus groups was also used instead of one-to-one interviews because of the collaboration, spontaneity, and freedom offered by this approach and the corresponding rich

data produced (Hess 1968; Barbour 2007; Finch, Lewis and Turley 2014; Stewart and Shamdasani 2015).

Focus group: sampling

Given that this was a small-scale study it was not possible to ensure that the sample of participants who took part in focus groups was representative. However, as data collection for the project took place between January and May 2020, COVID-19 had a significant impact on the sample of criminology students who participated in the project. Thus, COVID-19 alongside the study being small-scale meant that it was not possible to gather the perspectives and experiences from a representative sample of undergraduate criminology students who had studied restorative justice. This methodological limitation will likely have some impact on the extent to which the project can fully evidence the knowledges of restorative justice amongst undergraduate criminology students in England and Wales.

Nonetheless, by using a purposive sampling technique, ten students from three different universities were recruited to take part in the focus groups. This sampling approach enabled the views of students who had studied restorative justice as part of three different modules, and thus as a component of different UCD programmes, to be collected. The focus groups involved students who had studied three of the ten focused restorative justice modules identified as being offered in undergraduate criminology programmes across England and Wales at the time the research took place. Importantly, academics who participated in the research via one-to-one semi-structured interviews also acted as gatekeepers to the sample of students who took part in focus groups. Gaining access to students via these academics was vital to enabling focus groups with students who could provide relevant reflections, in line with the research aim, to be organised and conducted.

Focus groups: obtaining access

All academics who agreed to take part in interviews were asked if they would be able to share a poster, in a digital format, about focus group participation with students who had studied the restorative justice module which they led. The focus group recruitment poster included information about the project, an outline of the purpose and organisation of focus groups, and the researcher's email address which students who were interested in being involved could contact to express interest and organise participation. Gaining access to potential student participants via academics was an effective approach because it prevented breaches to General Data Protection Regulation (GDPR), which would have occurred had academics

passed on relevant student contact information directly to the researcher. Further, this approach ensured that all students contacted were informed about the focus groups by someone whom they were familiar with and were not asked directly, or forced, to take part in the project (Stewart and Shamdasani 2015). In the case of all three focus groups, the respective academic who acted as a gate keeper to student participants booked the room at the corresponding university campus in which the focus groups took place.

It was intended that a greater number of focus groups would be carried out involving students who had studied focused and unfocused restorative justice modules on UCD programmes. However, the recruitment to and conducting of more focus groups was not possible for two reasons: one being the COVID-19 pandemic; and the other being criminology academics' willingness and/or ability to act as gatekeepers. The first national 'lockdown', due to the COVID-19 pandemic, was announced in the UK on 23rd March 2020; prior to this date three focus groups had been carried out in person. However, a further two focus groups with criminology students who had studied two different focused restorative justice modules had been organised to take place in person at the end of March and start of April 2020. Due to the COVID-19 restrictions introduced for an unknown length of time in March 2020, causing the closure of universities and the requirement for all individuals nationally not to travel, these focus groups were cancelled. Attempts were made to change these focus groups to an online format, however the stress, illness, workload changes, and other unexpected challenges experienced by university students and staff, particularly at the beginning of the first 'lockdown', meant it was unfortunately not possible to proceed with the focus groups online. Secondly, and somewhat correspondingly, some academics were not willing and/or able to act as gatekeepers to recruit students for focus group participation. Some academics did not want to invite students to take part in focus groups because of the stress they felt students were under due to COVID-19 and because of the University and College Union (UCU) strike action which had taken place in late 2019 and early 2020 (UCU 2020). Other academics did not view it as being possible to recruit students as the respective restorative justice module had already been completed for that academic year.

In total three face-to-face focus groups with students at three different universities took place, each lasting approximately one hour. All focus groups included students who had previously studied a focused restorative justice module as part of their undergraduate degree in criminology. A total of ten students were involved in the three focus groups: 'Focus Group 1' comprised of two participants who were in the third year of their degree and had studied the

optional restorative justice module in the first semester of their third year; ‘Focus Group 2’ comprised of two participants who were both in the second year of their degree and had studied the optional restorative justice module in the first semester of their second year; and ‘Focus Group 3’ involved six participants that were in the second year of their degree and had studied the core restorative justice module in the first semester of their second year.

Evidently, the first two focus groups had a small number of participants which due to the recruitment approach was difficult to overcome as it relied on students choosing to contact the researcher directly following receipt of the focus group invitation poster. ‘Focus Group 3’ which involved six students was recruited via the poster recruitment approach, as well as the researcher attending a lecture in person to invite students to participate in the focus group. Arguably, the opportunity for students to meet and hear about the project from the researcher helped encourage a greater number of students to participate in this instance (Kaba and Beran 2014; Khatamian Far 2018). Unfortunately, due to financial constraints of the small-scale project as well as the time constraints and logistical challenges in terms of the researcher being able to travel to each university, located in various regions across England, it was not possible to recruit students in person for every focus group. Additional factors in terms of participation numbers for the first two focus groups were later identified. In relation to ‘Focus Group 1’ students remarked during the focus group, without being prompted, that more students may not have wanted to participate because many had been disappointed with the final grade they had received for the restorative justice module. In ‘Focus Group 2’ a discussion between the students highlighted the high level of course work which their year group had at the time the focus group took place, thus many students may not have felt they had time to participate in the focus groups (Khatamian Far 2018).

Focus group schedule design

In all focus groups the same semi-structured focus group schedule was used (see Appendix B). Questions asked in focus groups prompted students to express their awareness and understandings of restorative justice prior to taking the module, as well as during and after completing the module. Participants were also encouraged to discuss their experience of the restorative justice module and consider if they viewed restorative justice as being an important element of criminology. In addition to the questions in the schedule, concept maps were used to incite participation and discussion among participants. Each student was asked to create two concept maps within focus groups: firstly, one to visually map out the criminal justice system; and secondly, one to visually map out restorative justice. Every participant

was firstly given a A3 sheet of paper on which was printed ‘The Criminal Justice System’; students were given time to individually create their concept map and then asked to talk through their map. Then, each participant was provided with an A3 sheet of paper on which was printed ‘Restorative Justice’ and as before were asked to create their own map of this concept and then talk through it.

The creation of concept maps added a creative and interactive element to the focus groups, enabling participants to spend time thinking about key ideas being discussed practically, by outlining on paper what the CJS and restorative justice meant to them. Concept mapping is recognised as an effective way to explore understandings and unpack complex ideas, particularly with students (Windsor 2013; Kara 2015; Dias 2010). Incorporating the creation of concept maps, as well as the following discussions about them, with other semi-structured questions in the focus groups helped develop a relaxed and non-judgemental atmosphere. Students were able to share their thoughts, understandings, and perspectives in various ways, and the subjective nature of the questions and concept map tasks largely avoided the perception that there were ‘right’ or ‘wrong’ answers or that participants knowledge was being tested.

To facilitate an effective focus group, it is important to develop a sense of trust and positivity with and among participants (Stewart and Shamdasani 2015; Tracy 2013). As the researcher had never met the participants individually, nor was it possible to know if the participants were familiar with each other, it was important to allow time prior to the focus groups formally starting to discuss the process of the session, remind participants that their involvement was totally voluntary, give time for participants to review the information sheet and sign the consent form (see Appendix E and F), as well as to answer any questions from participants. To avoid potential misunderstandings or concerns about why the focus group was taking place and/or who would have access to the focus group discussion, the researcher emphasised that no information would be passed on to lectures from the restorative justice module or academic department referred to in the session. Following completion and collection of consent forms, participants were reminded that all participation was voluntary, and they were able to withdraw from the focus group session at any time. The process of recording was explained, and participants were reminded that all information would be anonymised. The project’s ethical considerations are discussed further in Section 4.6 of this Chapter.

Focus group analysis

Each focus group audio recording was transcribed and then analysed thematically using the same process and approach as outlined in the semi-structured analysis interview analysis section of this chapter.

Document analysis

Documents in the form of module handbooks were made available to the project by most criminology academics who participated in interviews. Analysing the handbooks from both focused and unfocused restorative justice modules was important in providing detail regarding the topics and ideas explored within modules on a week-by-week basis. Most module handbooks collected also evidenced the way that the module, and restorative justice within it, was described to students, analysis of which was relevant when considering the construction of restorative justice knowledge in corresponding modules. All criminology academics who took part in interviews (n=10) were asked to make the handbook for the restorative justice inclusion module available to the researcher to be analysed as part of the project. In total eight module handbooks were collected (n=8), five from focused restorative justice modules and three from unfocused modules. Table 4.5 below shows the title given to each module handbook for the purposes of anonymity and the criminology academic interviewed who provided it.

Module Handbook	Associated Academic Interview
A	Interview 1
B	Interview 2
C	Interview 3
D	Interview 5
E	Interview 7
F	Interview 8
G	Interview 9
H	Interview 10

(Table 4.5 Module Handbook Titles and Associated Academic Interview)

Two academics who led focused restorative justice modules did not provide the handbook which corresponded to their module. One academic agreed to provide their module handbook via email prior to and during the interview, however never followed through with sending it to the researcher. The other academic explained that they were planning to update their

module handbook and thus did not want to share it as its content was due to be altered. On reflection, potentially, these academics did not feel comfortable sharing the module handbooks which they created. It is important to recognise that most module handbooks were directly produced by the academics that shared them and took part in interviews. All focused restorative justice module handbooks were authored by the academic who led the module and was interviewed. Two of the unfocused restorative justice module handbooks were directly produced by the academics who were interviewed and provided them to the project. One unfocused restorative justice module handbook was provided by the academic interviewed, but they were not the author of the document. Documents are artefacts which cannot be removed from the social actors that create them, considering the production and authors of documents, as well as the intended audience, is central to documentary analysis (Coffey 2014; O'Connor 2007). Thus, for the purpose of this study, module handbooks were viewed as an extension of the restorative justice knowledges held by the authors – in this case criminology academics. Similarly to the transcripts from interview and focus groups, module handbooks were analysed using reflexive thematic analysis.

4.5 Researcher's position: both insider and outsider

This thesis critically explores the production of knowledges of restorative justice, yet this thesis itself produces knowledge. The knowledge produced in this thesis was shaped by the researcher who conducted the project; thus, it is important to reflexively consider the power, position, and choices of the researcher to understand fully how and why this thesis takes the form it does (Ramazanoglu and Holland 2002; Russell-Mundine 2012; Smith 2013; Braun and Clarke 2022). Throughout this project I held the position of 'insider' in various ways. Firstly, prior to starting my doctorate, I studied a BA (Hons) in Criminology and Politics and MSc in Applied Social Research for Criminology both at the University of Stirling, thus making me an 'insider' to criminology, its curricula, and teaching and learning in a UK higher education context. My position as an insider in this sense meant that I had my own lived experience of studying criminology as well as an established understanding of criminological ideas, concepts, language, and topics. Secondly, from the beginning of my doctorate I was employed as an academic member of teaching staff, on a part-time basis, at the university where I was completing my PhD. I held this role, as well as other casual associate lecturer and researcher positions in the discipline of criminology at other universities, throughout the majority of my doctorate and six months before submission of my thesis began a full-time lectureship in criminology at a different university. My

employment throughout my doctoral research positioned me as an insider to the higher education sector in the UK. Thus, while conducting this project I had insider knowledge of criminology both as a student and as a member of academic staff.

These insider experiences of criminology in the academy have undoubtedly influenced my personal perceptions of both the discipline and higher education in the UK. I have continued to study criminology because it is a subject area I am extremely interested in and passionate about. Yet, I consider the importance of criminology as a discipline to be rooted in the critique it offers as a field of intersecting subjects to the punitive, harmful, and unjust hegemonic actions of states, governments, and institutions. I view criminology, as a student and educator, as a subject which can give students theoretical and practical awareness of the complex social world currently, as well as its historical, political, and socio-economic context and development. My perspective of the academy, from my student experience, was that it is a place of education, inspiration, opportunity, and personal and collaborative development. Although, through my employment in academia, I maintained this view of the academy, I also became increasingly aware of the structural challenges universities, as well as associated staff and students, experience due to marketisation and profit-driven management.

However, while, from the outset of this project, I was an insider with personal experiences and perceptions of many of the themes being explored, it is important to note that I was also an ‘outsider’ in some respects. Primarily, I was an outsider to the field of restorative justice. Before my doctoral research I had studied restorative justice as part of my undergraduate degree, and was interested in it, however, I did not have extensive knowledge of the concept or field of restorative justice prior to initiating and undertaking my PhD research. Further, although I had insider knowledge and awareness of criminology and the academy, this was in a Scottish context rather than in England. Lastly, while in many ways I was an insider to criminology in the academy, through my experiences studying, researching, and teaching the topic at universities, I had never worked or studied at any of the universities involved in this project. Therefore, my insider position during fieldwork was mainly due to my ability to relate to participants and my awareness of university norms, rather than being an insider to specific universities or participants.

Holding simultaneously insider and outsider positions provided clear advantages to this research. My insider knowledge of criminology and the way it is taught on undergraduate programmes supported the successful completion of the scoping study. Similarly, familiarity

with university websites, programme structures, and academic dates in a UK context aided my ability to navigate programme specifications and module descriptions as well as to identify contact details of relevant academics to approach regarding potential participation in the project. My understanding of the structural and workload pressures which academics face at specific times in the academic year (e.g., assessment and marking periods, university closure dates etc.) meant that I could plan strategically when to contact academics about participation and when it would be convenient for focus groups to be organised with students. While I was aware and mindful of the various commitments and high workload of academics that I contacted to take part in the study, due to my ‘insider’ knowledge of the sector, ultimately, as I was not known to the potential participants, I was an ‘outsider’ and thus contact via email was often protracted and difficult to initiate. Despite challenges in the initial contact and organisation process of interviews, in some instances being an ‘outsider’ to the universities and staff contacted seemed to make them intrigued about my research and keen to know more.

4.6 Ethical considerations

Following the development of a clear aim and strategy for this project, and before beginning the research, ethical approval was obtained from York St John University Cross School Research Ethics Committee (Health Sciences, Sport, Psychological and Social Sciences and Business). While ethical issues or concerns were at no stage prohibitive to this project, the researcher constantly reflected on both procedural and situational ethics to ensure that ethical issues occurring from the methods used were considered and mitigated (Tracy 2013). This section explains the researcher’s approach to various ethical considerations when conducting this research. Firstly, the handling of data as well as enabling and maintaining anonymity and confidentiality. Secondly, this section discusses approaches to ensuring voluntariness and informed consent throughout the project.

Data storage, anonymity, and confidentiality

This research required the collection and storage of information from a range of individuals. Resultantly, there were clear legal and ethical obligations to be followed to ensure that data was dealt with appropriately, and to ensure participants felt comfortable and confident to share information and be involved in the project. All audio recordings of interviews and focus groups, transcripts of recordings, and module documents were stored on the researcher’s university OneDrive account in a password-protected folder. Any documents in paper form

with identifiable information, such as participant consent forms, were stored in a locked cabinet, for which only the researcher had a key, in the researcher's office at York St John University.

To ensure anonymity of participants, universities, and documentary sources, all information referred to in this project has been given generic titles (e.g., Interview, Focus Group or Module Handbook) which are differentiated via numbers or letters (e.g., Interview 1, Focus Group 2, Module Handbook A). However, while anonymity of participants was broadly secured, the approach to sampling focus group participants meant that anonymity could not be guaranteed. Recruitment and organisation of the three focus groups required assistance from the academic who led the restorative justice inclusion module students had studied. Although information about which students accepted the invitation and participated in focus groups was never shared with the respective academic, there is a chance that anonymity was compromised through this sampling process. Correspondingly, while student participants did not always know that the academic who had informed them about the research had formally participated via interview, the students who did participate may have some awareness that the respective academic participated in this project. Yet, beyond the participants who may have become aware, through communications outside of the researcher's knowledge, that fellow academic staff or students in their department took part in the research, anonymity of participants and module documents was successful.

While confidentiality and anonymity were always central elements of the research design and process the differing roles of participants who contributed to this study, namely students and academics, presented different practical ethical considerations in this context. Some academics involved in interviews expressed that it did not matter that their contributions would be anonymised, or for confidentiality to be secured. Perhaps this was because they were being interviewed about their research and teaching area and/or were used to their thoughts on the topics, discussed in the interviews, being shared and published. However, other academics appeared comfortable, that as was expected and appropriate, their contribution would be anonymised and treated confidentially. In focus groups with students, confidentiality and anonymity as research participants was clearly important and maintained, but it was also important to students that their discussions, opinions, and identities were not shared with academics related to their course. Ultimately, as planned, all identifiable information from every participant was removed and nothing confidential is disclosed in this thesis nor in further research outputs. Nonetheless the differing roles of participants, as well

as the relationships between some of them, did cause the researcher to consider several ethical issues during data collection.

Voluntary, informed, and continuous consent

The researcher worked to ensure that in recruitment and in the process of interviews and focus groups, all participants were clear that their involvement was totally voluntary and that they could withdraw their consent prior to, during, and after focus groups or interviews. Participants were informed about the purpose of the project and how their contribution would be used. The aims of the research were outlined fully in the information sheets and consent forms (see Appendix C, D, E and F), as well as verbally by the researcher prior to the focus groups and interviews taking place during the organisation process and in sessions before recording began. All participants were provided with the researcher's contact details, as well as those of the PhD supervisors and of the Ethics Committee Chair at York St John University and told that they could withdraw their contribution to the project at a later stage if they wished. No participants decided to withdraw their data from the project.

Voluntariness and informed ongoing consent, similarly to considerations of anonymity and confidentiality, were impacted by the sampling approach for focus groups, as well as for interviews. As focus group participants had originally heard about the project from a member of academic staff associated with their UCD programme, it was important to ensure that participants were aware that their involvement was completely voluntary, and that participation had no link to the outcomes of modules being studied. Alongside the provision of information sheets and consent forms in focus groups the researcher took time to explain the aims of the project, highlight that it was not linked specifically to their criminology department or university, and emphasise that participation was completely voluntary with the option to withdraw at any time. For interviews, most participants were directly contacted by the researcher using publicly available details. However, on a small number of occasions, if the researcher was unable to identify the leader of a listed restorative justice inclusion module via the corresponding university website, the head of the criminology programme or department was contacted. In these contexts, specific academics relevant to the project, were introduced to the researcher via a colleague or their line manager. It was therefore key to ensure that the researcher made clear the purpose of the project and the voluntariness of academic's involvement. All participants, in both interviews and focus groups, expressed to the researcher that they were comfortable to take part and understood that the process was

voluntary, even if at the outset they may not have been initially informed about the project by the researcher.

4.7 Conclusion

This chapter has outlined the design of this study and the methods used to collect and analyse data relevant to addressing its overarching aim and the research questions. The methodological position which informed this project has been discussed and the two-phased data collection and analysis process have been considered in detail. Throughout this chapter limitations of the study have been reflected on, in particular challenges caused by the COVID-19 pandemic which impacted the study's design and participant recruitment potential. It has reflected on the role of the researcher, being both an insider and outsider, and highlighted ways in which this position positively and negatively impacted the execution of the project. Despite some of the challenges discussed, a significant amount of data was obtained from various sources across undergraduate criminology in England and Wales. The chapters which follow present and discuss the findings, drawing from the data collected to provide insight to the production and exclusion of restorative justice knowledges within undergraduate criminology. Findings are presented in three chapters: Chapter Five examines the character of criminology curricula and the minimal inclusion of restorative justice within it; Chapter Six explores knowledges of restorative justice which existed among criminology academics and undergraduate students; and Chapter Seven considers the way restorative justice knowledges were produced and the implications this has for criminology teaching and learning.

Chapter 5: Extent and form of restorative justice inclusion in undergraduate criminology curricula

5.1 Introduction

This chapter evidences the repetitive, status quo-maintaining, character of undergraduate criminology curricula, contending that the uniformity and orthodoxy of provision is symptomatic of the neoliberal and consumer-orientated HE conditions in which the discipline operates as outlined in Chapter 3. Empirical data is presented to show how the socio-economic conditions which surround undergraduate criminology courses result in curricula that simply reflects, rather than challenges, dominant social narratives, not only in relation to crime and justice, but also the point of undergraduate education. The chapter will demonstrate how this results in the marginalisation of restorative justice within undergraduate criminology curricula.

This chapter begins by briefly describing the data which it presents and discusses. Then, findings are analysed, drawing on relevant literature. This chapter argues, firstly, that restorative justice inclusion across undergraduate criminology in England and Wales is lacking and that even when it is included in UCD programmes it is marginalised. It evidences that the marginalisation of restorative justice, like other critical criminological topic areas, is largely caused by the commodification of higher education, as well as by neoliberal processes which control the sector. Secondly, this chapter argues that restorative justice is a criminological specialism due to it being complex and critical. Therefore, academics with significant research expertise in the field are required to enable meaningful inclusion in curricula. Lastly, this chapter considers factors influencing undergraduate criminology, arguing that wider socio-economic forces are harmfully impacting criminology curricula, academics, and students, resulting in a challenging teaching and learning environment.

Description of data collected

This chapter is based on the scoping study, semi-structured interviews with criminology academics (n=10) (see Chapter 4) and relevant literature (see Chapter 2 and Chapter 3). Interviews involved academics who were expert in restorative justice and had designed and led focused modules on the topic (n=7) as well as criminology academics who were not

experts in restorative justice but included it in an unfocused way as part of other modules which they designed and/or taught (n=3). Notably, the seven academics who were expert in the field included individuals who had taught and researched restorative justice for decades, published extensively on the topic, held editorial and management positions for key restorative justice journals, councils, and networks, and were (and are) widely recognised as prominent academics in the field nationally and internationally.

Finalised scoping data concerned all universities in England and Wales (n=129) which delivered an UCD programme (n= 85) between 2019 and 2020. UCD programmes in England and Wales consist of three corresponding stages (one stage per year if undertaken full time). Each stage enables development of relevant criminological knowledge, understandings, and skills to support successful programme completion, and attainment of a bachelor's degree which may either be a BA (Hons) or BSc (Hons) in criminology. Each of the three degree stages related to different levels of learning within higher education (HE) referred to as 'credit levels': a student's first year is credit level 4, Year 2 is credit level 5, and Year 3 is credit level 6 (QAA 2009: 6-10). During each year 120 credits must be attained by students through the completion of a variety of modules, resulting in a total of 360 credits being successfully awarded by the end of Year 3 (QAA 2009: 6-10).

A total of 2,324 modules were identified within the 85 UCD programmes. As outlined in Chapter 4, module specific data, in the form of module descriptions and programme specifications, were collected and analysed by documentary review in relation to restorative justice inclusion; criminological topic area; module type (core or optional); and degree stage (Year 1, Year 2, or Year 3). Modules which contained restorative justice (n= 33) were further categorised in relation to the extent to which restorative justice was included within the module, either *focused* inclusion (n=10) or *unfocused* inclusion (n=23). For full discussion and outline of data collected during the scoping study please see Table 4.2 in Chapter 4.

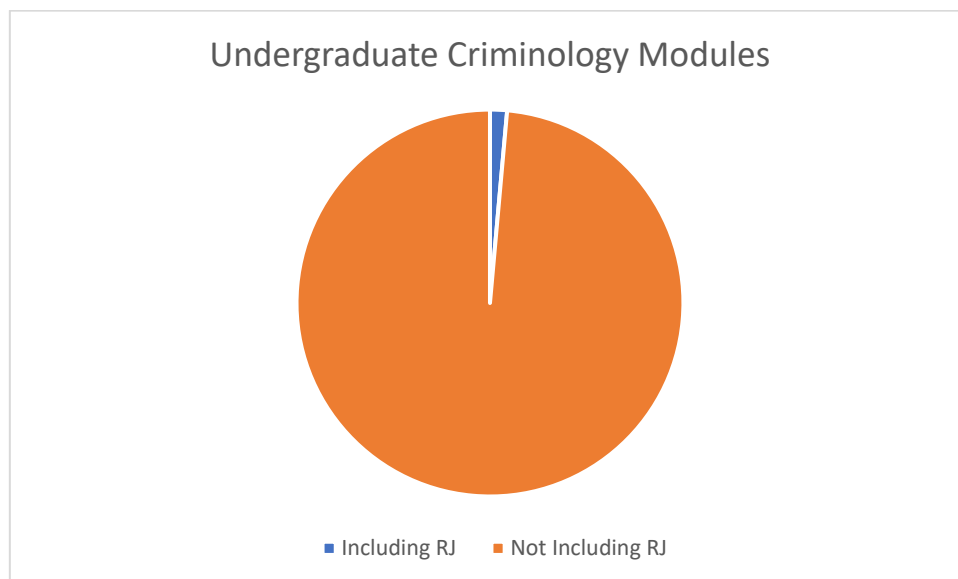
5.2 Restorative justice and the character of undergraduate criminology curricula

This section critically explores the character of undergraduate criminology curricula in England and Wales, and the position of restorative justice within it. Data examined in this section shows, firstly, that modules including restorative justice were almost non-existent within undergraduate criminology programmes. The practical relevance of restorative justice

to the CJS and the extent to which it is easy to include in curricula were both factors perceived by academics to influence its inclusion in undergraduate criminology curricula. However, this section argues that while these are relevant, and plausible, factors influencing restorative justice inclusion in criminology, the commodification of higher education drives these justifications. Secondly, this section argues that undergraduate criminology curricula is repetitive and status quo-maintaining, yet broad. It evidences that there is uniformity in terms of provision of mainstream criminological topics, however topics which challenge normalised understandings of crime, justice and punishment exist as special interest additions at the periphery of curricula. Lastly, this section explores the marginalisation of restorative justice via its placement in UCD programmes. In doing so it argues that attracting students as consumers and neoliberal quality assurance measurements influence its marginalisation.

Lack of restorative justice inclusion

The majority of universities, 85 of the 129 universities in England and Wales (65.9%), evidenced delivery of an UCD. A total of 2,324 modules were offered within the 85 UCD programs - an average of 27 modules per degree program. Of the 2,324 modules, 33 were identified as including restorative justice. As such, modules which evidenced inclusion of restorative justice accounted for only 1.41% of all undergraduate criminology modules in England and Wales (see Chart 5.1).



(Chart 5.1 – Proportion of Undergraduate Criminology Modules Including RJ)

Fewer than 2% of all undergraduate criminology modules signalling that they included restorative justice highlights, on a broad scale, that restorative justice did not hold an extensive, nor well established, position within undergraduate criminology curricula in England and Wales.

That restorative justice is shown to be unestablished within undergraduate criminology can be viewed as surprising when considering its growth internationally as a concept and practice. As discussed in Chapter Two, restorative justice has advanced in a diverse number of social, justice and institutional contexts, both in the UK and globally. Indeed, some academics who participated in this research felt that the multifaceted growth of restorative justice, and that it is now ‘embedded’ throughout the England and Wales CJS (Ministry of Justice 2012, 2014; also see Chapter 2), was a key justification for including it as a topic in undergraduate criminology. For example, a restorative justice module leader and head of department stated:

“RJ is now a fixed point within the criminal justice system in England and Wales, and in other countries, so it is important that we include it on the criminology course” (Interview 7).

Another academic, who led a restorative justice module, highlighted that due to the growth of restorative justice in criminal justice settings it was important to include it in criminology curricula to help students understand the reality of the practice beyond how it is portrayed by politicians and policymakers. They stated:

“Yeah, I think it [restorative justice] is a really important area. Obviously, it’s... I think it is important because it’s part of policy now as well, much more part of policy than it’s ever been, so I think it would be wrong to ignore it. It’s also important to include it because the policymakers lay it out like it’s very simple and straightforward and it’s really cheap and all this sort of stuff but actually, unless it’s done properly, then it can be very damaging to people and actually may in fact take away their [victims] voices rather than give it. So, yeah it’s important to show students more about it now that it’s being used and talked about more” (Interview 3).

Similarly, another restorative justice module leader explained that the growth of restorative justice has caused it to “*come more to the fore*” making it more relevant to, and easier to include in the criminology curriculum (Interview 1). They added:

“So, there are more examples of restorative justice and we kind of keep our eye on what is going on in the media, what’s going on in the news, and restorative justice has come more to the fore in recent years in any case, so we have more examples that we can use” (Interview 1).

Thus, on considering the growth of restorative justice in England and Wales and internationally, as well as the increased teaching and learning resources which this provides, staff perspectives suggest that it is a topic which is relevant, and straightforward to include, within undergraduate criminology. Reflecting on these views of staff, makes the minimal inclusion of restorative justice in UCD programmes seem disappointing and damaging to the coherent development of criminal justice understandings among students.

However, the reasons provided by these academics to justify the relevance of restorative justice to undergraduate criminology curricula are arguably problematic. Such justifications suggest that developments in the criminal justice system, and the availability of resources about a topic, should dictate what topics are included in undergraduate criminology programmes. While on an individual and practical level this is perhaps understandable, more broadly it amplifies the influence of commodification on UCD programmes. Arguably, academics and criminology departments are deciding on what to include in curricula based on mainstream developments in criminal justice, and media reports, to attract students to enrol in degree programmes and/or individual modules. The justifications for including restorative justice in UCD programmes highlighted in the quotes from academics above suggest that the commodification of criminology degrees encourages staff responsible for planning programmes and modules to focus on what students will be most familiar with, attracted to studying, and can be straightforwardly delivered. Such consumer-driven approaches to curricula development arguably eliminate consideration of the epistemological position of degree programmes and modules within them. By perpetuating the notion that criminology focuses only on the criminal justice system, criminology teaching and learning seems to support the maintenance of status quo narratives about crime, justice, and punishment rather than countering them.

On the other hand, interviews with some criminology academics who, by their own admission, were not experts in restorative justice, highlighted the unclear, alternative, and complex character of restorative justice. They suggested that the complexity of restorative justice provides a reason for its minimal inclusion in criminology curricula. Indeed, a small

number of academics were unaware that restorative justice was an approach actively being used within the CJS of England and Wales. For example, one lecturer, who convened an unfocused restorative justice module, stated:

“Like particularly with more sort of transformative forms of justice, like RJ, at least in my experience, these are processes that like don't really exist within the criminal justice system so much as outside it. So again, like it can be an awkward fit, so for my module, my core module, for at least part of it the focus is - ok in this lecture we're going to take this criminal justice institution be it the courts, the prison service, the police, and they basically like look at this and then like critique it. And it's not clear, I mean yeah so I guess my point is, RJ is not an alternative to any one institution within the criminal justice system. It's an alternative as part of an entire like paradigm” (Interview 9).

Another academic, who facilitated seminars on a different unfocused restorative justice module, also suggested that it is unclear where restorative justice fits within the criminology curriculum. They explained that it is difficult to find a place in the curriculum “*where it [restorative justice] does not stick out like a sore thumb*” (Interview 10). These reflections from staff regarding the ambiguous nature of restorative justice provide a rationale as to why it is not more widely included in the criminology curriculum.

These insights, regarding why restorative justice is difficult to teach and include in criminology, arguably highlight the complexity of restorative justice and the impact of commodification on higher education curricula similarly to the earlier staff reflections. Here the justifications for not including restorative justice were because such academics believed it was too complex, that it was not a clear part of the criminal justice system, and therefore did not easily fit into the curriculum. Notably, these reflections were from academics who were not restorative justice experts, and thus it is reasonable that their awareness of its application was minimal and confidence in teaching the complex topic may have been lacking (an important consideration which will be further explored in Section 5.3 of this Chapter). However, arguably their reasons for not including restorative justice highlight that curriculum decision making is based on straightforwardness and familiarity for both educators and learners. This suggests that curriculum content in criminology centres on the CJS because this is what academics view as being most familiar to current and prospective students. This logic

seems to connect directly to the commodification of higher education in England and Wales currently, which is encouraging criminology departments and academics to cover topics they believe students would expect a criminology course to include (Barton *et al.* 2010; Trebilcock and Griffiths 2022). Not including restorative justice because it does not fit clearly with other topics in the curriculum or due to it being “*an alternative as part of an entire paradigm*” (Interview 9) suggests that practical rather than conceptual, theoretical, or epistemological factors are driving criminology curricula content.

Decisions regarding what is included or excluded, however subconsciously, from criminology curricula do not happen in isolation. In a commodified higher education sector, which charges for degrees and has removed the cap on the number of students that can enrol on undergraduate degree courses, it is arguably difficult for criminology course curricula not to be shaped by such socio-economic conditions. Indeed, when discussing why restorative justice has “*maybe fallen out of favour a little bit*” (Interview 10), one criminology academic highlighted that it might be because:

“There is wider kind of political and economic reasons as well, which are going to ultimately filter down into the university structure. Because obviously the universities are you know neoliberal institutions now which reflects the wider kind of political objectives of knowledge and education now” (Interview 10).

This quote highlights that some academics perceive that undergraduate criminology education is influenced by the commodification and neoliberalisation of the academy in England and Wales. Further, it suggests that some academic staff are aware of, and are feeling, the effects of these wider forces impacting higher education which understandably may influence their approach to curriculum design.

From the perspectives of some academics who were experts in restorative justice, its inclusion in curricula is justified because of its relevance to the CJS in England and Wales, as well as internationally, making it simple to include in UCD programmes. Yet, on the other hand, some criminology academics with less knowledge of restorative justice found it to be a complex concept which did not easily fit into curricula that focuses on key criminal justice processes and institutions. Ultimately, both viewpoints align by focusing on the extent to which the topic is relevant to the CJS and simple to include. Therefore, arguably a neoliberal ‘common sense’ approach is informing curriculum content in criminology whereby ideas and topics which are viewed as aligning with dominant notions of crime and justice are included

while those which do not are side-lined (Giroux 2011). Regardless of whether an academic explained including or excluding restorative justice, the justification was based on its links to populist criminological themes and ease of inclusion rather than thinking about the purpose and development of criminological knowledge. Considering the lack of restorative justice found to be included across UCD programmes, it is arguably likely that similar ‘common sense’ neoliberal and consumerist assumptions are informing, even if subconsciously, curricula content on a broad scale (Giroux 2011; Strunk and Betties 2019; Barton *et al.* 2007).

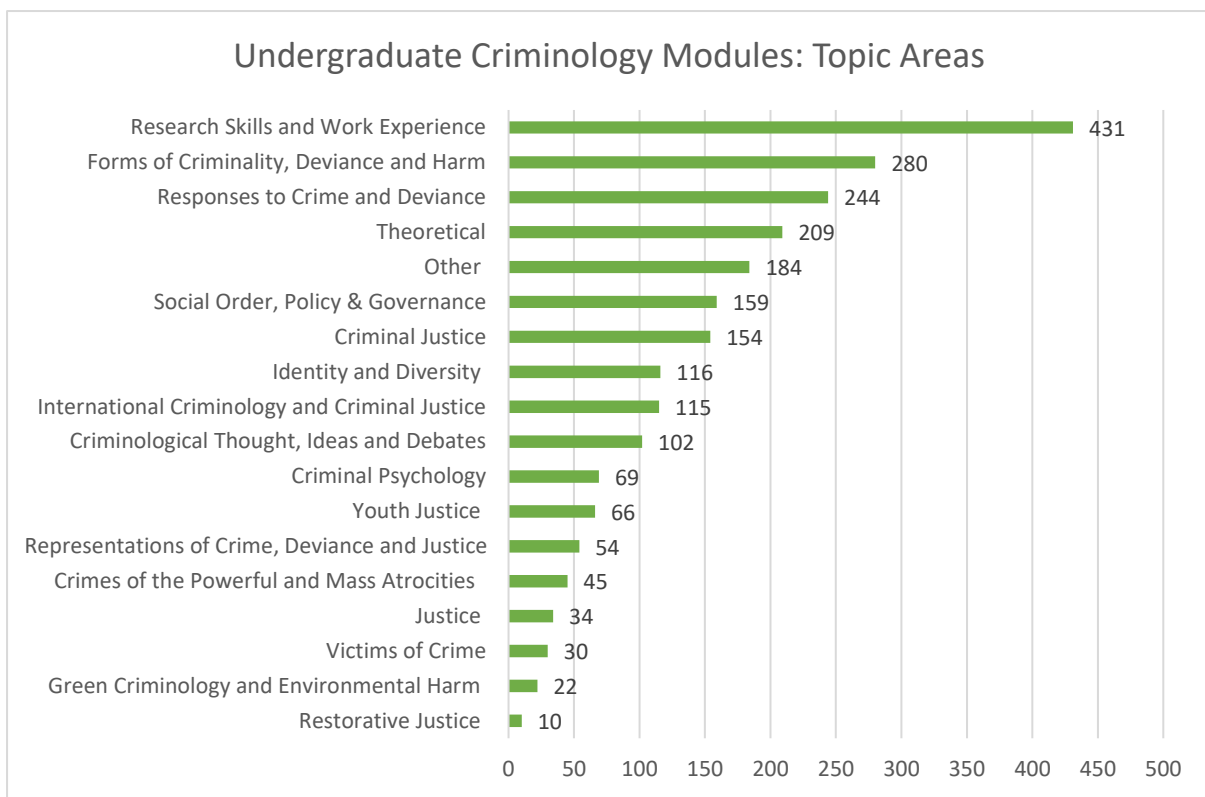
The character of criminology curricula

While consideration of the proportion of restorative justice modules in isolation highlights that the topic is not extensively included in criminology curricula, examination of other topics which were included suggests that the undergraduate criminology curriculum is repetitive and status quo-maintaining. This section evidences that while there are core themes which all UCD programmes in England and Wales generally cover, there are a wide variety of ‘additional’ or ‘special interest’ topic areas covered less uniformly, adding to the broadness of undergraduate curricula. Such topic areas, which are not core to criminology degree programmes, tend to be those which challenge dominant narratives of crime, justice, and punishment. By examining the topics included as core and those, like restorative justice, that are positioned on the margins of criminology curricula, this section shows that mainstream criminological thought dominates UCD programmes. It argues that the neoliberal consumer-orientated higher education context, and the epistemological divisions which exist within criminology, seem to not only influence the extent of restorative justice inclusion but also the content of criminology curricula across England and Wales.

During analysis of each undergraduate criminology module offered in England and Wales in 2019/20, 17 criminological topic areas were established. These were: 1) *Crimes of the Powerful and Mass Atrocities*; 2) *Criminal Justice*; 3) *Criminal Psychology*; 4) *Criminological Thought, Ideas and Debates*; 5) *Forms of Criminality, Deviance and Harm*; 6) *Green Criminology and Environmental Harm*; 7) *Identity and Diversity*; 8) *International Criminology and Criminal Justice*; 9) *Justice*; 10) *Representations of Crime, Deviance and Justice*; 11) *Research Skills and Work Experience*; 12) *Responses to Crime and Deviance*; 13) *Restorative Justice*; 14) *Social Order, Policy and Governance*; 15) *Theoretical*; 16) *Victims of Crime*; 17) *Youth Justice*. Full discussion of the documentary analysis process for

each module with respect to the establishment of the 17 criminological topic areas is included in Chapter 4.

Of the 2,324 undergraduate criminology modules offered to students across the 85 UCD programmes found to exist within England and Wales, 33 included restorative justice. However, only ten of the 33 restorative justice inclusion modules were *focused* modules. Thus, of the 17 established criminological topic areas and modules categorised as ‘other’, focused restorative justice accounted for the smallest proportion of modules across England and Wales (see Chart 5.2 below).



(Chart 5.2 – Undergraduate Criminology Modules: Topic Areas)

The chart above not only emphasises the marginal position restorative justice has within undergraduate criminology curricula in England and Wales, but it also evidences that criminology is repetitive and status quo-maintaining. There are criminological themes, as shown in the table, which are represented in several modules per UCD programme. However, the chart shows that there are several criminological topic areas, like restorative justice, which are marginalised across criminology degree programmes. Arguably, this provides evidence to concerns which have been raised about the degree to which the growth of

criminology focuses on state-normalised views of crime, justice, and punishment (Young 2011; Barton *et al.* 2007; Clarke, Chadwick, and Williams 2018; Trebilcock and Griffiths 2022). The analysis of scoping study data suggests that contemporary criminology curricula champion an orthodox criminological approach and minimise critical criminological thought which could arguably cause the development of the criminological imagination in UCD programmes to be undermined (Young 2011).

While critical theory and thinking can arguably be applied to any criminological topic, depending on the perspective used to approach it. The chart above (please see Chart 5.2) shows that criminological topics which offer unconventional notions of crime, punishment, justice, and harm hold the least extensive position within criminology curricula. Indeed, the five criminological topic areas found via the scoping study to be represented least within the undergraduate curricula in England and Wales were: ‘Crimes of the Powerful and Mass Atrocities’ which represented 45 modules (n=45); ‘Justice’ which represented 34 modules (n=34); ‘Victims of Crime’ which represented 30 modules (n=30); ‘Green Criminology and Environmental Harm’ which represented 22 modules (n=22); and ‘Restorative Justice’ which represented 10 modules (n=10). Due to the areas which they concentrate on, these modules would encourage students to explore the ideas of crime and justice in non-traditional ways. ‘Crimes of the Powerful and Mass Atrocities’ and ‘Green Criminology and Environmental Harm’ are criminological topics which seek to expose the extensive harm which is caused to communities, individuals and the environment by states and corporations (Rothe and Kauzlarich 2016; Tombs and Whyte 2015, 2003; White 2014, 2020; White and Heckenberg 2014; South and Brisman 2022), crimes which, largely, do not fit the traditional individualised view of crime and justice. Often the harms caused exceed those caused by lower level ‘normalised’ interpersonal crime and are crimes which often go unpunished (Tombs and Whyte 2015). ‘Justice’, ‘Victims of Crime’ and ‘Restorative Justice’ are criminological topic areas which encourage exploration of what justice is as well as the individuals, communities, and institutions which should be involved in justice processes (Johnstone 2013; Fattah 2019; Daly 2016). In doing so, these topics inherently question the character of the ‘traditional’ CJS in theoretical and practical ways. Thus, the five topic areas which focus on critiquing normalised views of crime, punishment, and justice, were found to represent only 6% of the undergraduate criminology curriculum in England and Wales.

Arguably, each of these areas are relatively new fields within criminological thought. Taken in the context of criminology as a subject, being fairly new in and of itself, these specialist

areas within the discipline are arguably still developing. Hence, perhaps it is reasonable that they each represented a small proportion of undergraduate criminology modules. However, each of these areas, in their own way, problematises the status quo paradigms of criminality, punishment, and justice. They each aim to consider offenders, harm, conflict, victims, and other conflict stakeholders in a different way to that of mainstream notions of crime and criminal justice. Scoping study results suggest that restorative justice is situated within a group of criminological topic areas which do not align with the consensus of undergraduate criminology curricula, and thus to which modules are not extensively dedicated. As such, the almost non-existence of focused restorative justice modules does not necessarily reflect its lack of relevance, but instead, that it does not fit within the status quo-maintaining core of criminology curricula.

Some criminology academics who participated in interviews for this project reflected on the fact that criminology was repetitive and could do more to encourage students to think differently about key criminological themes. For example, one restorative justice module leader, who was also director of undergraduate programmes for their department, stated:

“I mean I think in my experience criminology programmes tend to be pretty unremarkable because they all reflect each other. You know we all draw on [name of criminology textbook author] or you know [name of criminology textbook author] and we teach students about concepts and all that kind of stuff, but we don’t necessarily get them to unpack where their thinking comes from and why they think that way and that there might be other ways of doing things and ermm... so you know restorative justice, depending on how it is taught I think can be valuable but, only to those students that take it” (Interview 2).

This perspective of UCD programmes, from an experienced criminology academic, emphasises that the character of criminology curricula is repetitive and mainstream orientated as is shown above in Chart 5.3. Using the example of restorative justice, as that is the area of their expertise, the academic highlights that such topics which provide a different view of criminological ideas are not something all students have to engage with as part of their degree. Instead, they highlight that such topics are optional and “*can be valuable, but only to those students that take*” them (Interview 2) this suggests that topics which inherently align with critical criminology are ‘additions’ or ‘special interest’ topics sitting at the side-lines of curricula. They highlight that, from their experience, most programmes develop their

curriculum using the same textbooks and therefore might not always provide or facilitate enough opportunities for students to think differently about dominant narratives of crime and justice. Interestingly, this statement was made by an academic who was the director of undergraduate programmes for the department where they worked. Arguably, suggesting that even though they recognise the repetition and lack of criticality which exists in UCD programmes generally, it is difficult to change this pattern. Like the discussion regarding the lack of restorative justice inclusion earlier in this chapter, this academic's reflection on UCD programme content suggests the commodification of academic knowledge alongside neoliberalism *in* and *for* higher education, as discussed in Chapter Three, encourages curriculum design in criminology which is status quo-maintaining and repetitive. Arguably, if each UCD programme is competing against others in England and Wales to win the enrolment of new students, this provides an incentive not to deviate from the curricula norm across the sector and risk losing students and money.

Similarly, another academic who led an unfocused restorative justice module, and was also the head of undergraduate criminology at the university where they worked, highlighted that criminology curricula is repetitive and divided into facets. During the interview, when considering why restorative justice might not be included more in the UCD programme at the university where they worked or in criminology curricula more broadly, they stated:

“I mean is there a chapter in The Oxford Handbook of Criminology? There's one question. What goes where... let me just think I'm having a look at the contents page for The Oxford Handbook of Criminology now. Punishment, Populism, Political Economy and Crime, Austerity, ermmm and then we go onto Race, Gender, Public Opinion, News, Social Harms, Zemiology, Consumer Culture, Green Criminology. So, you see there is the different kind of silos... erm Green Crim, Punishment and the State, Borders, Transitional Justice! Restorative justice might be with transitional justice” (Interview 8).

The fact that when considering why restorative justice was not commonly included in criminology curricula this academic quickly questioned if it was included in The Oxford Handbook of Criminology shows, like the previous quote, that textbooks are often used to guide curriculum content design. This academic added that the QAA Benchmark Statement for criminology was also important to curricula design alongside The Oxford Handbook of Criminology:

“Yeah, so thinking about where curriculum gets developed from, as I said the QAA Benchmarks and there is also a new one from October 2019! So, we will need to have a look at that before next year! But ermmm, I mean this [the interview] is kind of quite useful cos it comes at a kind of interesting point in the year when we are starting to kind of think about what we teach and why we teach it. But, yeah, as you see from The Oxford Handbook of Criminology, there are key topic areas for curricula and different silos, so, yeah” (Interview 8).

The statements from this academic provide several interesting insights about criminology curricula and how it is created. Like the previous academic reflection, here the criminology academic highlights the importance of key criminological textbooks, and the QAA Benchmark Statements, in the creation of undergraduate criminology curricula. This shows that in their role as head of their UCD programme, they focus on delivering curriculum content which aligns with core disciplinary resources and national subject guidance. This suggests that there is risk aversion when designing courses because individual academics and criminology departments do not want to move away from the norm of criminology curricula provided by most universities for fear of alienating their potential students. This illuminates the repetitiveness of criminology curricula evidenced in Chart 5.5. If a UCD is a product being sold to students, arguably it is realistic that criminology departments would want to show that they provide educational opportunities and experiences which align with mainstream criminology and which matches the offer being made by competing universities. Yet, the range of criminological topic areas and ‘silos’ in the discipline discussed above, also provides important context to the fragmentation of topics which are covered across all degree programmes, and those which are alternative and/or specialist modules.

In addition to the use of key disciplinary textbooks and the QAA Benchmark Statements for Criminology to inform curricula content, another academic highlighted the impact of what they referred to as the “*ecosystem of criminology syllabi*” (Interview 9). They reflected on their own experience of taking curriculum content from universities which they had previously taught on when moving to teach at a new university and suggested that this is a factor influencing the repetition, as well as the mainstream orientation, of curricula across undergraduate criminology. They explained that the role they had at the time of the interview required them to develop several modules from scratch at the outset because the UCD programme at their new university was new:

“I mean in fairness to me erm... sorry I mean to, in fairness I’m maybe giving myself a bit too much credit here or maybe giving myself too much leeway. I was coming from ermm, before coming to [name of current university] I taught for two years at [name of other university] which has for core teaching there, I can’t remember if it was a 2nd or 3rd Year module, but erm I was coming into this new degree and modules at [name of current university] and I was trying to bring a lot of stuff over from where I worked previously. And so, and I feel like again at [name of previous university] there wasn’t much focus on alternative justice really. So, yeah, and I think you’d have to, because of the sort of criminological, you know the ecosystem of criminological syllabi that you have to sort of pluck stuff from where you have been and what you have taught before” (Interview 9).

This quote provides an honest account of how criminology academics might develop modules and UCD programmes by using content and materials from universities where they have worked previously. Arguably, there are various reasons why curricula content might be taken and reused by academics at different universities where they are employed during their career. In this instance, as the academic was involved in developing modules on a new UCD programme, perhaps they wanted to draw on content from a university where they had previously taught because they knew such content was effective following being tried and tested as well as approved at another university. Further, perhaps the academic reused content from their previous university at their new university because it reflected their personal knowledge and/or reflected current cutting-edge research in a specific area. Another possible explanation for academics reusing curriculum content from a previous university when moving to work at a new university is high workload causing time pressures. Due to the socio-economic forces influencing the higher education sector in England and Wales, the academic quoted above, like many others, are unlikely to have time to develop new and original modules (Dempster, Benfield and Francis 2012; Graham 2015). Indeed, the difficult working conditions in the English and Welsh higher education sector is of importance to discussions regarding UCD programme delivery and will be further explored towards the end of this chapter (please see Section 5.4). Nonetheless, the transparency of this criminology academic’s explanation of taking curriculum content from one UCD to deliver in another evidences another reason why criminology curricula in England and Wales seems, from scoping study results and some criminology academics perspectives, to be repetitive and status quo-maintaining. If, as suggested by this quote, criminology academics are drawing

from courses they have taught on previously and reusing material, creating an “*ecosystem of criminology syllabi*” (Interview 9) then it is unsurprising that criminology courses reflect each other as well as marginalise topics which are critical and alternative.

UCD programme design and marginalisation of restorative justice

Not only was the inclusion of restorative justice in undergraduate criminology lacking, but even when it was included it was rarely a core component of degree programmes. This section argues that commodification of higher education as well as the neoliberal processes which structure the sector influence the form of restorative justice inclusion.

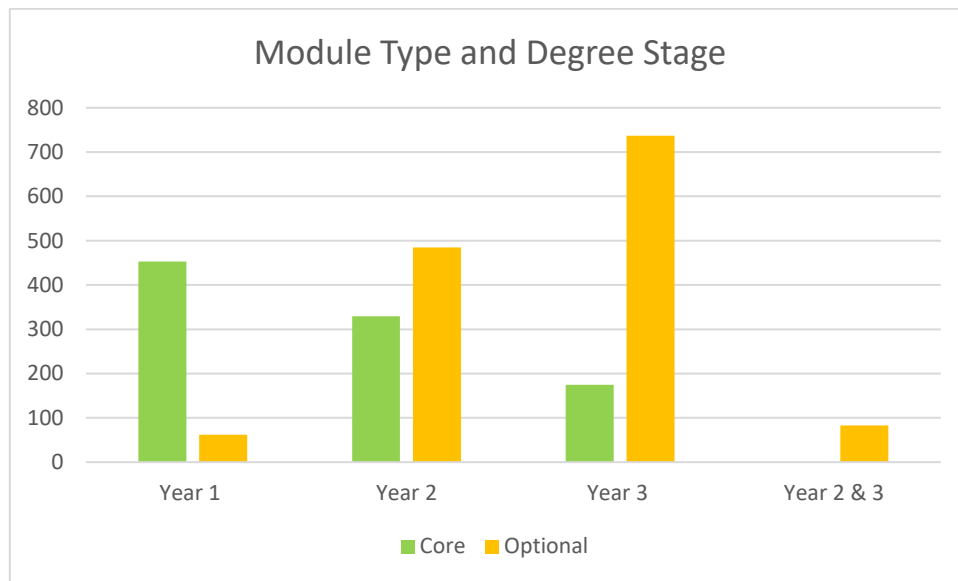
Each of the 85 UCD programmes included a range of modules structurally categorised in relation to two different module types: *core* or *optional*. With students required to take all modules listed as core at each degree stage to successfully progress through a degree. A variety of optional modules were offered, at each degree stage, for students to choose to study alongside the specified core modules to satisfy the number of credits required. The benchmark statements for undergraduate criminology degrees provided by the QAA outline the key subject-specific areas which should be covered within a criminology degree and skills which criminology students would be expected to develop through their studies (QAA 2014, 2019). However, the QAA Benchmark Statements do not specify the structure that undergraduate criminology degrees should take (QAA 2014, 2019, 2022). The 2019 QAA Benchmark Statement highlighted that:

“The structure of individual degree courses is determined by the higher education provider. Consequently, the point in the course at which subject knowledge and skills are achieved may vary, though the substance of the course as a whole reflects this Statement” (QAA 2019: 5).

Therefore, it is the choice of each department delivering an UCD as to what the structure the degree will take, what modules will be classified as core or optional, and which topics will be included in each module. Although individual UCD programmes have autonomy regarding the topics included in curricula and the structure the course will take, as has been evidenced in the previous part of this chapter, curricula content across all 85 UCD programmes was largely similar. The same repetition is true in terms of the structure UCD programmes took.

Analysis of all criminology modules (n= 2,324), with regards to degree stage and module type, revealed that during the initial stage of a degree, core modules were most common, but

as the degree progressed the inclusion of core modules decreased, and a greater number of optional modules were offered (see Chart 5.3).

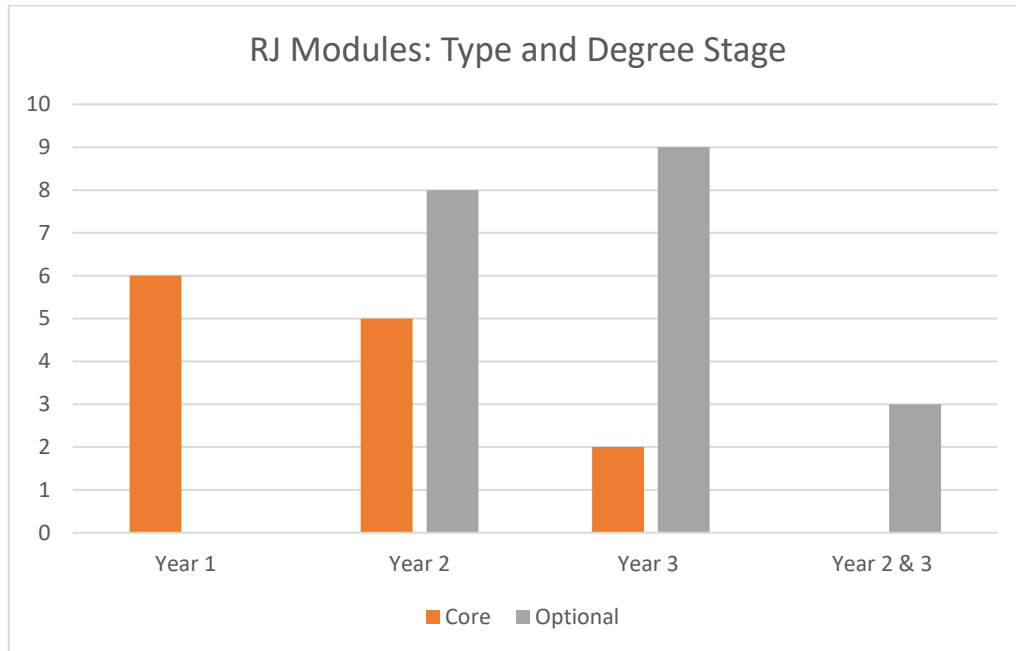


(Chart 5.3 Undergraduate Criminology Modules: Degree Stage and Module Type)

As shown in Chart 5.3, Year 1 modules (n= 515) were most commonly core modules (88.0%). Of the modules included in the second year (n= 814) less than half (40.4%) were core, and thus the majority were optional modules (59.6%). Modules delivered in Year 3 (n=912) were most prominently optional modules (80.8%). A small number (n= 83) of modules were listed as being offered to students during Year 2 and/or Year 3, all (100%) of these modules were optional. The proportion of core and optional modules at each degree stage clearly demonstrates the structure of UCD programmes in England and Wales. This evidence suggests that core modules provided understanding of topics and skills regarded as essential, while optional modules provided opportunity to explore specific topic areas of the discipline in greater depth and build on skills developed in core modules. This general structure, in terms of degree stage and module type, provides important context when examining the significance of each module, including restorative justice, to UCD programmes.

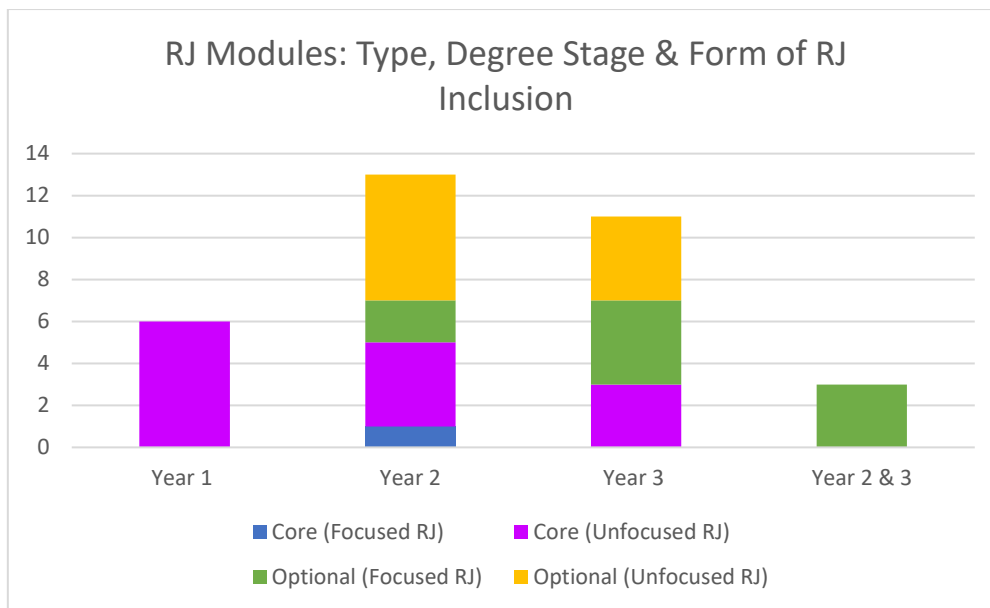
Restorative justice was found to be included in just 27 of the 85 UCD programmes offered in England and Wales. Restorative justice inclusion modules followed the established pattern shown through analysis of all undergraduate criminology modules during the scoping study. The core modules which included restorative justice were most likely to be delivered at the

early degree stages, while optional modules which included restorative justice existed only in Year 2 and Year 3 (see Chart 5.4).



(Chart 5.4 – Type and Degree Stage of RJ Inclusion Modules)

One key area which stands out from the chart above is that most restorative justice modules were optional. Of the 33 modules found to include restorative justice, 13 were core and 20 were optional. Thus, only 1.4% of all core criminology modules (n=957) included restorative justice. This finding suggests that restorative justice is not viewed as being a core topic which must be covered in an undergraduate criminology degree. The marginalisation of restorative justice within undergraduate criminology curricula is further illustrated when considering the form of restorative justice inclusion alongside the degree stage and module type of restorative justice inclusion modules. Chart 5.5 below shows the number of restorative justice inclusion modules in terms of the degree stage they were delivered, if they were core or optional modules, and if they included restorative justice in a focused or unfocused way.



(Chart 5.5 – RJ Modules: Type, Degree Stage & Form of RJ Inclusion)

The most interesting aspect of this chart is that only one restorative justice inclusion module which focused on restorative justice was core. Therefore, only one UCD programme in England and Wales offered a core module which focused on restorative justice. Another aspect of Chart 5.5 that stands out is that modules which focused on restorative justice were mainly offered as optional modules at later stages of degree programmes. The findings presented in the chart above provide additional evidence that restorative justice is not core to criminology curricula and is instead marginalised. The finding that just 32% of UCD programmes in England and Wales included restorative justice, coupled with the evidence that in most cases its inclusion was in an unfocused form shows that restorative justice is not central to undergraduate criminology curricula.

Despite the agency afforded to universities in terms of structuring their criminology curriculum, documentary analysis of all 85 UCD programme specifications and all 2,342 module descriptions, evidenced that most UCD programmes took a similar structure. Further, of the 27 programmes that did include restorative justice most did so in a similar way – positioning it as marginal rather than core to the curriculum. These findings, regarding the similarities across degree programmes in terms of course structure and restorative justice inclusion, suggest that universities and criminology departments are eager not to appear different to their competitors or to be at risk of confusing students, discouraging them from enrolling, or negatively impacting satisfaction with their degree (Gates *et al.* 2015; Hooks 2019). Arguably, in a consumer-orientated market, it seems it is beneficial for criminology departments not to stray far from the norm of curriculum structure and inclusion set by others

in the market (Maisuria and Cole 2017; Davies and Bansel 2007; Browne 2010; Coughlan 2010). Alongside the market pressures criminology departments face in terms of securing students each year, there are challenges caused by the ambiguity and epistemological divisions within the discipline (Young 2011; Harris *et al.* 2019; Garland 2011; Bosworth and Hoyle 2011). Departments are likely to include topics which students are aware of and are likely to have a prior interest in, rather than those which are unrecognisable and/or unrelatable for students. Thus, if attracting students is the ultimate goal of a department then it is arguably advantageous not to have abstract and complex topics such as restorative justice as core parts of a UCD programme.

The lack of core modules including restorative justice was widely considered by academic criminology staff interviewed as part of this project. Many explained that from their experience teaching on UCD programmes, restorative justice is sometimes covered in core modules. However, they perceived it to be rare that restorative justice would be considered in a detailed manner within introductory and/or core modules. For example, one criminology academic explained that the UCD programme delivered by their department included a core Year 1 module which was “*a third policing, a third crime prevention, and a third victimology*” (Interview 4). In relation to that module, they further explained that:

“There is one lecture on restorative justice as part of the victimology section of the module, but otherwise restorative justice doesn’t really come up in core modules... we can’t, in my view, really do a separate core victimology module because that’d be too much” (Interview 4).

This quote suggests, as has been highlighted earlier in this chapter, that the straightforwardness and practicality of fitting topics and modules into curricula is a key factor impacting course content. When suggesting that it would “*be too much*” (Interview 4) to do a separate core victimology module which provided a more extensive consideration of restorative justice it is unclear if this is viewed as being excessive for staff or students. Nonetheless, arguably it shows that pragmatism prevails when designing the content and structure of criminology curricula which places precedence on including topics aligning with common narratives of crime and justice. Given the neoliberal processes infused throughout decision making and practices in the higher education sector, it is arguably unsurprising that, as outlined in the quote above, practicality of curriculum design and delivery can be given priority (Maisuria and Cole 2017; Davies and Bansel 2007; Giroux 2014).

Another criminology academic, who led seminars on an introductory Year 1 module regarding the criminal justice system, explained that although restorative justice was included in the module it was not covered extensively:

“There is an essay question on restorative justice, but it forms such a small part of the module content that students rarely choose that essay question for the assessment” (Interview 10).

Further they noted that, because restorative justice accounts for a minimal proportion of the module content, “*not many students buy into restorative justice*” (Interview 10). These reflections provide two interesting insights about the structure of restorative justice inclusion in criminology curricula and the design of such curricula more generally. Firstly, these quotes highlight that the UCD programme being referred to includes restorative justice in Year 1 as a small part of a larger module about the CJS more generally. This is a similar approach as is described in the previous quote from an academic at a different university, evidencing, as shown in Chart 5.5 above, that when included as a core module at an early stage in a UCD programme, restorative justice is most likely to be considered in an unfocused way. Secondly, this academic describes the minimal inclusion of restorative justice in a core Year 1 module which focuses on the criminal justice system, arguably highlighting, as has already been discussed in this chapter, that criminology curricula are largely structured around dominant criminal justice institutions and practices. Restorative justice is undeniably relevant to this module because, as outlined in Chapter Two, it is a practice actively used within the CJS in England and Wales. Yet, arguably including the topic as a small addition suggests that the module focuses on the status quo of criminal justice processes rather than meaningfully exploring alternative practices and perspectives, such as restorative justice. Indeed, although one of the essay questions for the module assessment focuses on restorative justice, the fact that few students chose it suggests that they did not feel confident in answering it because of the short amount of time they had to develop knowledge about the, likely unfamiliar, topic within the module. There are important issues highlighted here regarding awareness and understandings of restorative justice in criminology curricula which will be further explored in Chapter 6. In terms of restorative justice inclusion in UCD programmes, this quote has shown that when included in an unfocused way, as part of a module focusing on another criminological topic, largely students seem to be inclined to concentrate on mainstream ideas regarding crime and justice which they are familiar with and as consumers would expect to be relevant to a degree in criminology (Barton *et al.* 2007; Giroux 2011).

On consideration of what were regarded as core topics within an UCD programme, several criminology academics interviewed referred to the QAA Benchmark Statements for Criminology honours degrees. As discussed in Chapter Three, the Benchmark Statements for Criminology have been developed and revised four times by “a group of subject specialists drawn from, and acting on behalf of, the subject community” (QAA 2007: iii, 2014: 2, 2019: 2, 2022). Initially, there were around 12 members of the review group for each new edition of the benchmark statements, however for the 2022 benchmark statement a total of 26 individuals were listed as being involved in the review group (QAA 2007, 2014, 2019, 2022). Review group members have generally comprised of criminology academics working at a range of universities in the UK, potential employers of criminology graduates such as police force representatives, and individuals who work for the QAA. There is no information provided regarding the process by which individuals are selected to participate in the review groups.

The purpose and parameters of the QAA Benchmark Statement for Criminology is outlined at the beginning of each statement:

“This statement sets out the abilities and skills which someone graduating in criminology is expected to possess. It does not prescribe substantive content, but rather indicates the areas of knowledge which constitute the core of the subject. Within this broad approach, diversity and creativity in teaching as well as in research are accommodated, thereby allowing new knowledge and creative interpretation to flourish. The document applies to all parts of the UK, and it is anticipated that teaching and learning will reflect variations in local concerns and individual provider arrangements” (QAA, 2007: 1, 2014: 2, 2019: 3, 2022: 3).

As outlined above, the benchmark statements are not intended to provide criminology programmes with an exact criminology curriculum which they must follow. Rather they are intended to highlight key knowledge and skills which should be considered core to a degree in criminology. As Palmer puts forth, the QAA Benchmark Statements for Criminology are a direct response to “quality control” measurements in higher education (2020: 6; Maisuria and Cole 2017; Tomlinson 2017). Yet Palmer also highlights that these benchmarks are “at best guiding principles” for criminology departments and UCD programmes (2020: 6).

Many academics highlighted that restorative justice is not a topic included in the QAA Benchmark Statements. Indeed, none of the QAA Benchmark Statements for Criminology,

published prior to interviews being conducted with academics as part of this project, include restorative justice as a topic which should be explored as part of a criminology degree programme (QAA 2007, 2014, 2019). Interestingly, throughout these three versions of the criminology benchmarks, restorative justice was only mentioned once in an appendix of the 2007 edition which provided “a note on terminology” (QAA 2007: 16). The appendix included a statement outlining that:

“All theoretical terms used within criminology are contested and subject to change. Moreover, the empirical referents are always changing. Thus, in the 1960s the concept of deviance emerged; in the 1980s and 1990s the importance of private forms of policing was recognised, and latterly the concept of restorative justice developed. The current decade is witnessing new forms of global crime. Because these theoretical and empirical processes are ongoing, the Society has decided to reduce the number of terms used in this Subject Benchmark Statement to a few which are basic and also capable of expanded interpretation” (QAA 2007: 16).

Here restorative justice is used as an example of a concept which had started to develop prior to and during the time this 2007 criminology benchmark was published. Further, it is used, alongside other criminological developments of the time, to justify generalisation within the benchmark statement in recognition of the contested and subjective nature of criminological topics. Aside from this brief mention of restorative justice to support justification of the approach within the 2007 benchmarks to define and include criminological ideas, restorative justice is not mentioned whatsoever in QAA Benchmark Statements for Criminology in 2007, 2014 or 2019 (QAA 2007, 2014, 2019).

Arguably, there are two intersecting factors which influence the lack of restorative justice inclusion in the QAA Benchmark Statements for Criminology. Firstly, individual academics, employer representatives, and QAA representatives involved in the review groups would evidently have an impact on the contents of each edition of the benchmark statements. While each review group included many criminology academics expert in the discipline from a range of higher education providers in the UK, understandably each academic would have had their own specialist area of interest and experience. Therefore, it is likely, and understandable, that individual subjectivity regarding criminological concepts and themes was influential in the curation of the benchmark statements. Employer organisation representatives were only involved in the review group for the Subject Benchmark Statement

in 2014 (QAA 2014: 20, 2019: 19). Employer representatives would similarly bring their own subjective perspectives of the purpose of a degree in criminology and thus what should be included in the subject's benchmark statements. Such "employer feedback" was only gained from policing organisations, via representatives from one police force in Wales and one Office of the Police and Crime Commissioner (OPCC) in England (QAA 2014: 20). This is interesting as it suggests a career in the police is the main employment opportunity for a criminology graduate. The lack of representatives from other criminal justice organisations, or third sector organisations that work alongside the criminal justice system, and organisations not associated with criminal justice which might employ criminology graduates (e.g., the Civil Service, Social Work and Social Care services, Local Government, Advocacy Groups) is problematic. While the relevance of employer feedback to curriculum design is an important area for debate more broadly, if employer organisations are to be included in QAA review groups it seems ineffective to only include representatives from one career area.

Additionally, the benchmark documents did not identify the role of review members listed as working for the QAA. In some instances, such individuals are listed with the title Dr, implying that they hold a PhD in criminology or a related discipline, and thus may hold a similar position to other criminology academics on the review groups, providing their expert opinion on criminology degree programme contents and aims. As such, where individuals work for the QAA it is also possible that they hold a procedural role within review groups to ensure benchmark statements are produced accurately and in line with QAA procedure. Regardless of the position and institutional affiliation of review group members, it is important to recognise that the QAA Benchmark Statements for Criminology are living documents created by individuals drawing upon their subjective experiences and perspectives (Coffey 2014; O'Connor 2007).

Secondly, as restorative justice is generally considered to be a conceptual and/or practical response to crime it is interesting that it is not included, yet punishment which is also a theoretical and practical response to crime is consistently included. The QAA criminology benchmarks in 2007, 2014, and 2019 all identify that "criminology includes knowledge and understanding" of "modes of punishment" (QAA 2007: 4-5, 2014: 11, 2019: 9). The benchmarks do highlight that "alternative responses to offending" are relevant to knowledge development within the discipline (QAA 2007: 5, 2014: 12, 2019: 9). However, such alternatives, like restorative justice, are not specified, yet dominant responses to crime such as "security, crime control, policing, criminal and youth justice, [and] sentencing" are

highlighted (QAA 2007: 5, 2014: 12, 2019: 9). The intention here is not to argue against the inclusion or relevance of punishment and common criminal justice processes in responding to crime in criminology curricula. Rather, the aim is to highlight that, arguably, the criminology benchmarks tend to be specific about topics which align with the status quo of crime and justice but be vague regarding alternative topics. In doing so, they raise questions about the purpose of a UCD and emphasise the continuing epistemological divisions within the discipline.

While each QAA Benchmark Statement for Criminology states that “it does not prescribe substantive content”, many criminology academics involved in this project highlighted that they do use the benchmarks to guide curriculum design (QAA, 2007: 1, 2014: 2, 2019: 3, 2022: 3). Due to the lack of restorative justice in the criminology benchmarks when UCD programmes are designed, delivered, and validated, restorative justice is not a topic which would be necessary to include as a core criminological area which students must encounter within their degree. For example, one academic who delivered an unfocused restorative justice module and was the undergraduate criminology programme lead at their university, stated:

“I think that there is probably something in the fact that it [restorative justice] doesn’t sit within QAA Benchmarks, and the fact it doesn’t have a focused chapter within *The Oxford Handbook of Criminology*... because I think they are the classical... well it’s the canon isn’t it. And I think each criminology department probably develops its own canon or counter canon, but those sources are always the things that places are kind of guided by to develop programmes” (Interview 8).

Similarly, another criminology academic, who taught on a different unfocused restorative justice module at a different university, stated:

“I mean as well it [restorative justice] might not be included much when we think about where people look to for guidance on content and what is considered core. People design around what they are familiar with and stuff they know is key content and they look to the criminology benchmark statements, what they have taught before, and key textbooks to guide core curriculum” (Interview 10).

Another criminology academic, from a different institution, who led on a focused restorative justice module and was the Head of Social Science at their university suggested that:

“Restorative justice should be a key component of criminology in more and more criminology degrees across the country. Because I think one of the important things about restorative justice is that it’s not just an approach to dealing with crime or an approach to dealing with harm” (Interview 7).

Nonetheless, they also highlighted that restorative justice is not included as a key criminological area within the QAA Benchmark Statements for honours criminology degrees. Recommending that “*more presence of restorative justice in the benchmarks for criminology would be a good way of increasing its inclusion as a core part of criminology curricula*” (Interview 7).

Thus, while some UCD programmes do include restorative justice early in the degree and/or as a core criminological theme, the fact that it is not included in the QAA Benchmark Statements for Criminology undermines its importance to undergraduate criminology curricula. Although, many criminology academics interviewed reflected on its relevance to undergraduate criminology curricula and were aware of it being included in some core modules, most perceived it to be unrealistic that a large proportion of UCD programmes would include it until it was part of the QAA Benchmarks for criminology. Evidently the QAA Criminology Benchmark Statements are relied on to shape core components of curricula in UCDs. Given that the benchmarks consistently specify that they do not prescribe content, it appears from the quotes above that academics do refer to them when designing modules and UCD programmes. Arguably, as the QAA Benchmark Statements for Criminology are a direct response to neoliberal “quality control” measurements in higher education, it is realistic that UCD programme leaders and individual academics will use them to guide curriculum structure and design (2020: 6; Maisuria and Cole 2017; Tomlinson 2017). Given the competitive market conditions of higher education it is arguably understandable that each UCD programme looks to the benchmarks to avoid taking risks and ensure that they are providing curricula which is equal to that of other universities to attract students. Further, commodified higher education has created difficult working conditions for academics (something which will be discussed further in Section 5.4 of this chapter). Restrictions on time, high workloads, and increased quality metrics are inherent and damaging to the current working conditions of academics due to the consumer-orientated

character of higher education (Lopes and Dewan 2015; Gates, Heffernan and Sudore 2015). Thus, alongside wanting to design curricula in line with the disciplinary norm, arguably academics draw on the QAA Benchmark Statements because they do not have the time or energy to be innovative when creating curricula.

5.3 Restorative justice: a specialist criminological area

Having explored the undergraduate criminology curriculum on a broad scale and the minimal inclusion of restorative justice within it, this chapter now examines restorative justice as a criminological specialism. By presenting and analysing data collected from the scoping study as well as the perspectives of academics interviewed, this section establishes that restorative justice is a specialist criminological area because: academics who designed and led restorative justice modules were predominantly experts in the field; and it is widely perceived as a complex and critical concept. This section argues that restorative justice being a specialist, and critical, criminological area are important reasons for its lack of inclusion and accentuate why it is not represented in the subject's QAA Benchmark Statements. Yet this section also examines the relevance of restorative justice to a range of criminological topics. Findings suggest that restorative justice was included in an unfocused way in modules focusing on various other topics in the curriculum. This suggests that it could be infused throughout criminology curricula. However, ultimately, this section puts forth that restorative justice is difficult to infuse across curricula as this would require substantive interest in the topic from staff throughout departments. Thus, this section shows that restorative justice is likely to remain a specialist, and marginalised, criminological area.

Research interests of academics

The restorative justice expertise of staff in undergraduate criminology departments impacted the extent and form of restorative justice inclusion within the UCDs they were involved in delivering. Of the ten criminology academics interviewed, one was involved in delivering content on an *unfocused* restorative justice module, two designed and led modules which included restorative justice in an *unfocused* way, and seven led modules which included restorative justice in a *focused* way. The seven academics responsible for developing and teaching focused modules were experts in the field of restorative justice and were responsible for six of the ten UCD programmes in England and Wales found to deliver a focused module. The restorative justice expertise of the seven criminology academics who taught restorative justice extensively was significant: many were internationally recognised figures in the field

of restorative justice; many had high level roles on restorative justice boards, journal editorial teams, and network committees; many had published widely in relation to restorative justice; and all had conducted research regarding restorative justice in a range of contexts. The seven academics who led focused restorative modules also had experience of teaching on unfocused restorative justice modules. Although the main focus of interviews with such academics was their respective focused modules, these academics did provide reflections on unfocused modules they had experience of delivering. Discussions with all ten criminology academics interviewed clearly evidenced that restorative justice is most likely to be included in a focused way in UCD programmes when it is the research area of an academic in the department.

Most focused restorative justice modules were initiated by criminology academics because it was the main area of their research and expertise. Of the seven academics responsible for focused restorative justice modules, six introduced the module to the undergraduate criminology curriculum at their university. All six of these academics explained that their reasoning for introducing the module was because of their interest and expertise within the field of restorative justice. For example, one focused restorative justice module leader, stated:

“My main research interest is restorative justice and that was the subject of my PhD research about 100 years ago! I investigated a restorative justice project in [name of region] England and those were early days of restorative justice, things have changed somewhat since then... although my current research is not so much into restorative justice within the criminal justice system - I felt that the end of my PhD research I’d pretty much answered all the questions I had. So, I moved to a different context, restorative justice following political violence, scenarios involving much bigger harms and wrongs compared to the violence I had originally responded to in the criminal justice system. So yeah, these days I teach mostly modules related to my research interest” (Interview 5).

All criminology academics who were experts in restorative justice, and had established the focused module in their department, explained that they used their extensive knowledge and research in restorative justice to create module content.

Indeed, another focused module leader, who had worked extensively in the field of restorative justice, explained:

“My module on the undergraduate side stemmed out of the national evaluation that I directed on restorative justice for [Name of Government Departments], which looked at conferencing and mediation and so forth, and the book that we wrote about that. So, it seemed to me since I had to write all that up, I might as well also make a whole module out of it, so that’s what we did. So, well that’s really what I teach, that type of thing” (Interview 4).

Only one criminology academic interviewed who delivered a focused restorative justice module did not establish the module, and instead inherited the module from another staff member. Nonetheless, this module leader still used their own research experience of restorative justice to shape the module design and delivery to increase the consideration of restorative justice in the module. They explained:

“So, yeah, that started my interest in restorative justice and, as I say when I took over the module, there was a slight bit of RJ in it but not, nothing really very much that’s why I decided to have the module covering sort of victims, victimology, but then having a much more concrete section for restorative justice” (Interview 3).

The expertise of module leaders on focused restorative justice modules, in all instances, was extensive. Even in the case where the module had been inherited from another staff member, the academic actively used their own research to develop and re-form the module to include restorative justice. While not all the focused modules considered restorative justice in the same way, or using the same resources, all focused modules were informed by the research and experience the staff had in the field (for detailed consideration of perspectives and understandings of restorative justice included in modules please see Chapter 6).

As discussed earlier in this chapter restorative justice inclusion modules were unlikely to be included within the curriculum in a core way. Instead, the majority, more than half (60.6%), 20 of the 33 restorative justice modules, were optional modules. Arguably, this corresponds with the fact that restorative justice was most likely to be included within the curriculum by criminology academics who were experts in the field. In addition to contributing to core modules, academic staff are often required to offer optional modules to students which link to their area of research. Indeed, one academic who designed and led a focused restorative justice module, explained:

“We go for research-based teaching, which means the people teaching need to be doing research in the area... So, my restorative justice module is offered as an option for Year 2 and Year 3 students” (Interview 4).

Indeed, most focused restorative justice modules, which considered the topic extensively, were optional modules. Of the ten focused modules identified, nine were optional modules offered after Year 1 of their respective UCD programme. When reflecting on how restorative justice is included in undergraduate criminology across England and Wales, a restorative justice expert who led an optional focused restorative justice module stated:

“I mean I think a lot of people and departments do have one session on it [restorative justice] somewhere, but I think that its less pervasive in terms of having a module dedicated to it. Ermm... its difficult because if you have restorative justice that’s taking the room of something else. I think that if its being offered as an elective module, electives should only be taught by specialists” (Interview 2).

These statements from criminology academics, expert in restorative justice, illuminate that it is arguably unsurprising restorative justice is not extensively included in the criminology curriculum. For restorative justice to be included in an UCD programme in a focused, and in many cases unfocused way, it needs to be the research focus of a member of staff in the department. As the quote above demonstrates, even academics who specialise in restorative justice do not necessarily think that it is a core component of the criminology curriculum which should take “*the room of something else*” (Interview 2). Clearly, from the perspectives presented above, restorative justice is viewed as something which should be taught in optional modules by academics who are expert in the field.

Complex and critical concept

The specialist nature of restorative justice is indicative of its complexity. Even academics with extensive experience of researching and teaching restorative justice, remarked that designing a restorative justice module was difficult because of the topic’s complexity. For example, one academic who designed and led a focused restorative justice module explained:

“You know it was quite daunting developing this module because I guess there's lots of different ways that you can go... but then you also have to unpack the complexity of what restorative justice is and deliver it in a really

kind of clear way for students... acknowledging that some of them have never heard what this is” (Interview 2).

Another academic expert in restorative justice who led a focused module noted the complexity of restorative justice:

“The restorative justice literature is vast, absolutely almost impossible. An awful lot of it is theoretical, very few good evaluations, so you’ve got lots of schemes but not evaluated, lots of interesting things going on... it’s so busy” (Interview 4).

Given that the complexity of the topic was acknowledged by most of the academics who had significant experience researching and publishing in the area highlights that it would be difficult for academics not specialist in restorative justice to design a focused module on it. Indicating that the specialist nature of restorative justice in criminology reduces its likelihood of being included in the curriculum.

Alongside its complexity, academics who were experts in restorative justice viewed its position as a critical criminological topic as being a key factor informing its stance as a specialism. One focused restorative justice module leader highlighted that because restorative justice asks students to think differently about dominant perspectives of crime and justice it can be a challenging topic for students to learn about:

“Yeah, a critical perspective, provides a critical perspective, invites them to see things differently, that there are different possibilities, many of them come to study criminology and they think in a very dogmatic way. Okay, crime we should punish it, and the state takes the leading role and that’s how it should be, and for them sometimes it’s quite shocking and difficult to imagine other possibilities but I think it’s really useful for students to contemplate how things could be, is this the only way?” (Interview 5).

Another academic who was an expert in restorative justice similarly highlighted that restorative justice encourages students to question their understandings and perceptions which can be difficult and complex:

“And the hardest thing is to actually question everything that you think you know and understand like. I mean that why my students always throw books at me like (laughs). I mean you’ve got to kind of question like how did we come to think in this way, how

did we come to have this kind of ermm... yeah, and I think that restorative justice is fascinating for that. I mean the starting point again, if you want to understand restorative justice you've got to really go back and start to think about right well how did criminal justice institutions develop... and you know there are quite a lot of complex and interesting questions there" (Interview 6).

A further academic who led a focused restorative justice module suggested that the topic not only encouraged students to ask difficult questions about crime and justice but also the discipline of criminology more broadly:

"So as a vehicle, not just in and of itself, but as a vehicle to help critical engagement with the discipline in a broader context, restorative justice is invaluable. Even though this can of course be difficult for students and takes time." (Interview 7)

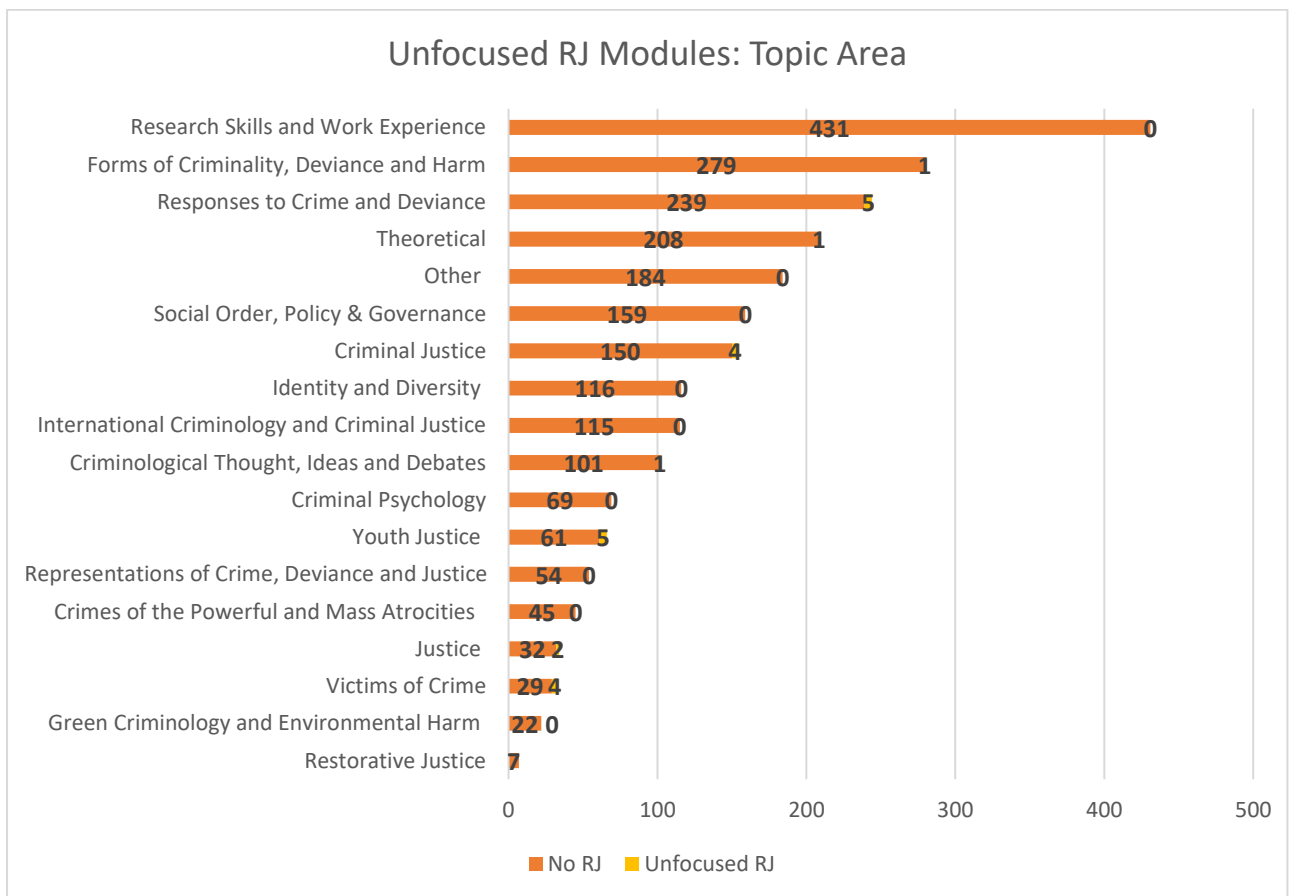
These quotes highlight that restorative justice is viewed as a specialist topic not only because it is a complicated area, which has many ideas and perspectives within it, but also because it encourages students to ask fundamental questions about dominant understandings of crime, justice, and criminology. Understandably, academics recognise that it is difficult and daunting to ask students to think about crime and justice in a completely different way when learning about restorative justice. Thus perhaps, the exploration and development of critical thinking in this way requires that restorative justice is viewed as a specialist topic explored in a module focusing on it. The position of restorative justice as a counter to dominant criminological topics and ideas as well as its value in supporting the development of critical thinking will be explored further in Chapter 6 and Chapter 7.

Relevance of restorative justice to criminological topic areas

As shown above, restorative justice was commonly viewed by academics as being specialist and best delivered via a whole module which focused on it. However, the relevance of restorative justice to a range of topics in the undergraduate criminology curriculum was evidenced through analysis of the specifications of focused and unfocused restorative justice modules. The ten undergraduate criminology modules in England and Wales which *focused* on restorative justice, accounted for 0.43% of the 2,234 modules across all UCD programmes in England and Wales. Of the ten modules focused on restorative justice, the majority (70%) focused completely on 'Restorative Justice' as a criminological area, covering various concepts, theories, ideas, and debates within the field. However, although each of the ten substantial inclusion modules considered restorative justice to a large extent, not all

completely focused on all elements or perspectives of restorative justice. The remaining 30% of focused restorative justice modules were situated within the ‘Victims of Crime’ criminological topic area. These modules considered victimology, the place, and rights of victims within criminal justice processes, and different constructions of victimhood. Focused modules in the victims of crime category included restorative justice extensively, but mainly regarding its role in relation to victims.

The 23 *unfocused* restorative justice modules represented less than 1% (0.98%) of the 2,324 undergraduate criminology modules in England and Wales. As none of the unfocused modules centrally considered restorative justice, all existed within other criminological topic areas. Unfocused restorative justice modules were included in relation to eight criminological topic areas: Criminal Justice (n= 4); Criminological Thought, Ideas and Debates (n= 1); Forms of Criminality, Deviance and Harm (n= 1); Justice (n=2); Responses to Crime and Deviance (n= 5); Theoretical (n=1); Victims of Crime (n= 4); and Youth Justice (n=5) (see Chart 5.6).



(Chart 5.6 - Criminological Topic Area of Unfocused Restorative Justice Modules)

The findings presented in Chart 5.6 suggest that restorative justice is relevant to a range of criminological topic areas. The variety of modules, focusing on a diverse range of criminological themes, which include restorative justice to some extent highlights the relevance, and importance, restorative justice has within the multiple facets of criminology as a subject area. Restorative justice being identified in accordance with various criminological areas seems to mirror the fluidity of the concept in terms of definition and application (Fattah 1998: 393 cited in Daly 2016: 10; O'Mahony and Doak 2009). Indeed, as discussed in Chapter 2, the UK government endorsed restorative justice in England and Wales through development of the Victims' Code and 'embedding' of restorative justice through the CJS (Ministry of Justice 2012, 2013a, 2014a). Therefore, the unfocused inclusion of restorative justice in relation to various areas of criminology can perhaps be explained by its practical development within the CJS of England and Wales as well as other European countries and internationally.

While most academics interviewed viewed restorative justice as a specialist criminological area. Acknowledging that it was best taught by specialists via a focused module to enable its complexity to be unpacked and explored by students, some academics thought that positioning restorative justice as a specialism was problematic. One academic, an expert in restorative justice, explained:

“There is always a kind of danger of restorative justice becoming, you know, Chapter 22 in a textbook... sort of like restorative justice becoming just one option you know. And like I say there is all sorts of pressures both within educational institutions and within colleges of study to do it that particular way [...] there is a danger of restorative justice becoming a specialism like rather than something that's integrated you know... I think I would like to see a greater integration and awareness of restorative justice feed and seeping into lots of subjects rather than sort of you know 'yea we are doing restorative justice today and then tomorrow we will do something else'" (Interview 6).

Several academics interviewed, even if they were responsible for a focused restorative justice module and viewed restorative justice as a specialism, saw the value that restorative justice had for a range of criminological topics.

Indeed, during interviews some academics highlighted that restorative justice was included within modules in their degree programme which focused on other criminological topics. An academic highlighted that restorative justice was relevant to a range of different forms of harm and conflict meaning they taught it in relation to a range of issues. They explained:

“I focus more on restorative justice as something which is just as relevant in the aftermath of genocide as it is in the aftermath of common theft. So, I think students get a much broader picture, it also reflects the expansion of restorative justice which has taken place over the last 20 years or so” (Interview 5).

One academic, who led a focused restorative justice module, highlighted that their colleague included restorative justice as part of a youth justice module:

“A colleague of mine teaches youth justice so of course she will look at how RJ is used for young offenders, the three Rs sort of thing. But she doesn’t necessarily look at it from the victim angle, she looks at it from the young offender’s angle and its very specific to young offenders, whereas here I say it’s for offenders across the board” (Interview 3).

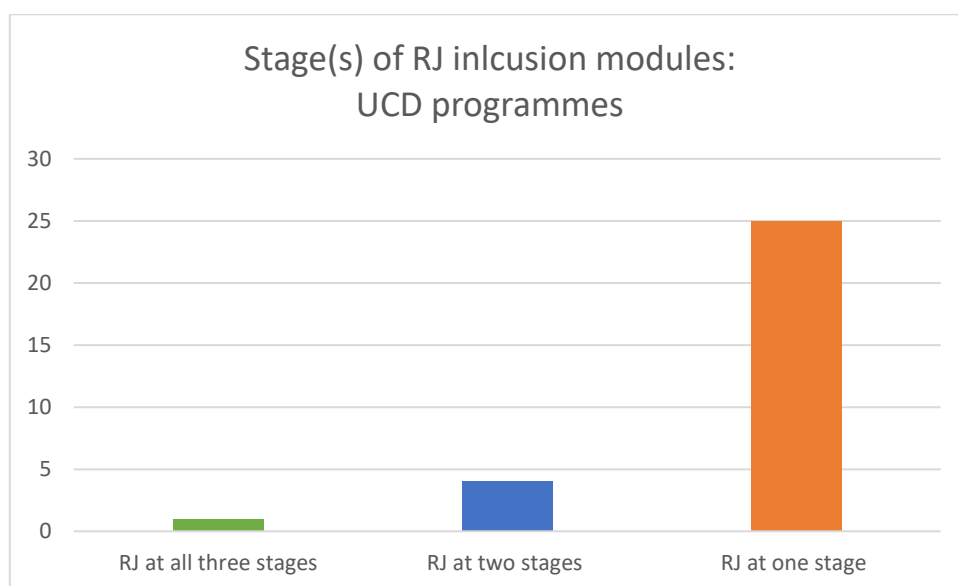
Similarly, another academic who specialised in restorative justice highlighted that there were several modules on their respective UCD programmes that they and their colleagues were involved in which included restorative justice:

“And I have a colleague who was recruited 18 months or 2 years ago now, she teaches victimology, and she talks about restorative justice in that as well. So, you know we have core modules, because of my responsibility I’m the director of undergraduate programmes, you know my workload gets filled up with other things, so I don’t necessarily teach across everything. But from next year we will be team teaching a ‘Criminal Justice’ [module] so I will do a week on RJ in that... and we have a theory module that we team teach as well, and I would in theory contribute a week there on restorative justice” (Interview 2).

These quotes, along with the chart above, show that although restorative justice is largely marginalised in criminology curricula, it is relevant to a range of criminological topics. However, these reflections from academics also highlight that the extent to which restorative justice is included within UCD programmes largely depends on the expertise and interests of individual staff that are responsible for designing and/or delivering modules on a given

programme. Indeed, as discussed in Chapter 2, existing literature regarding the inclusion of restorative justice in criminology and/or criminal justice degree programmes highlights that departmental interest in restorative justice research and teaching is important to “infusing” it throughout the curriculum (Britto and Reimund 2013: 157; Smith-Cunniien and Parilla 2001; Stroup 2019). The findings above show that restorative justice, in some UCD programmes, is considered in accordance with various criminological topics and academics expert in restorative justice are trying to increase its inclusion in curricula. Yet ultimately these findings suggest that broader departmental interest in restorative justice is required for it to be explored at various points throughout a UCD programme.

Indeed, the small number of UCD programmes which included restorative justice at more than one stage shows that restorative justice was not “*seeping into lots of subjects*” in the criminology curriculum (Interview 6). As previously highlighted in Section 5.2 of this chapter, restorative justice was included within the curriculum of less than one third (31.8%) of UCD programmes in England and Wales. Thus, only 27 of the 85 UCD programmes included restorative justice to some extent. Of the 27 UCD programmes over two thirds (81.5%), had their restorative justice content in one stand-alone module in the degree programme. Just 5 UCD programmes in England and Wales included restorative justice within more than one module in their respective degree programmes. Of these five programmes: four included a module with restorative justice at two stages in the degree programme; and 1 UCD contained three modules which considered restorative justice at different stages of the programmes (see Chart 5.7).



(Chart 5.7 - UCD Programmes with RJ Inclusion Modules: Degree Stage)

This chart shows that even when restorative justice was included in the curriculum it was uncommon for it to feed into a range of topics and modules in a significant way. Further, the programmes which included it at more than one stage involved academics who were restorative justice experts. Thus, while restorative justice may be relevant to various themes and topics within criminology there were few UCD programmes that recognised this. These findings suggest that restorative justice is a specialist criminological area. Both because it is a critical and complex topic and its substantive, and even marginal, inclusion in curricula requires academics whose research focuses on the topic to incorporate it into curricula (Britto and Reimund 2013; Smith-Cunnien and Parilla 2001; Stroup 2019). Arguably, the marginalisation of restorative justice shows that it is unconsciously excluded from criminology curricula. At an individual and department level it seems that chance, practicality, staff expertise, and the complexity of fitting restorative justice into curricula ensures that it remains a specialism. Yet, these factors influencing the extent and form of restorative justice inclusion at a macro-level point to wider social forces shaping criminology curricula and the higher education sector more broadly. This chapter now turns to consider these wider socio-economic influences on undergraduate criminology in more detail.

5.4 Factors influencing undergraduate criminology

So far, this chapter has examined the extent and form of restorative justice inclusion in UCD programmes in England and Wales. It has presented and discussed the repetitive, status quo-maintaining, character of contemporary criminology curricula and the marginalisation of restorative justice as a criminological specialism. Throughout this chapter the marginal position of restorative justice within criminology curricula has been discussed by considering the perspectives of academics as well as the socio-economic and epistemological forces which influence UCD programmes. This section examines the wider social factors influencing undergraduate criminology more generally. It draws on interviews with criminology academics to show that not only are socio-economic and epistemological factors causing the unconscious marginalisation of restorative justice, but they are also impacting undergraduate criminology on a broad scale.

Market competition

Marketisation of higher education in England and Wales aligns with the core values of neoliberalism and significantly impacts the approach to education and learning within universities (Maisuria and Cole 2017; Tomlinson 2017; Sørensen and Traweek 2022; Davies

and Bansel 2007). Several criminologists interviewed highlighted that the growth of criminology as a subject was due to the student intake which the discipline attracts. One academic, who was Head of Social Science at their university, explained that:

“Yeah so I'm a sociologist by training, political sociologist by training, and sort of been doing more and more criminology as you know ... as the flavour and desire of degrees has changed a bit over the years, and criminology has become more popular, so I find myself becoming a bit more of a criminologist as time's gone on” (Interview 7).

Another criminology academic felt that marketisation of education had caused universities to focus on student enrolment numbers rather than developing knowledge and meaningful learning:

“In the last five years I think it's that the capping on university numbers has been removed possibly that I think... that there is you know students here that are not engaged, and they are not particularly... like if you asked them specifically why are you here to do a degree, I don't know whether they would be able to answer that question. I just think that the motivation to come to university has just become almost like you know just normalised, something you do now. But there is no real like... I'm not even sure whether they have a comprehensive grasp of what criminology is or criminal justice is. Yeah, it's almost like a dumbing down of the admissions, it's just bums on seats ultimately you know. Like ultimately that's the way I'm beginning to feel about it” (Interview 10).

These reflections from criminology academics suggests that they view universities as market competitors in relation to funding from the state and corporations and student recruitment (Harvey 2007; Peck 2010; Maisuria and Cole 2017). It is clear from the perspectives of academic staff that higher education is impacted considerably by the fact that “*students are consumers of education now and they think they are buying grades*” (Interview 10). The quotes above suggest that academic staff, and university departments, are having to orientate themselves towards the reality that a degree has come to be understood as an ‘investment’ instead of a source of social, intellectual, or personal growth (Barton *et al.* 2010: 38; Gates, Heffernan and Sudore 2015; Pucci 2015).

It is commonly recognised that student enrolment numbers influence the courses and modules delivered by universities (Garland 2011; Barton *et al.* 2010; Jabbar *et al.* 2018). This was true in the case of restorative justice module provision. All criminology academics responsible for focused restorative justice modules highlighted the fact that delivery of the module was dependent on student numbers and satisfaction. For example, one focused module leader stated:

“It’s a popular module for us, it sort of ranges between I don’t know, 25 to 45 students... I think there is 42 on it this year. Which for a third-year optional module in our provision is pretty good” (Interview 7).

Another highlighted that there had been no questions about the module continuing because:

“The recruitment is doing really well since its establishment, and it’s part of the main criteria, we need to have a certain minimum number of students and its always recruited over 30 students, it’s been very popular” (Interview 5).

Student numbers and satisfaction with modules, particularly optional modules, was key to determining which modules would continue to be offered to students. This highlights that there is considerable pressure on departments to offer modules which will be attractive to students, as well as on teaching staff to ensure the module is successful year on year (Gates, Heffernan and Sudore 2015).

However, even in some departments where the focused restorative justice module was popular it was not always certain it would run due to departmental and institutional decisions. One focused restorative justice module leader explained that:

“This particular university considered getting rid of it last year on the revalidation and luckily decided not to. I think it was that they didn’t think it was as important as the crim theory and cultural crim and those kinds of social harms, and the things that they had expertise in. As far as I’m concerned, it’s really important that we have those kinds of things like restorative justice and victimology on the module alongside your crim theory and your other modules. I think it’s important for undergraduates to get at least a taster of those kinds of criminology within the second year” (Interview 1).

Similarly, one academic who had been involved in leading and delivering a successful MA restorative justice course stated:

“In the end it just didn’t fit with my own institution’s current kind of view of its mission and because that kind of thing it has to be fairly small scale to work effectively. Yeah, and I understand the kind of institutional pressures and the way that I just couldn’t manage to fit that any longer within the expectations which were being made of me. It was becoming something which I was doing in my personal time rather than something that was able to be part of my main role. And I’ve got a lot of other things on. But it did last for a good amount of time so yeah” (Interview 6).

While the comment above relates to reflections of a postgraduate course, rather than an undergraduate module, it highlights the significant pressure which can be placed on staff members’ time and skills due to university goals and requirements. Clearly, student numbers in, and popularity of, modules is central to departmental decisions about which modules and courses are offered to students.

Arguably, these insights regarding decision making around module delivery in criminology departments accentuate the specialist character of restorative justice established in the previous section of this chapter. Not only is restorative justice an uncommon topic in undergraduate criminology curricula, predominantly taught when there is an academic within a criminology department expert in it. Further, the popularity and student satisfaction with the restorative justice module, as well as departmental and university aims, seem to play a significant role in deciding which modules are offered and which are not. This range of factors, many of which stem from the marketisation of higher education, arguably show that there are numerous barriers to the inclusion of restorative justice and innovation within criminology curricula more broadly (Barton *et al.* 2010; Trebilcock and Griffiths 2022).

Dominant narratives of crime and justice

Another, corresponding, barrier to the evolution of criminology curricula is the criminological position of restorative justice. Among academic criminology staff interviewed, restorative justice was commonly viewed as aligning with the critical side of the discipline explored in Chapter 3. One criminology academic and restorative justice expert explained that restorative justice:

“Falls under critical criminology, you know that questioning of the state, and empowering individuals, and turning things kind of upside down, and being acutely aware of power imbalances, and things like that, so it fits squarely I think in that school of thought. Ermm... the value of restorative justice I think to any area of criminological concern is that it provides a useful counter to what happens in criminology” (Interview 2).

Indeed, despite numerous definitions and applications, restorative justice is widely viewed as being different to state-authorised ideas and discourses of crime, justice, and punishment (Hirsch *et al.* 2003). In particular, the precedence restorative justice places on the experiences, emotions, and perspectives of individuals and communities involved in an incident detaches it considerably from the traditional justice system. As another academic explained, the criminological questions posed by restorative justice encourage new ways of understanding crime and justice:

“I actually think that restorative justice is of interest like for the kind of questions it throws at us about things like, about what law is, even about what crime is. Yeah, erm the questions it throws about the role that... emotions play because this came out of the democratisation. What are emotions and passions and what role do they play in conflict and justice. And restorative justice is really interesting because we can learn a lot from it about those kinds of questions” (Interview 6).

Regardless of the extent to which criminology academics interviewed were experts in restorative justice, they all viewed it as a theory and practice which critiques traditional, state supported, perspectives of crime and justice. Many academics expressed that restorative justice was valuable to criminology because it was both an alternative to dominant criminal justice practices and, as one lecturer explained, “*it’s also an alternative to traditional criminology modules*” (Interview 5). The recognition that restorative justice differs from conventional criminology curricula and encourages students to question epistemological assumptions suggests that academics believe that much of criminology is status quo-maintaining. This is interesting because it supports the findings discussed earlier in this chapter (see Section 5.2) which showed that most of criminology curricula in English and Welsh universities was dominated by common sense and mainstream narratives of crime and justice. Academics expressing that they teach restorative justice to counter the common

criminology modules and encourage critical thinking arguably implies that they feel much of criminology is uncritical. The notion that restorative justice is an alternative criminal justice practice which encourages critical thinking is important and will be explored in more detail in Chapter 6 and Chapter 7.

Most academics acknowledged that the orthodox, state-orientated, view of criminological subject matter was extremely prominent within the discipline's curricula. Some academics reflected on students' expectations of a criminology degree being heavily influenced by the punitive and dramatized notions of crime and justice. For example, one criminology academic stated:

“A lot of criminology students come into the discipline because they are fascinated by serial killers or they are fascinated by all the really gruesome stuff, you know what I mean. But actually, in all that kind of stuff we forget the personalism. You know like Declan Roche's stuff about the importance of personalism in understanding restorative processes and in understanding crime. And I think that those criminology departments that are perhaps more attached to Social Sciences maybe do this a bit better, than those criminology departments that are sometimes attached to law where the emphasis is on criminal law. Rather than on understanding in the processes of crime and harm and understanding how we can sort of overcome them” (Interview 7).

Another academic discussed their teaching experience in criminology and highlighted that they had rarely seen restorative justice included in curricula because it does not tend to fit with the predominant programme content. They stated:

“I've been teaching criminology for about five years, and I've taught at [name of previous university], and ... [name of current university] in relation to criminology. But the first module I was put on in criminal justice at [name of previous university] was Level 5 and it was offender management. So, it was all about risk and you know the new penology and actuarial justice and measuring rates of dangerousness and stuff like that. There was no restorative justice, no restorative justice whatsoever! That's not to say that it might not have been included in other modules, I don't know. But I think the focus at [name of previous university] was on you know those types of

understandings of crime and responses and offender management. Yeah, so what I've seen is generally pretty mainstream topics in most places really” (Interview 10).

Similarly, an unfocused restorative justice module leader from a different institution highlighted that restorative justice was very different from the dominant way of thinking about crime in criminology and broader society, which made it difficult for students to fully understand it. They explained:

“And yeah I do think given the importance of it and not only the importance of it, but I feel like restorative justice is something, which for students to understand really requires like quite a change in... a really fundamental change in perspective in a way that a lot of other subjects or topics don't. Because people are so into like, the retributive approach to justice is so like hegemonic and taken for granted that a lot of the... yea like it takes a while for students to get their heads around the ideals of restorative justice. But I do just wonder about the... it's so counter to the sort of dominant hegemonic way which we think about crime, I do feel like as soon as students leave the classroom its back to sort of Daily Mail narratives basically” (Interview 9).

These statements from criminology academics evidence that they recognise the status quo-maintaining character of contemporary criminology explored earlier in this chapter (please see Section 5.2). Some of the quotes highlight that much of criminology curricula is based on what departments believe students would expect a degree in criminology to include or what normal criminology themes are. Indeed, as discussed in Chapter 3, literature regarding motivations for studying criminology highlights that students often come to the discipline because they are interested in crime, prisons, and serial killers from watching related documentaries, television programmes, and films (Trebilcock and Griffiths 2022; Barton *et al.* 2010).

These reflections from academics suggest that traditional perspectives of punishment, crime, offenders, and justice are understood to be the central focus of criminology. This general view of what criminology is supposed to cover, and the populist narratives of crime and justice which students have been socialised to

understand, as some academics highlighted, arguably makes it difficult for restorative justice to easily enter curricula. Moreover, as indicated by the last quote, even when attempts to include it in criminology curricula are made it can be challenging for students to understand the concept meaningfully when their existing perception of criminal justice is so different and dogmatic. Arguably, the focus on dominant criminal justice narratives in criminology degrees further evidences the influence of consumerism and neoliberalism on UCD programmes: criminology departments are eager to attract students and thus design degree programmes around common and expected criminological themes; and the structural processes and pressures of the neoliberal academy encourage pragmatism rather than innovation and creativity when designing curricula (Browne 2010; Giroux 2014; Harvey 2007; Barton *et al.* 2010).

Individualised culture of higher education

As well as market competition and consumerism influencing the content of undergraduate criminology, the neoliberal processes informing the structure and objectives of universities arguably prompt a culture of individualism within higher education (Moss *et al.* 2007; Morrissey 2015; Branch and Christiansen 2021). Indeed, as was highlighted earlier in this chapter (please see Section 5.3) whether restorative justice was included within an UCD programme often depended on it being the main research interest of an academic member of staff in the respective department. During interviews with academics from focused and unfocused restorative justice modules, many discussed their specialist area of research and how they had designed a module to specifically align with their personal research interests. It is of course common practice for academics to design and teach modules which focus on their area of research. However, the quotes from interviews with academics presented below arguably highlight that as higher education becomes increasingly neoliberalised, resultant ranking and measurements inform academic success and individual interests are given precedence (Moss *et al.* 2007; Branch and Christiansen 2021).

When discussing their respective teaching responsibilities, many academics highlighted that they taught a core module as part of a UCD programme as well as one optional module offered later in the degree programme. For example, one academic explained:

“My main teaching is a core 3rd year criminology module. And I also have an optional 3rd Year criminology module [...] that is related to my primary research

interests until now which has been [specifies their main areas of criminological research]” (Interview 9).

While it is not a problem that modules are being created and delivered in line with the individual research interests of academics, this approach to module design does highlight that the personal interests of academics can influence degree programme design.

Indeed, one academic highlighted that during their career the optional module which they designed and led had changed several times in line with what they were interested in:

“Erm and I usually teach alongside that first year core module an optional module and that’s changed over the years depending upon where my interests actually lie. But it’s always been within the field of crime, justice, punishment you know which is where my research interests lie” (Interview 6).

Similarly, another academic from a different university explained that they changed the topic of the optional module which they led every so often because they wanted “*to keep things interesting*” (Interview 8). They stated:

“At the minute I teach a module on globalisation and crime which is my like optional module, and that comes out of the drug trafficking. I used to teach a specialist module on gender and crime, and now I do one on globalisation just to keep it interesting I think” (Interview 8).

Evidence that the structure and content of undergraduate criminology degrees is often based, particularly in Year 3, on what staff in the department are interested in indicates a culture of individualism in higher education. The quotes above link clearly to the quotes included earlier in this chapter regarding restorative justice being a specialism which is often only included in curricula when specialists in the subject teach a module on it. Arguably, the influence academics can have on module content based on their personal interests is important to understanding the factors impacting undergraduate criminology broadly and restorative justice inclusion within it. The measurement and ranking of academic knowledge via research outputs places pressure on academic staff to produce research of a high standard (Moss *et al.* 2007; Morrissey 2015). The competition and individualism which this neoliberal culture drives, and corresponding pressure which it places on academics, arguably results in individual academics aligning their teaching to their research area. In doing so, it seems from the quotes included above that, individual preference is prioritised over collective and

epistemological considerations as to what areas of knowledge a criminology degree should explore.

The individualistic culture in undergraduate criminology was also evidenced by an academic who suggested that they wanted to change the focus of the criminology programme they taught on. They explained:

“So, myself and my colleague who teaches victimology are really trying to tip the scales, or at least balance them out with the criminal justice offender focus of criminology programmes in general, but specifically within this school because I think it’s really important. But you know it’s not always an easy thing to do.”

(Interview 2)

This quote also highlights the individualist culture in higher education. By highlighting that they wanted to try to move the focus of their respective criminology programme away from dominant narratives of crime and justice, this academic suggested it was difficult because others in their department might not agree. Here collaboration between this academic and their likeminded colleague is indicated as being key to starting to change thinking regarding what is included in curricula. However, arguably the individualism which they suggest exists among others in the department makes it difficult to enable changes to the entire UCD programme content.

Difficult working conditions

The challenges of working in higher education were highlighted by many academics involved in interviews. The difficult working conditions tended to relate to high staff workload and related time pressures, lack of student engagement, and concern for what the future of the academy and thus their career prospects would look like. Some academics did discuss neoliberalism and consumerism in higher education as being the cause of the difficulties they were experiencing, while others did not. Nonetheless, the similarities among academics’ experiences of working in higher education at a range of different universities arguably suggests that wider socio-economic factors influence their working conditions and practices.

Some academics outlined the high workload that is attached to many academic positions. For example, one academic who led a focused restorative justice module explained what was involved in their head of department role:

“So, I’m the academic subject lead for Social Sciences which in some institutions you would probably call it head of department, every institution has a slightly different name for these kinds of positions. Erm so I’m in charge of Social Sciences at the [name of university] which incorporates criminology, sociology, professional policing, and top up degrees in applied social science, criminology, criminal justice, master’s degrees in criminology, postgraduate certificates, PhD students. So that's probably 20 staff you know and maybe getting on for 800 or so students maybe, across the three years...erm and maybe a bit more than that now. So, I do some teaching still, which is good cause I really enjoy teaching” (Interview 7).

This quote shows that the workload involved in being head of department is understandably high. Further, the number of students and staff within this social science department outlined by this academic suggests an extremely low staff to student ratio. While this academic has approximated rather than given exact numbers of staff and students in the department, the difference is stark suggesting that all academic staff in this department have responsibility for a vast number of students and thus a high workload. Interestingly, this academic was glad that they were still able to teach alongside their department head position perhaps suggesting that this was not a given. Realistically it is plausible that the workload involved in this academic’s non-teaching role could impact their time for teaching and research activities. It is important to note that many universities and individual departments often use workload models with the aim of ensuring that responsibilities are adequately shared across staff teams (Graham 2016). However, as discussed in Chapter 3, academics have reported feeling that their workload is higher than the respective model suggests, resulting in work overload as well as administrative responsibilities impacting on time for teaching and research (Tight 2010; Graham 2016; Kenny and Fluck 2014; Johnston *et al.* 2019).

Another academic outlined the various roles which they had taken on throughout their career and highlighted that many had taken away from their academic work. They explained:

“Yeah okay, my job is Professor of Law and with regards to... well just to take it a step back so actually my role, cos academics all have different roles, is basically 40% research, 40% teaching and 20% admin. And over the last decade and a half or so I’ve been a lot more heavily involved in admin because I was Head of Department and research director and now I’m trying to focus more on the real academic work as I see it, yeah” (Interview 6).

As well as highlighting the high workload that they have experienced throughout their career in academia so far, this academic outlined their current time distribution between the core activities of their contract. While no other academic involved in this project mentioned the percentage breakdown of their workload specifically, it does evidence that different academics in different roles, and at different universities, will have competing expectations on their time (Graham 2016). Indeed, contractual, performance, and time pressures on academic staff is inherent to marketised and neoliberalised higher education (Graham 2015; Lopes and Dewan 2015; Heller 2016). These findings suggest that academics involved in this project did experience and recognise the impact of such pressures on their day-to-day working practices and environment.

While most staff reflected generally on the difficulties of academic roles in terms of high workload, a few academics specifically highlighted that this linked to the socio-economic context in which universities are operating. For example, one academic stated:

“And the whole philosophy behind like knowledge that the university has kind of imbued over the last I don’t know... hundreds of years has just become completely I don’t know...it's becoming dissolved! Under the weight of neoliberal marketisation I suppose and targets and all those other things as well” (Interview 10).

This quote suggests that increased workloads, performance measurements and teaching and research rankings caused by neoliberalism and marketisation impact the conditions in which academic knowledge is produced. It suggests, as was discussed in Chapter 3, that the increasingly difficult working conditions are impacting the tradition and purpose of higher education and academic knowledge (Giroux 2014; Harvey 2007; Winkle 2013; Maisuria and Cole 2017).

Some academics also reflected on the challenging learning conditions which their current students experienced. For example, one lecturer explained that because students increasingly had a range of competing commitments, such as employment and studying full time, the approach to learning and teaching within the UCD programme had changed. They stated:

“We tend to structure our classes around summarising the weekly reading as a group, most of our modules approach classes that way. I think it's useful because our students are predominantly working as well as being full-time students... and juggling their time can sometimes be a problem for them in terms again through a lot of reading before class... and the reading isn't necessarily easy reading so its academic texts,

chapters - and so it means that we can all summarise that reading at the end of the class so we've all got a similar understanding” (Interview 1).

Another academic suggested that students do not engage with module reading and content, they stated:

“It does feel very much like you know apart from the small minority of students who really are engaged and who do the reading, we are kind of swimming against the tide with a lot of this stuff, I think” (Interview 10).

In this case the academic connected lack of engagement from some students to the increased numbers of students’ universities need to attract and enrol due to market competition across the higher education sector. They suggested that universities were lowering admissions standards:

“Yeah, like levelling it up, universities are now just like the next thing students move onto after they finish school. Universities just take students in so that they've got somewhere for the students to carry on being pushed upwards and upwards and it's not a reflection on their ability unfortunately. But I think that's pressure from government as well. Again, it's that this whole thing about you know like people need to be seen to be profitable for the labour market, and they need to be seen to be able to sustain themselves and things like that. So it's difficult to see how it's going to end because I wonder what the situation's going to be like... I mean if it's like this now I wonder what it's going to be like in 10 years' time” (Interview 10).

These quotes have shown that some academics interviewed felt most students they teach are struggling to engage with UCD programme content, particularly academic reading. Work commitments of students alongside their studies, the difficulty that comes with reading academic texts, and the increased number of students enrolling in UCD programmes were all identified as factors influencing a lack of engagement. Arguably, poor student engagement both negatively impacts the learning experience of students and the working conditions of staff. Given the importance of student satisfaction to university rankings and individual staff performance metrics, academics must work to do all they can to engage students and make it straight forward for them to complete their degree. This learning and teaching environment in higher education is arguably directly influenced by the neoliberal consumerism structures and processes which orchestrate the sector.

5.5 Conclusion

This chapter critically examined undergraduate criminology curricula in England and Wales and the position of restorative justice within it by drawing on data from the scoping study and interviews with academics. Data discussed in this chapter shows that restorative justice was rarely included in undergraduate criminology, and even when it was included, it existed on the margins of curricula. This chapter identified two interconnected reasons for the marginalisation of restorative justice: first, the repetitive, status quo-maintaining, character of criminology curricula; and second, the position of restorative justice as a complex and critical criminological specialism. Findings from the scoping study showed the minimal extent of restorative justice inclusion within undergraduate criminology in England and Wales. These findings examined alongside academics' perspectives of curriculum design suggested that pragmatic and 'common sense' decision making about what is relevant and easy to include in UCD programmes influenced the extent and form of restorative justice inclusion. Interview data suggested that many academics rely on the QAA Subject Benchmark Statements for Criminology and popular disciplinary textbooks when designing modules and programmes. These findings suggest that there was a lack of epistemological consideration when designing modules and programmes, resulting in curricula which was repetitive and mainstream orientated. Yet, the marginalisation of restorative justice was also influenced by its position as a criminological specialism. Both scoping study and interview data highlighted that restorative justice was most likely to be included in curricula by academics who were experts in the field because it is a complex and critical topic. This finding suggests that restorative justice is difficult to extensively include in UCD programmes because few criminologists specialise in it, and it is regarded as a critical concept which is not easily incorporated into curricula focused on dominant notions of crime and justice.

However, as was highlighted by many academics involved in this project, the development of curricula does not occur in isolation, it is influenced by wider socio-economic factors. Indeed, this chapter has evidenced that the marginalisation of restorative justice can be linked to the influence of neoliberal processes and marketisation "*for and in* [higher] education" (Maisuria and Cole 2017: 605; see also Chapter 3). Although the complexity and specialist nature of restorative justice clearly posed a barrier to its inclusion in curricula, arguably the repetitive, mainstream orientated character of undergraduate criminology curricula is influenced by wider socio-economic forces on higher education causing restorative justice to be largely excluded. Findings presented in this chapter suggest that dominant narratives of crime and

justice, increased market competition, individualised academic culture, and difficult working conditions in higher education impact criminology curricula on a macro level.

This chapter has directly addressed Research Question 1 (*To what extent is restorative justice included, and/or excluded, within undergraduate criminology curricula in England and Wales?*) by establishing that restorative justice is largely excluded from undergraduate criminology curricula and when it is included it is marginalised, due to epistemological and socio-economic forces dominating undergraduate criminology. This chapter builds on discussions in the first three chapters of this thesis by showing that restorative justice is difficult to include in UCD programmes, and that undergraduate criminology curricula contains similar epistemological divisions to the discipline more broadly which are exacerbated by marketisation and neoliberal processes influencing higher education in England and Wales. This thesis now turns to consider the knowledges of restorative justice which did exist when it was included in UCD programmes and explores how such knowledges were influenced by the extent and form of restorative justice inclusion within curricula.

Chapter 6: Restorative justice knowledges in undergraduate criminology

6.1 Introduction

This chapter addresses Research Question 2, examining the knowledges of restorative justice which exist within undergraduate criminology curricula and among criminology staff and students in England and Wales. This chapter is informed by the theoretical perspectives discussed in Chapter Two and presents and considers information gathered during documentary analysis, semi-structured interviews with criminology academics and focus groups with criminology students (as outlined in Chapter Four). As highlighted in Chapter 4, while this project did gather perspectives from a representative number of academics expert in restorative justice in England and Wales, due to the impact of COVID-19 on this project, unfortunately, it was not possible to recruit a representative number of criminology students who had studied restorative justice. Therefore, it is recognised that the perspectives of criminology students presented in this chapter do not represent the views of all criminology students who had studied restorative justice as part of their UCD.

The previous chapter examined the extent and form of restorative justice inclusion within the undergraduate criminology curriculum in England and Wales. It suggested that the marginalisation of restorative justice was influenced by its position as a criminological specialism as well as the repetitive and status quo-maintaining character of undergraduate criminology. Despite the limited inclusion of restorative justice in UCD programmes, Chapter 5 showed that it is regarded as an alternative and critical criminological topic. This chapter builds on the findings discussed in Chapter 5 as it argues that the extent and form of restorative justice inclusion in curricula influenced the knowledges produced about it. Data presented in this chapter shows, firstly, that the overarching knowledge of restorative justice was as an alternative justice form largely because it is positioned as a critical alternative within curricula. Secondly, this chapter suggests that this alternative perspective of restorative justice encouraged knowledge to be developed in terms of the central elements which differentiate it from traditional criminal justice processes. This finding, alongside the lack of space given to its exploration in curricula, suggests that there were not sufficient opportunities provided to enable thorough knowledge development regarding the topic's

complex models of application and theoretical perspectives. Lastly, this chapter demonstrates that considerable knowledge was developed on practical applications of restorative justice. This finding indicates that due to the lack of prior knowledge and misconceptions students had about restorative justice, academics were eager to prove that it was an actively used practice in a range of settings.

6.2 Restorative justice as an alternative justice paradigm

Restorative justice was most prominently constructed and understood within undergraduate criminology as being different to mainstream criminal justice practices and concepts. Most module descriptions and handbooks (for both focused and unfocused restorative justice modules) characterised restorative justice as an ‘alternative’ approach to crime and justice. Descriptions of modules which included restorative justice within their content depicted it as an ‘*alternative*’ to ‘*common*’, ‘*conventional state based*’, ‘*formal*’, ‘*formal bureaucratic processes*’ or ‘*mainstream*’ criminal justice ‘*systems*’ and ‘*practices*’ or ‘*methods of crime control*’, ‘*offender management*’ and/or ‘*law, order and punishment strategies*’. Constructing restorative justice as an alternative criminological perspective which offers a “new paradigm”, a “different way of thinking”, or even “a new moral ‘lens’” in the context of reacting to crime and delivering justice is common within the field (Zernova 2016: 36; Zehr 1990).

While generally there was consensus across restorative justice inclusion modules that it constituted a different criminal justice approach, some variations existed regarding the way restorative justice offered an alternative to common criminal justice practices. The overarching knowledge of restorative justice as an alternative justice paradigm took two forms: the first, and most prominent, was the understanding that restorative justice provided an alternative to the entire CJS; the second was the view that restorative justice provided an alternative approach to justice within the current CJS. The remainder of this section examines both perspectives which formed the knowledge that restorative justice was an alternative justice paradigm. Then this section ends by considering the extent to which knowledge of restorative justice as an alternative justice paradigm within UCD programmes is positive.

Restorative justice: an alternative to the entire CJS

Some modules constructed restorative justice as offering an alternative approach to the entire CJS. One unfocused restorative justice module handbook explained that:

“The fourth and final part of the module considers a range of novel and progressive alternatives to the institutions and policies of state criminalisation – such as restorative justice, harm reduction and more wide-ranging social changes – and explores the tension between ‘criminal justice’ and ‘social justice’” (Module Handbook F).

While this module did not focus entirely on restorative justice, it did characterise restorative justice as a response to crime which could reduce “state criminalisation” (Module Handbook F) by offering an alternative to criminal justice institutions with stronger links to social justice. In doing so, arguably, this module suggests that restorative justice could provide a new model of delivering justice, overriding the punitive and criminalising character of the dominant CJS (Johnstone 2011: 17). Constructing restorative justice as a way to entirely change dominant, state sanctioned, institutions and processes of criminal justice evidences a ‘radical’ perspective which goes beyond merely reforming the CJS through the use of restorative justice principles and/or practices (Zernova and Wright 2011). Instead, restorative justice, as it is depicted within this module, offers a completely “different way of doing justice” (McCold 2000: 396) which fundamentally changes understandings of, and approaches to, crime.

Indeed, the lecturer of this unfocused module explained, during interview, that restorative justice was “*not an alternative to any one institution within the criminal justice system, it’s an alternative as part of an entire paradigm*” (Interview 9). Rather than using restorative justice as part of, or alongside, the current CJS, a radical perspective advocates for restorative justice to be applied as a new approach to responding to crime, overriding the current CJS. The depiction of restorative justice in this module handbook and the way it was understood by this lecturer aligns with the ‘transformative conception’ of restorative justice (Johnstone and Van Ness 2007). Understanding restorative justice in this way, often perceived as radical, overrides the notion that restorative justice is merely a tool which can be applied within the criminal justice process, rather, it offers an approach to transforming social responses to criminality profoundly by changing the way we understand justice and social relations (Sullivan and Tifft 2001; Ross 1996; Johnstone 2013; Braithwaite 2003).

Focused restorative justice modules similarly positioned the concept as an alternative way of approaching crime and justice. Yet, due to the form of these modules being dedicated completely to the topic, they were arguably able to explore restorative justice as providing a

radical alternative to the CJS in a more intricate way. For example, one focused restorative justice module handbook introduction positioned restorative justice as an alternative response which could counter, and deal with, the problems of the current system:

“You would have learned in previous years of your degree that there are significant problems with the way that crime is defined, who achieves victim status and how crimes are dealt with. This module considers an alternative approach, restorative justice, in responding to some of these challenges. It combines lessons from a broad spectrum of disciplines to understand why people behave the way that they do, why current approaches are ineffective and to interrogate the range of approaches that have developed to provide an alternative response” (Module Handbook B).

This third-year module problematised the status quo of criminal justice and the way crime is understood. It immediately differentiated restorative justice from the understandings students would have developed in their criminology degree so far about crime, offenders, victims of crime, and responses to crime. From the description in this handbook, restorative justice provides a lens through which the problems and harms of retributive justice can be questioned and reimaged (Zehr 1990). Identifying fundamental ways in which restorative justice differs from traditional ‘retributive’ justice has been a common approach to defining and explaining restorative justice both by advocates and critics of the practice (Roche 2011). Yet, since the retributive/restorative dichotomy was first presented as a way of thinking about the alternative approach to crime and justice which restorative justice could offer, the binary approach has been criticised, by both sides, for oversimplification and “significant conceptual confusion” (Daly 2016: 15; Roche 2011). While the module introduced in the statement above did not reflect on the retributive/restorative dichotomy directly, it did encourage students to problematise the current approaches to justice and its stakeholders and consider how restorative justice might provide a better alternative.

Restorative justice was largely presented as an alternative to the current CJS, which could deal with the problems and harms the current system causes. Correspondingly, knowledge of restorative justice often focused on how it could provide a more moral and less punitive response to crime by offering a new ethical framework for understanding crime and justice (Zehr 1990). For example, one academic highlighted that by offering an alternative justice paradigm, restorative justice encourages a distinct ethical perspective:

“Restorative justice has simply become almost a kind of an ethic or a form of ethical teaching. And it’s quite clear that restorative justice practitioners and enthusiasts, they have a definite kind of ethical perspective” (Interview 6).

As highlighted in the quote above there is a general perception that restorative justice is different because it is more ethical, and this is clearly evidenced within its construction as an alternative justice paradigm within criminology curricula. By differentiating restorative justice ethically and morally from state-authorised justice processes, it was often positioned as a better, more humane form of justice (Roche 2011: 78).

The alternative approach to criminal justice which restorative justice offers not only distinguishes it from the dominant CJS, but in doing so, it also differentiates it from mainstream criminological perspectives. One focused restorative justice module convenor highlighted that by humanising and questioning dominant understandings of crime, justice, and criminal justice stakeholders, restorative justice was an alternative justice form which was different to common perspectives in criminology:

“Restorative justice enables students to see alternatives [...] and I think it’s an invitation to think more critically about alternative ways of dealing with harms and wrongs and injustices [...] it’s also an alternative to traditional criminology modules” (Interview 5).

Similarly, another criminology lecturer highlighted that restorative justice provided “*a useful counter to much of what happens in criminology*” (Interview 9). Restorative justice is widely recognised within the field as offering a new paradigm to view, and understand, crime and justice (Zehr 1990; Zernova 2016). Central to this alternative perspective is the repositioning of affected individuals to the centre of the justice process following a conflict, rather than allowing them to be pushed to the periphery by criminal justice agencies and professionals (Christie 1977). Thus, restorative justice promotes that harm caused by crime is viewed from the perspectives, contexts, and needs of everyone involved. In doing so, humanising conflict stakeholders and highlighting the human impact of crime and responses to it. Therefore, due to the different moral and practical approach restorative justice offers in comparison to common criminal justice processes, it was widely regarded as an alternative justice paradigm and correspondingly an unusual criminological perspective (Zehr 1990; Christie 1977; Zernova 2016).

Some students viewed restorative justice as offering an alternative to the entire CJS. For example, in one focus group, when asked about their perspectives on the relationship between restorative justice and the common CJS, the two participants explained:

P1: “Because of this module I now really feel like restorative justice could completely change the criminal justice system. Like it could 100% deal with problems we always see with the way things are dealt with in the current system. I feel like we’re [name of restorative justice module leader] little soldiers, like yes restorative justice! But yeah, I do honestly think it could help so many of the issues that we have in the criminal justice system, like there’s such a huge percentage of reoffenders – and I’m going back to kids again, who are in care, who don’t have support systems and who are just constantly punishing them and saying they are a bad person, but how are you going to help that person to be in the world when they’re older if they are just constantly thinking everyone is against them. So, 100% I think it should be implemented in all areas of criminal justice and be the main new approach.”

P2: “Yeah, I agree. Now that I know about restorative justice, I can really see that there is a different way to deal with crime and a different way to work with victims and offenders. Restorative justice I think could be a realistic way to totally change the way the system works.”

(FG 1)

These perspectives from students on the potential of restorative justice as an alternative justice form is largely based on their understanding of the current approach to criminal justice being flawed. They clearly perceive that a change to the current system is needed to better support both victims and offenders. Arguably, due to restorative justice being positioned within criminology curricula as an alternative justice paradigm informs students’ view that it could offer a completely new way of responding to crime and thinking about justice (Zernova 2016; Zehr 1990).

Similarly, other students, from a different focus group, discussed why restorative justice might offer an alternative to the current CJS entirely:

P2: “It’s hard to explain it, like just trying to think about how best to say it but like it’s clear that the criminal justice system doesn’t work and doesn’t help people. I think that restorative justice is something that could be used to deal with harm and crime

better for everyone. I've said that I think the criminal justice system is – I don't know how to say this but – I think it all goes... it's politically determined. So, people who are high up in politics will say things to try and get votes and I think it all stems down to the criminal justice system. So, they'll [Politicians] say we want to create more prison places because they know the public have an attitude of, if people commit crime, they should be locked up [...] but in reality, there are other things that need looking at. Like restorative justice and other alternatives instead of being so punitive. But a lot of people they don't understand that because everyone's got – well, I don't know if that's the case – but a lot of people have the attitude because they don't have any connection with the justice system, so they think oh we'll give someone like Boris [Johnson] our vote because he's said he'll do this, and he's said he'll do that. But really they just don't know what the other options are.”

P4: “Yeah, it seems to be that criminal justice is always about what politicians say will make the public safer and stuff that stops people seeking personal revenge – I'm sure it happens anyway – but like you can be in comfort if something happens to you, you can call the police, so it can stop people having to deal with stuff themselves. So, yeah, like you [Participant 2] have just said basically people just go with more of what they know and politicians – most of them – don't want people to see there are different options like restorative justice.”

P1: “I agree. But sometimes they've tried to bring in newer solutions so like using restorative justice more or giving fines or community service to try and... If people have offended for the first time it's not necessarily just sending them straight to prison, trying to help them as well. Because if they've only committed a burglary and maybe for their own... they haven't got money or something, there's no need to send them straight to prison, try to help them first. So, I think that's becoming more important having different approaches like community service and restorative justice and those alternatives. But it's trying to change the community perspective on that as well. Not everyone will agree with someone being involved in restorative justice rather than more normal criminal justice solutions.”

(FG 3)

This exchange between focus group participants highlights three important points regarding knowledges of restorative justice as an alternative justice paradigm within undergraduate

criminology. Firstly, it evidences that these students view restorative justice as being an alternative approach to justice which could deal with the problems of the current CJS on a broad scale. Secondly, by highlighting the importance of punitive criminal justice policy to political elections and rhetoric, they show awareness that restorative justice is a justice paradigm which contrasts with status quo notions of crime and justice. Lastly, the quotes above indicate that for restorative justice to be a recognised and active alternative to the entire CJS, a paradigm shift around justice needs to take place within communities and societies. Arguably, these criminology students view restorative justice as an alternative to the entire CJS. However, they are also aware of the practical challenges to restorative justice becoming an actual alternative to the CJS which exists currently. Thus, this evidences that restorative justice being positioned within curricula and by academics as alternative informs students to develop knowledge of the criminological topic in this way. Further, knowledge production of restorative justice as an alternative justice paradigm encourages students to develop critical criminological thinking, something which is discussed in more detail in Chapter 7.

Restorative justice: an alternative approach to justice within the current CJS

Restorative justice was not always constructed as a radical alternative to the entire CJS. Instead, a small number of modules which considered restorative justice to be an alternative approach to justice within the current CJS tended to have a specific consideration of victims within the restorative justice module. Within a few modules restorative justice was constructed as a response to crime which could be effectively incorporated into the current CJS to better satisfy the needs of victims (Walgrave 2011). The introduction to one focused restorative justice module, which concentrated on the experience of victims more so than offenders when exploring the topic, stated that:

“The module examines criminal victimisation and the policies and practices that have been developed to aid victims in the aftermath of crime. As well as a range of support approaches which are directed specifically to victims, the module also focuses upon restorative justice and the way in which victims may benefit from such practices” (Module Handbook C).

Similarly, a key aim of another focused restorative justice module was: “*To understand the value of restorative justice as a means of dealing with victimization*” (Module Handbook A).

While these modules did not ignore the role of offenders when considering restorative justice, the primary focus was on the relevance of restorative justice to victims of crime. Central to the philosophy of restorative justice is the understanding that crime is, as Zehr states, “at its core a violation of a person by another person” (1990: 182). Correspondingly, traditional criminal justice processes which view crime as an act against the state cause abstraction as to the true stakeholders of the justice process (Christie 1997; Zernova 2016). In this sense, restorative justice can be understood as an approach to dealing with crime which focuses, mainly, on victims and includes “as many opportunities for participation, voice, and choices for victims as possible” (Achilles and Zehr 2001: 90).

Further, restorative justice was recognised as an alternative justice approach within the current system because applying restorative justice as an alternative in this way would not negatively impact core principles of restorative processes (McCold 2000). For example, one focused restorative justice module leader highlighted during interview that they did not think that restorative justice could be an alternative to the entire CJS because of the importance of voluntariness to restorative justice:

“It [restorative justice] can never be maximalist in my view, I take so much issue as [...] basically if something is voluntary, some people will refuse, therefore it cannot be maximised. For some victims it won’t be the right time, or they can’t stand the thought, or they’re in another country or something. Although with technology now you never know. Some offenders will refuse therefore victims can’t have it, and so on and so forth. If the offender refuses and that stops it as it must, you cannot pursue the case, unless it’s very minor. So, criminal justice is always going to have to be the backstop. We’re stuck with that.” (Interview 4)

By stating that restorative justice “*can never be maximalist*” (Interview 4), this academic suggests that replacing the current CJS with restorative justice would result in an outcome-orientated approach which could involve individuals being forced to take part in the practice (Bazemore and Walgrave 1999; Walgrave 2000). Arguably, using a maximalist or outcome-focused approach to transform the CJS would require that retributive goals of justice be replaced with restorative ones (Zernova and Wright 2011). In doing so, judicial oversight and coercion could be used to force conflict stakeholders to take part in practices focused on producing restorative outcomes and thus undermine the principles of empowerment and voluntariness central to purist restorative processes (McCold 2000). From this perspective,

attempting to change the entire CJS to be restorative would negatively impact delivering justice restoratively. Therefore, restorative justice in some cases was known as an alternative form of justice within the structure of the current CJS rather than as a radical way to change the justice system entirely.

Another academic explained that they discussed with students that there were two ways restorative justice could be applied: to entirely change the CJS; or as an intervention within the current CJS. However, this academic suggested that the view of restorative justice providing a practical alternative to the entire CJS was unrealistic. They stated:

“Yeah, again, I talk to the students about what the future of restorative justice might entail, so in other words we could if we wanted to go whole into restorative justice, but we could sort of just keep it [restorative justice] as an add on or we could integrate more. I think, I suppose realistically, you know, I see it as being maybe an integration into criminal justice, so use it where appropriate and divert where appropriate, but I don’t really see that it could be an ‘instead of’ as things are, unless we get to that point where we go through this cataclysmic change” (Interview 3).

This quote shows that although this academic highlights to their students that restorative justice has the potential to provide a new approach to the entire CJS or work within the current system, they believe it is unlikely to change the entire system. Instead, they view the application of restorative justice in the current CJS to be more realistic.

Some other academics agreed that restorative justice was an alternative approach to justice within the current CJS. For example, one academic explained that they were “*optimistic*” (Interview 1) about the progress of restorative justice principles and practices being talked about and developed in relation to criminal justice approaches. They stated:

“So, I think I’m optimistic... yeah I’m an optimist rather than a pessimist! Therefore, I can see you know the potential in restorative justice and certainly the potential in giving people a chance to get back into the community is one that I think is better than locking them up. And you know getting crisis in the prisons. I mean I think with it [restorative justice] gaining more currency there are a lot more people talking about it, whether that is just kind of add on because more people are talking about it ... or whether it’s an actual embracing of all those principles. I don’t know whether the latter is the case, but I think there are some good examples of young people being able to be involved in those conferences. I always put up the kind of thinkers and kind of for and

against the ideas of restorative justice and what the problems are, but I do think that if you are looking at it, I think that there's more on the positive side than on the problem side in terms of its use developing" (Interview 1).

Similarly, another criminology academic expressed that "*there has been interesting progress for restorative justice in criminal justice here recently*" (Interview 7). They explained that:

"One of the most positive things I think in recent times for the role of restorative justice within the criminal justice system has been the institution of Police and Crime Commissioners [PCCs]. So, a lot of Police and Crime Commissioners, certainly in [Name of County in England] and a number of other areas, have put a lot of money towards dealing with crime in its broader concept. And funding organisations that provide restorative services. So, we are seeing a greater integration of restorative justice within police forces because of the role the PCCs are having. So, there is a very positive relationship that is growing. Obviously, the CPS [Crown Prosecution Service] in the UK are talking about how everyone that suffers a crime should have the opportunity to have some kind of restorative solution to that. But realistically we know that is not happening. But you know, it's a growing area of interest for police forces. The more information that's out there, the more research that is out there that shows the benefits in terms of the recidivism, in terms of cost.... You know the more that it's taken hold" (Interview 7).

These quotes from two different criminology academics highlight that they are optimistic about the progression of restorative justice as an alternative approach to justice within the current CJS. Yet, they both highlight that there are areas which still need to be developed for restorative justice to be recognised as an alternative approach used across the CJS.

Some students also viewed restorative justice as being an alternative approach to justice within the current CJS. For example, one student explained that although they thought restorative justice could be an effective response to crime that the traditional, punitive, CJS was necessary:

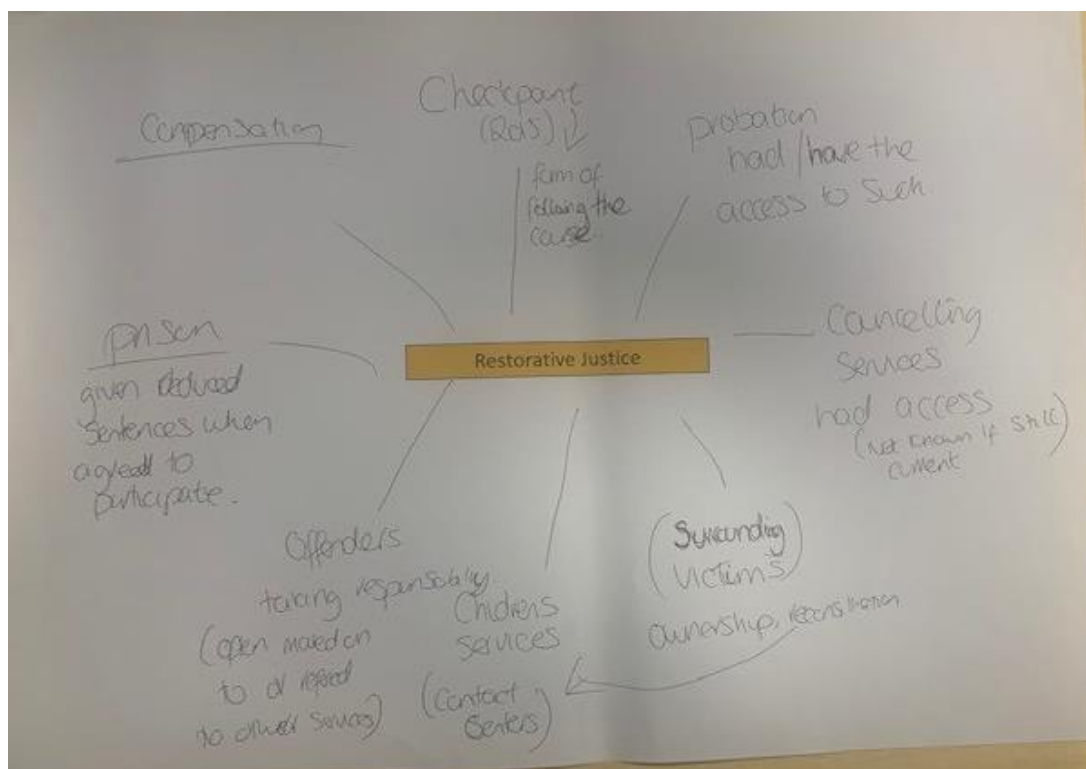
"I don't know, I just feel that punitive justice is still – I just think when you think of restorative justice it takes away from the punitive side of it, and it just – I think there should be a balance between the two. Like, I do think restorative justice should be used in certain cases, but I think there needs to be normal criminal justice processes happening as well ... so like we need them both." (Participant 2, FG 2)

Another student, who studied a different restorative justice module, suggested that restorative justice could work effectively within the current CJS but believed that it would be difficult to develop it completely in this context. They explained:

“I think it [restorative justice] would be good in the criminal justice system, but then case by case if people just aren’t responding to it then don’t do it. I think practicality is, it all needs funding, and that would be a major issue especially if... people are very punitive, especially in this country and politicians, they don’t want to say we’re offering this, and people might think of it as a way out, an easy way. So, I think it would be difficult to implement restorative justice into the criminal justice system just because funding and getting support for it, but if they can do it then it would be very good. Again, case by case, people may not get it but broadly I think, yeah it should be that restorative justice is used in the current criminal justice system” (Participant 3, FG 3).

Both the quotes above evidence that some students understood restorative justice as potentially working within the current CJS. However, the latter student suggested that it would be challenging to incorporate the practice within current criminal justice approaches. Arguably, the fact that students are showing awareness of the barriers to the development of restorative justice within the traditional CJS evidences that the knowledge produced about the concept positions it as an alternative justice form. Moreover, the recognition given by students to the way that dominant political and social attitudes on crime and justice inhibit the progression of restorative justice within the current system is interesting. Highlighting this distinction between restorative justice and the CJS shows that students understand restorative justice to be a way of thinking about and doing justice which is different to common approaches. In doing so, it evidences that developing knowledge about restorative justice within UCD programmes supports students to think critically about the concept itself, as well as the CJS and other criminological issues - something which will be further explored in Chapter 7.

Some other students viewed restorative justice as an alternative approach within the current justice system by considering areas in which it was or could be effective. For example, a restorative justice concept map created by one student shows that they perceived it to be a practice relevant to various parts of the CJS:



(RJ Concept Map – Participant 6, FG 3)

During one focus group, students discussed the relevance of applying restorative justice alongside imprisonment:

P6: “Taking personal responsibility. So, realising the consequences of your actions and what that can cause, not just for you because you’ve been sent to prison, but the harm you’ve put on another person.”

P3: “Because clearly the prison isn’t working the way it should be working, so trying new stuff like restorative justice... you can only give it a go can’t you to see if it reduces offending and helps people.”

P2: “People probably wouldn’t vote for it though. There’s not enough information on it, and the public like more punitive punishment, don’t they? So, they would think, how’s that going to work?”

P6: “Yeah it probably wouldn’t be that popular but in that article [Name of Lecturer] gave us, it says that it is being used in prisons so if it works and gets used more then I think it would help offenders who are in prison, and victims.”

P4: “Yeah, I agree.”

(FG 3)

Similarly, in a different focus group, students discussed how using restorative justice could help and humanise people involved in the current CJS. Following each student creating a concept map of the CJS during the focus group, they explained their maps and why restorative justice provided an alternative approach to justice:

P1: “So, I’ve put the law, it [the criminal justice system] is based around the law pretty much, prison, probation, justice – because that is what we’re trying to seek through the criminal justice system. Corruption, in certain areas, or there has definitely been cases. Court, is a very long process, can be. And bias.”

P2: “I’ve got probation, court, police, they’re all linked. I’ve got GP surgeries, so doctors, that links mental health services, for the victim and the offender, so that’s important as well. Sometimes in the criminal justice system, the needs of the people involved get taken away, they rise above it, and they forget...”

P1: “They forget they’re humans, they just have to deal with the case.”

P2: “Exactly, it just takes away from the actual person. So, when people do go to court and you are the victim, they forget this person has been through a lot of trauma and they completely forget and they almost don’t care, it’s just, you need to say this, and they don’t try...”

P1: “Yeah, they forget about people’s trauma and needs so probably restorative justice can help make sure people are seen as humans.”

P2: “Yeah.”

(FG 2)

The exchanges between students from two different focus groups above, arguably show an understanding that restorative justice can be used to help people and deal with some of the harm which can be caused by the traditional CJS. Interestingly, and like earlier student quotes, political decision making, and public opinion are suggested to be key factors impacting the development of restorative justice. Fundamentally, this highlights that restorative justice is understood by students as being an alternative approach to justice within current criminal justice processes and an approach which counteracts dominant narratives of crime and justice in England and Wales.

This section has established that knowledge of restorative justice in undergraduate criminology curricula, and among students and academics, centres on it as an alternative justice paradigm. Regardless of whether it was discussed as a different approach within the current CJS or a new way of delivering and thinking about criminal justice entirely, it was always presented and understood as an alternative. This finding builds on evidence discussed in Chapter 5 regarding the marginalisation of restorative justice within undergraduate criminology curricula in England and Wales. Knowledge of restorative justice being focused on its position as an alternative justice form appears to link to its marginal position within criminology curricula. As shown in Chapter 5, such curricula are dominated by mainstream narratives of crime and justice, therefore restorative justice, like other alternative criminological topics, exists on the side-lines of programme content. The marginalisation of restorative justice, a topic viewed as alternative by both expert and non-expert academics in these areas, reinforces that wider social and economic forces are impacting criminology curricula, as explored in the previous chapter. If largely knowledge of restorative justice does not exist regarding its application as a mainstream criminal justice approach, then arguably UCD programmes will not include it because it is not what students/consumers would expect to study as part of their degree. Thus, due to the way that UCD programmes are created, as discussed in Chapter 5, restorative justice inclusion can arguably only be achieved if it is positioned as alternative. Resultantly, the epistemological pattern used to construct UCD programmes currently means that restorative justice, and other alternative topics, will never achieve dominance or even meaningful inclusion within the CJS simply via higher education.

However, given the problematic epistemic processes in curriculum design which prioritise pragmatism and status quo-maintaining narratives of crime and justice, it is arguably encouraging that some UCD programmes are exposing students to restorative justice. Findings presented in this section suggest that by producing knowledge about restorative justice as an alternative justice form, UCD programmes can be used to introduce people to alternative ways of thinking about and delivering justice. In doing so, UCD programmes can equip students and academics with the knowledge, awareness, and skills to challenge the status quo of crime and justice. Therefore, even though restorative justice inclusion is not extensive in UCD curricula currently, the dominant knowledge of the topic as an alternative justice form arguably means that it supports criminology teaching and learning which is radical, transformative, and emancipatory (Giroux 1980; Pucci 2015; Pointer *et al.* 2020; Barton *et al.* 2010; Davis 1998; Brookfield 2003).

The pedagogic implications of restorative justice knowledges being focused on its position as an alternative justice paradigm will be explored further in Chapter 7. This chapter now moves to explore how and why knowledge of restorative justice in undergraduate criminology focused on the concept's central elements.

6.3 Central elements of restorative justice

Complex debates exist regarding how restorative justice should be defined as well as the theories, practices, values, and principles which characterise the concept (Johnstone and Van Ness 2007). Yet, although these debates which exist within the field of restorative justice were highlighted in module handbooks, few criminology students or academics spoke directly about the various definitions which exist within the field of restorative justice. Instead, when reflecting on what constitutes restorative justice, focus was given to the key features of the concept practically. One lecturer who was a restorative justice expert explained why they believed trying to define restorative justice was unhelpful to the field:

“This mistake keeps coming up like with people looking for a definition of restorative justice and I think that’s the wrong approach. I don’t want to get all heavy and theoretical, but Wittgenstein the philosopher talked about you know concepts that are held together, it’s not by a simple definition, but rather ... that concepts are held together by a family resemblance. I think that helps us get through you know the need for a definition ... and there is quite a lot of work on art around that, when you get these debates like: is it art or is it not art? And can we define what art is in order to help us resolve these debates? And he (Wittgenstein) kind of cuts through all that quite nicely by saying well art is... there is a whole lot of different sorts of things which can constitute art and they are held together by a family resemblance. And some of them will have more or less features of art than another and the really important question is to understand in what sense people want to talk about the art. And I think that kind of perspective is really useful for talking about restorative justice. To think about, not trying to define restorative justice or pin it down” (Interview 6).

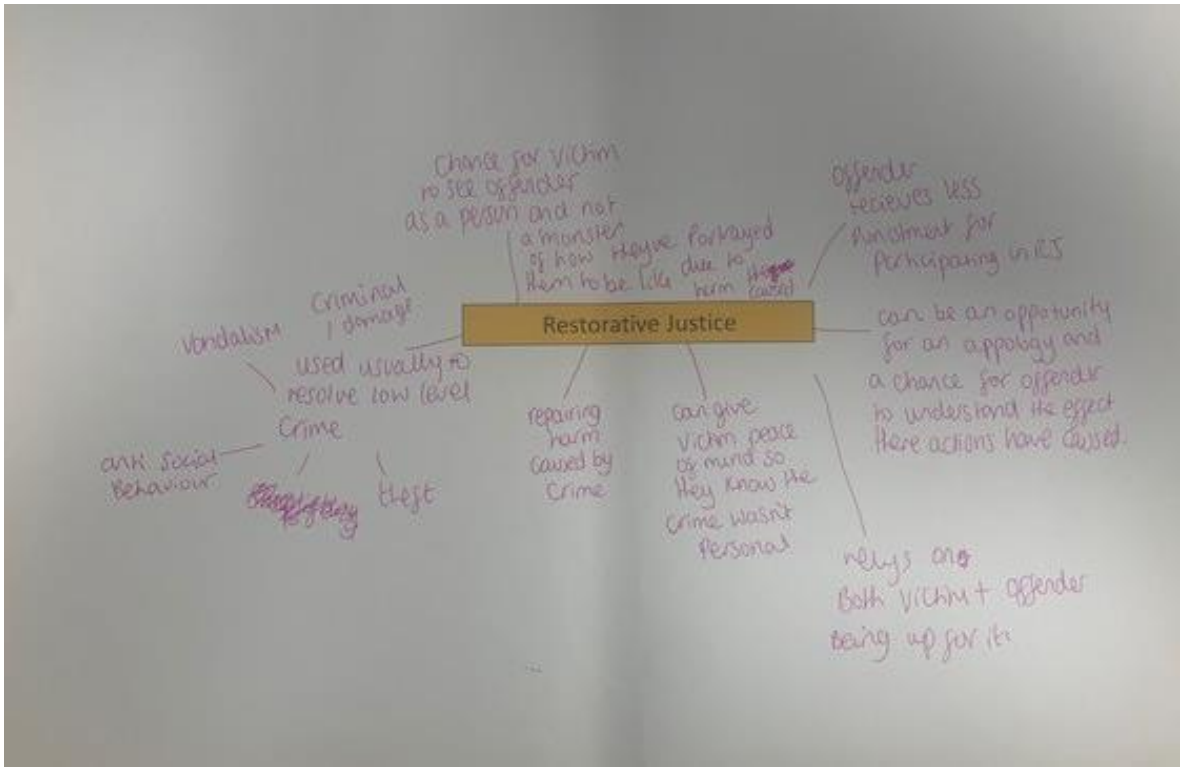
Viewing restorative justice as being a practice and concept which is held together by various key elements, rather than having a single definition, was the prominent perspective taken when it was included within undergraduate criminology curricula. Resultantly, when discussing restorative justice during interviews and focus groups, criminology students and

academics most commonly spoke about key elements of restorative justice rather than specific models or theories of the concept.

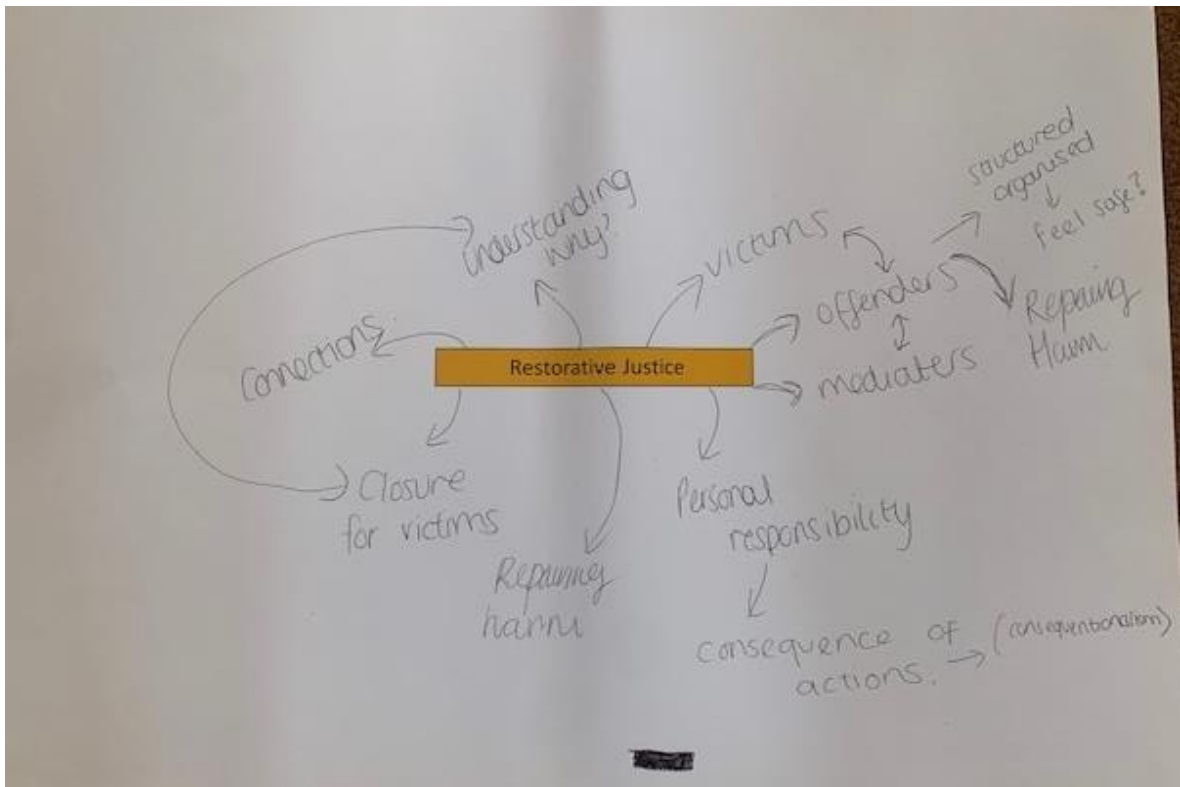
This section examines each of the three central elements of restorative justice: repairing harm, participation, and communication, which were found to exist in undergraduate criminology. Following consideration of these central elements in turn, this section then explores the knowledges of restorative justice which were, largely, excluded from undergraduate criminology. This section argues that restorative justice was most prominently considered in terms of its central elements for two key reasons. Firstly, because the prevailing knowledge of restorative justice as an alternative justice form encouraged it to be understood via the main ways it differed from the dominant CJS. Secondly, the marginalisation of restorative justice in curricula (as discussed in Chapter 5) meant that there was not sufficient time within programmes or modules to develop more thorough knowledge of the various, and complex, theories and models of the concept.

Repairing harm

Repairing harm was one of the most common features of restorative justice identified during focus groups with students. For example, one third-year criminology student who had studied on a focused restorative justice module stated: “*I think one of the first things I think of when I think of RJ is repairing harm*” (Participant 2, FG 1). Similarly, another criminology student who had taken a different focused restorative justice module explained “*repairing the harm that was caused by crime, that’s what I see as the main bit of restorative justice*” (Participant 4, Focus Group 3). Many prominent advocates of restorative justice agree that its central aim is to repair harm caused by an offence (Strang and Sherman 2003; Bazemore and Walgrave 1999; Walgrave 2000; Zehr 1990). As Bazemore and Walgrave put forth, restorative justice constitutes “every action that is primarily orientated toward doing justice by repairing the harm that has been caused by a crime” (1990: 48). Some students also included ‘repairing harm’ or ‘repairing the harm caused by crime’ when creating their restorative justice concept maps:



(RJ Concept Map – Participant 4, FG 3)



(RJ Concept Map – Participant 5, FG 3)



(RJ Concept Map – Participant 1, FG 1)

Some criminology academics also suggested that repairing harm was a key element of restorative justice. For example, one focused restorative justice module leader explained “*I think that restorative justice is about finding positive ways to overcome the harm that has been done*” (Interview 7). Repairing harm caused by crime connects directly to the reparative conception of restorative justice outlined in Chapter 2, which rejects the notion that justice will be restored following a crime through punishment and suffering (Johnstone and Van Ness 2011). Developing knowledge of restorative justice in undergraduate criminology which focuses on repairing harm following a crime rather than on approaches to punishment connects to the overarching knowledge of restorative justice in undergraduate criminology as being an alternative justice form.

The centrality of repairing harm to criminology student and staff knowledges of restorative justice links to the construction of restorative justice as an alternative justice form as discussed earlier in this chapter. When discussing the importance of repairing harm to the concept of restorative justice, one focused restorative justice lecturer described the different approach it provides when “doing justice”:

“I think an important kind of element of it is about the interesting questions restorative justice makes about... when something, when somebody, does something

wrong, I mean like we think there has been some disturbance in the order of things and we need to somehow restore an equilibrium which would amount to kind of doing justice. But what restorative justice does is raise some really interesting questions, within that conversation, about what will be needed to restore an equilibrium. The kind of things that we need to do are very different than in other conceptions of justice. So, I think you know restorative justice has a distinctive way of thinking about justice in all sorts of ways” (Interview 6).

By prioritising the reparation of harm, rather than the provision of punishment, restorative justice does justice in a different way in comparison to common criminal justice approaches. A traditional criminal justice perspective views one person wronging another as causing a sense of injustice to develop. From this perspective, justice can only be restored following a crime if the offender experiences pain through punishment (Johnstone and Van Ness 2011). However, reparative focused restorative justice suggests that justice can be restored if the harm caused by an offence is repaired (Johnstone and Van Ness 2011). Dealing with injustice through reparation of harm means that “exacting a just measure of pain from offenders”, as would be the approach in traditional criminal justice, is not necessary (Strang and Sherman 2003: 15).

The focus of restorative justice on repairing harm caused by crime, and the way that differentiates it from common criminal justice processes, was a perspective evidenced in undergraduate criminology modules focusing on restorative justice. For example, one focused restorative justice module handbook introduction explained:

“Restorative justice is a distinctive approach that aims to repair the harm caused by offending behaviour by seeking to include people with a direct stake in what has occurred (offender, victims, close family or friends), rather than through the formal bureaucratic process, in finding a solution to benefit all” (Module Handbook D).

In this description of restorative justice, the fact that it is concerned with the repairing of harm caused by offending is directly contrasted with the “formal bureaucratic process” of the mainstream CJS (Module Handbook D). Another important element of repairing harm, and thus restorative justice, evidenced in the passage above is the need for communication among conflict stakeholders to enable restorative reparation. Similarly, one leader of a focused restorative justice module explained the importance of communication between stakeholders to enable harm to be repaired:

“But you know, it’s about involving everybody within a harmful event in finding ways to overcome the harm that’s been created. And in doing so, helping victims to become survivors... I know there is some contention over the concept there, but you know it’s useful in its broadest sense. Helping victims to become survivors, help communities to strengthen themselves and become involved in the lives of the people that live within those communities, and help offenders to understand the consequences of their actions and ultimately to find ways not to undertake those harmful behaviours in the future” (Interview 7).

This quote, along with the other evidence above, shows the importance of repairing harm to knowledge of restorative justice in undergraduate criminology. Arguably, repairing harm is seen as central to restorative justice because it is a clear way that the practice differs from traditional approaches to criminal justice. Indeed, repairing harm is widely recognised as key to restorative justice by academics and practitioners in the field and is therefore a relevant idea to be considered by criminology students studying the topic (Strang and Sherman 2003; Bazemore and Walgrave 1999; Walgrave 2000; Zehr 1990). Yet, arguably the fact that restorative justice, in UCD programmes and in criminological knowledge production, is positioned as alternative, provides a further justification to focus on repairing harm. By suggesting that crime causes various forms of harm for all involved in a criminal incident, and the importance of repairing such harm, arguably highlights to students that the full impacts of crime are not always considered in traditional criminal justice processes. Thus, connecting strongly with the development of knowledge that restorative justice offers a different way of thinking and delivering justice. The pedagogic role of restorative justice in supporting criminology students to think differently about crime, its stakeholders, and repairing harm is explored more extensively in Chapter 7.

Participation

Participation was viewed as another central element of restorative justice within undergraduate criminology in England and Wales. In some instances, participation linked directly with the importance of repairing harm to restorative justice. For example, one student from a focused restorative justice module explained the importance of equal participation of conflict stakeholders to overcome harm caused by crime:

“The idea that it’s not labelling someone as a victim or an offender, more like the harmed and the harmer, because sometimes offenders can be victims themselves,

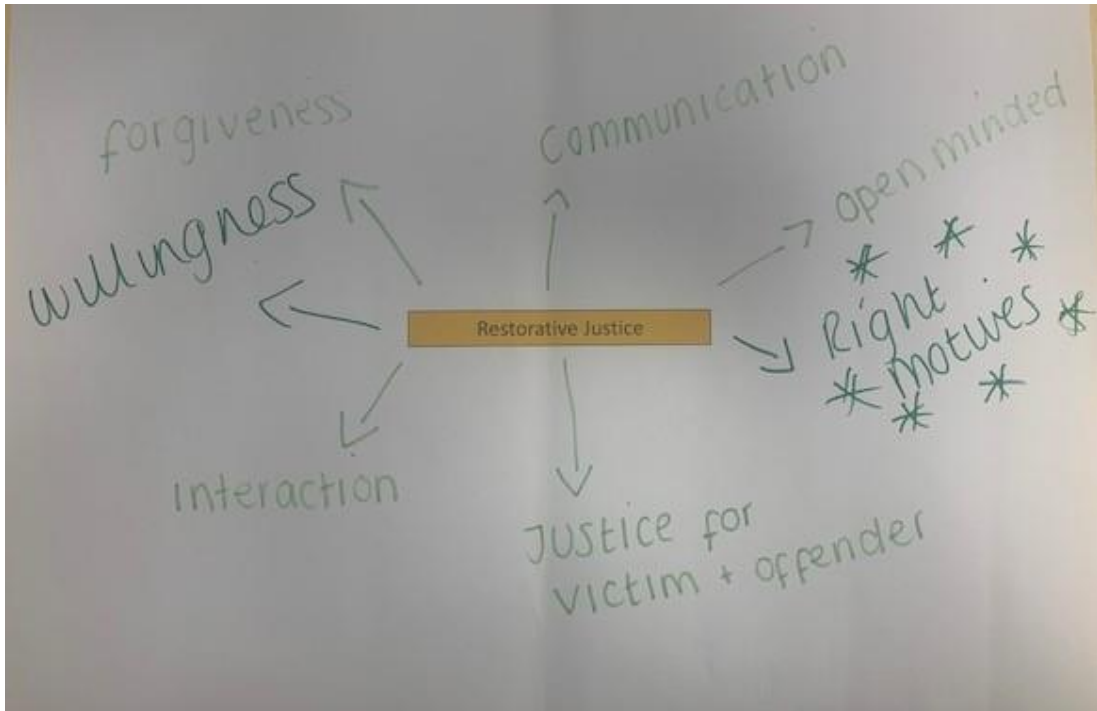
which I hadn't thought of before so that's like a really important area. So, like the harmed and harmer come together to resolve the harm that's happened." (Participant 2, FG 1)

However, others highlighted that participation itself was a key characteristic of restorative justice and it did not necessarily need to be connected to repairing harm. For example, one leader of a focused restorative justice module explained:

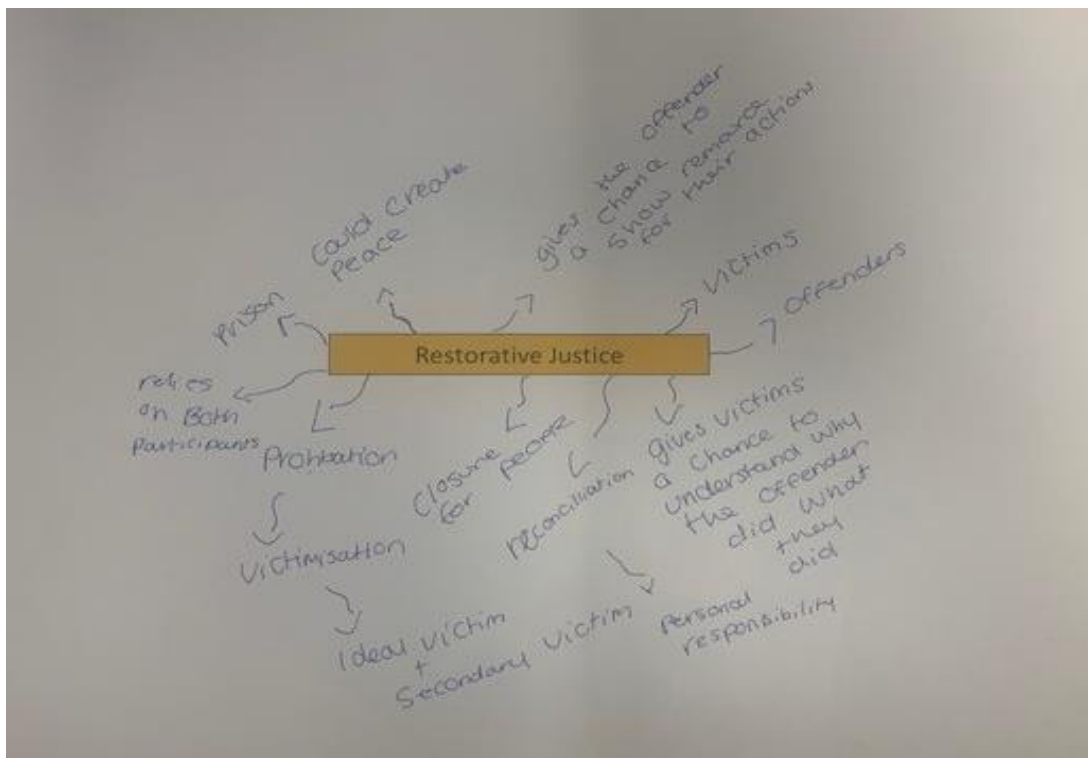
"I'm very much aware of the intention at the very heart of restorative justice, it being participating in process and values. Here, participate, make your own decisions - however it has to be within a certain... comply with particular values, it's a conflict and it's a big problem. At the same time, it's very interesting, so I think I side with those who prioritise the value of participation and norm-clarification rather than those saying it needs to be reparative, it needs to be reconciliation, forgiveness" (Interview 5).

The latter perspective suggests that while participation is important to the repairing of harm within restorative justice, participation alone is a fundamental element of restorative justice. Arguably, restorative justice is a form of participatory justice through which those who are impacted by a criminal incident can be involved in the justice process (Christie 1977; Zernova 2016). The level of participation, from stakeholders directly affected by conflict, which restorative justice enables, is significant in comparison to state-authorised, professionalised, criminal justice processes which steal conflict, and its outcomes, from those who it actually impacts (Christie 1977). Thus, participation was largely viewed as a central element of restorative justice whether it be in relation to repairing harm or not.

Those who were most prominently identified as participating in restorative justice practices were the victims and offenders of a crime. Some students suggested that restorative justice 'relies on both parties' and that 'interaction', and 'justice for victim and offender' was important to the practice as shown in the examples of students' restorative justice concept maps:



(RJ Concept Map – Participant 1, FG 2)



(RJ Concept Map – Participant 1, FG 3)

Similarly, some students highlighting that victims and offenders physically participating in a restorative encounter was key to restorative justice as it helped the victim understand from the offender on a personal level why a crime was committed against them:

“If you’re a victim of a crime, you look at the person who has caused that crime as a monster because you know the effect, they have had on you. So, I think if you’re sat face to face, I think if you have... if you talk to them it gives you a lot of peace of mind mentally yourself. And that can give you reassurance to think, it wasn’t personal, it was either down to him trying to fund a drugs habit or the crime wasn’t committed against myself personally, I think.” (Participant 5, FG 3)

Another student, from a different focus group, explained why they felt that participation of both the victim and offender involved in a crime was important to restorative justice:

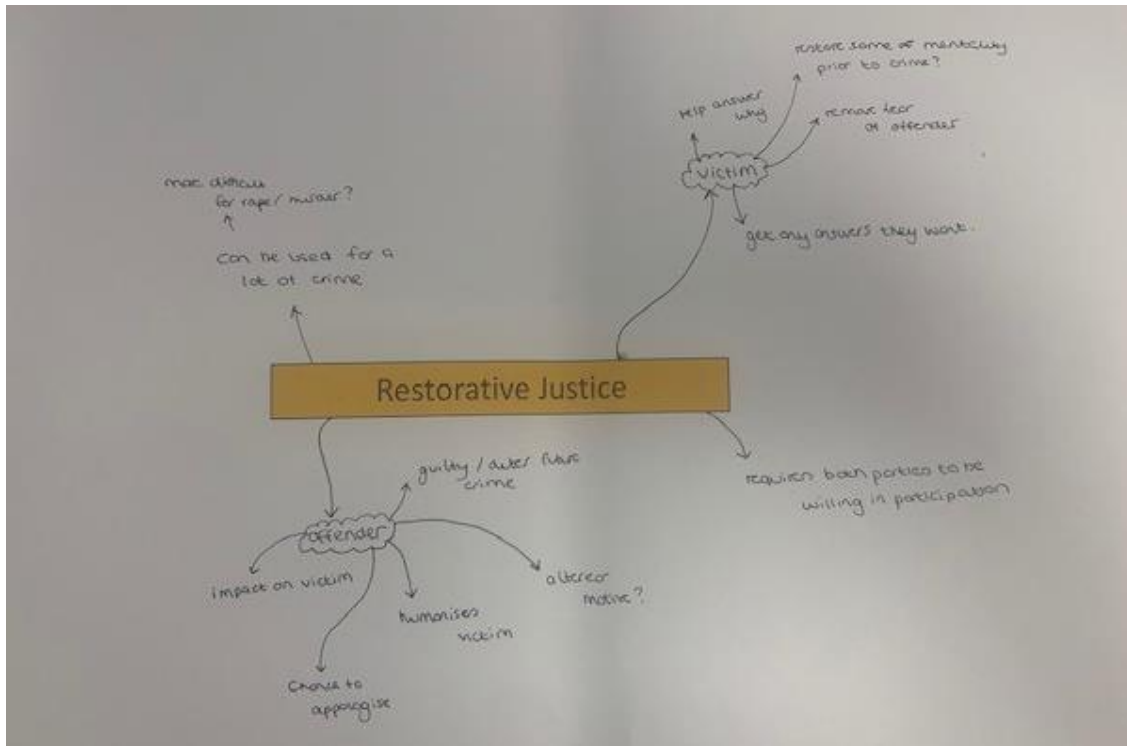
“Willingness, I think that both parties have to be willing to engage with it, properly engage with it. They both need to interact, communicate, and participate. [...] also, both parties need to go in and be open-minded to whatever can happen when they participate. I don’t think one person can go in and say I’m expecting this, this and this from the process, because if you do, I don’t think you’re going to get it and you’re going to come off worse than when you first went into it.” (Participant 1, FG 2)

Most students and some staff spoke about the importance of participation between the victim and offender. However, some did also highlight that restorative justice practices should not only involve the victims and offenders of a criminal incident but also include communities to ensure “*everyone within a harmful event [is involved] in finding ways to overcome the harm that’s been created*” (Interview 7). This restorative justice module leader argued that involving communities as well as individual victims and offenders in restorative justice processes and/or outcomes would “*help communities to strengthen themselves and become involved in the lives of the people that live within those communities*” (Interview 7).

An issue which often arose when discussing participation was that all parties involved in restorative justice must consent to taking part. One student from a focused restorative justice module highlighted that attempts to include individuals in a restorative justice process without consent from all involved would negatively impact the process:

“Restorative justice relies on both parties being willing participants in the process. You can’t just go to an offender you are going to have to meet this victim if they don’t want to, because it’s not going to work, so it relies on both the offender and the victim being willing to, being open to it.” (Participant 1, FG 3)

Willingness to participate was highlighted as important to restorative justice in some student concept maps, for example:



(RJ Concept Map – Participant 2, FG 3)

Similarly, a focused restorative justice module leader felt that the ability to choose to be involved in a restorative justice process was central to the concept and their interest in it:

“That really, I think, led me to being interested in restorative justice, which is a... which shares with victims in criminal justice the idea that people should decide for themselves. People - it doesn't matter if they're victims or offenders - should really be able to decide for themselves within the constraints of law if they want to participate.”

(Interview 4)

Consensual participation was understood as being central to restorative justice from the perspective of criminology academics and students who participated in this project. The importance of participant consent within restorative processes links directly to the restorative values of “respect, inclusion, and non-domination” which enable participants to feel empowered to take part in such processes (Pranis 2011: 67). As restorative justice is understood as a deeply relational form of justice, it is central to restorative justice processes that those involved engage voluntarily rather than through coercion to enable meaningful

discussions and relationship re/building to take place (Zion 1998; Johnstone 2011; Pranis 2011).

Like the notion of repairing harm, participation of conflict stakeholders in the justice process opposes common understandings of the way justice is usually delivered in the traditional CJS. Arguably, encouraging students, within restorative justice modules, to consider individuals involved in a crime meeting each other and discussing the conflict presents a new way of thinking about what justice is. Thus, developing knowledge about restorative justice as a participatory justice method highlights how it differs from the current CJS. In doing so, this both adds to and further establishes restorative justice as an alternative justice paradigm within undergraduate criminology.

Communication

Communication was another central element of restorative justice identified by criminology academics and students as well as in the module materials analysed. Communication was, understandably, associated with other elements of restorative justice which were perceived as important such as repairing harm and participation. Yet communication was also viewed as a key component of restorative justice in and of itself. For example, one focused restorative justice module leader asserted that communication was the most important element of restorative justice:

“Connection, you know communication... I think that if that isn't your starting point then you're going wrong somewhere and I think that some people are so wrapped up in the process of it [restorative justice], that they miss the diversity of application that it can have” (Interview 2).

The notion of bringing the stakeholders of a harmful event into communication is widely regarded as a core element of restorative justice (Paul and Borton 2017; Johnstone and Van Ness 2011; Gavrielides 2005; Shapland *et al.* 2006; Marshall 1999). However, as highlighted by this restorative justice academic, often exacting procedural dynamics of restorative justice events can take precedence over enabling restorative justice dialogues in a greater range of contexts (Johnstone and Van Ness 2007). Some restorative justice proponents argue that it should only be applied in its purest sense, with the victim and offender meeting, in person, to discuss the crime that has taken place and how best to move forward (McCold 2000: 401; Robinson 2003; Christie 1977; Johnstone and Van Ness 2007). This purist perspective of restorative justice is process orientated and focuses on face-to-face encounters between

victims and offenders to enable meaningful involvement in the communication process following a criminal event (Marshall 1999; Armour and Umbreit 2006). However, other restorative justice advocates argue that this can limit the use of restorative justice, suggesting that communication and other restorative justice principles can enable restorative outcomes (Bazemore and Walgrave 1999; Walgrave 2000). Resultantly, communication between victims and offenders can be enabled in a range of forms and contexts (Raye and Roberts 2007).

Another lecturer from a focused restorative justice module similarly highlighted that dialogue between stakeholders of an offence was a fundamental component of restorative justice, but suggested that it did not necessarily need to involve an in-person meeting:

“So, something that involves encounters between victims and offenders, yes, that is important. But you know people have said this is what restorative justice is and all the questions stem from that. I do think that’s an important part, but I don’t think it’s always as rigid as physical encounters, the idea of an encounter and a dialogue between people involved in a conflict or trying to respond to, you know, harm, I think that is a very important element of restorative justice. So, a kind of central element” (Interview 6).

While there was some indication of the complexities regarding forms of communication and the meaning of an encounter and dialogue, the main perspective was that communication, regardless of the form it took, was key to restorative justice.

Restorative justice enabling communication through speaking and “*having to listen to people*” (Participant 2, Focus Group 1) was viewed by students as crucial in supporting positive outcomes of restorative justice. Indeed, another student from a different focus group explained that communication was one of the most important elements of restorative justice because it allowed those involved in a crime to “*express themselves*” and “*understand*” (Participant 2, FG 2). They stated:

“So, I also think communication as well, the police, using cases where the victim is angry, so if the victim needs to vent, and they just need to express themselves to why they’re hurt. Because otherwise, it’s all well if they have to sit there with their anger bottled up listening to the offender, it just makes them angrier, so they need to be able to vent and I think... yeah. And it’s good at helping the offender rehabilitate, because they’re able to see that their action does have consequences, they’re able to put it in to

actual thing, this is what they've done, this is the impact, and from that they can try and understand how they can change their behaviour" (Participant 2, FG 2).

Similarly, in another focus group, students discussed the importance of communication to restorative justice because it helps those involved in the practice to understand the perspectives of others:

P6: "Talking about what's happened is a big part I think."

P4: "Yeah, like understanding it through the offender's eyes, you sit there and discuss, and you can see why they've committed that crime to try and understand why you were that victim as such."

P1: "I think as well, it kind of mitigates... you know like the victims; they don't feel as scared about it if they've sat down and talked to the offender about what's happened."

(FG 3)

The importance of communication to restorative justice practices is clearly viewed by students as fundamental to both the victim and offender as they move on from a criminal incident. While the student quotes above do not directly differentiate communication during restorative justice practices for traditional criminal justice processes, the importance of conflict stakeholders getting to express their feelings and perspectives to each other distinctly resonates with students. Arguably, understanding restorative justice as a practice which enables communication indicates to students that communication is not normally prioritised to the same extent in criminal justice. Therefore, developing knowledge about restorative dialogue within restorative justice modules encourages students to see how the practice provides a different justice approach.

The creation or rebuilding of relationships was deemed, by some criminology students and academics, as an important result of communication within restorative justice events. For example, when asked what, from their perspective, were the most important aspects of restorative justice, one academic who specialised in the field simply said: "*Relationships*" (Interview 2). Another academic from a different UCD programme explained that when teaching restorative justice, they used examples of real cases where restorative justice had been applied so that: "*They [students] can see the kind of application repairing relationships and what that might mean to communities for instance in practice*" (Interview 1). One

criminology student explained that communication was important to restorative justice because:

“Getting to talk about the issues and personal experience [through restorative justice] helps rebuild relationships or not even rebuild but start to build a relationship that’s not even there.” (Participant 1, FG 1)

Another student highlighted that relationships were a key part of restorative justice in their concept map and suggested that restorative justice was ‘good to use in everyday life’ because it enabled relationships:



(RJ Concept Map – Participant 2, FG 1)

Repairing the relational damage caused through crime is commonly viewed as central to restorative justice (Johnstone 2011). Although restoring material harm or losses experienced through crime is viewed as an effective and relevant outcome of restorative justice, arguably this undermines the physiological and emotional damage which the victim has suffered (Braithwaite 1999). As Baker states, “many victims feel insulted by the assumption that money can put right the whole wrong which they have suffered” (1994: 73). By providing a situation in which a victim and offender are both viewed as individuals with rights and independence, they are able to discuss the harm which has been caused and repair the relationship breakdown which has occurred between them as human beings, whether they

previously knew each other or not (Gavrielides 2005). The importance of relationship re/building, while relevant to most perspectives of restorative justice, is most prominently associated with the transformative conception of restorative justice (Sullivan and Tifft 2001). Relationship-focused restorative justice encourages individuals to understand their experiences through the social bonds and connection which they have with others, meaning that when wrongdoing occurs, the most important action is to re/build the relationship which has been broken (Burnside and Baker 1994; Sullivan, Tifft, and Cortella 1998; Gavrielides 2005).

So far, this section has shown that most commonly restorative justice was presented to criminology students via module materials and academics as being a concept made up of central elements. Resultantly, knowledge developed by students about what constitutes restorative justice focused on the key elements of repairing harm, participation, and communication. Given that the majority of academics interviewed were restorative justice experts, it is likely that many held a vast amount of knowledge on restorative justice beyond these central elements. However, interestingly, during interviews few academics discussed the varying theoretical perspectives of restorative justice or the different models which are used in practice. This perhaps suggests that because the main topic of interviews was the restorative justice module which each academic designed and/or taught, they were discussing restorative justice in terms of how it would be explored in the module, namely via its central elements. Nevertheless, information collected from both academics and students shows that knowledge of restorative justice developing within undergraduate criminology focused on the concept's central elements. Arguably, this corresponds to the broader position of restorative justice as an alternative justice paradigm, and alternative topic, within undergraduate criminology as discussed earlier in this chapter and in Chapter 5. The alternative character of restorative justice arguably causes knowledge of the topic to focus on the ways it differs from dominant criminal justice processes and thus its central elements.

The propensity to differentiate restorative justice from the traditional CJS by focusing on its central elements evidently impacted knowledges of restorative justice which were produced in undergraduate criminology. However, another factor found to impact knowledge production was the limited time available within UCD programmes to explore restorative justice. The remainder of this section considers knowledges of restorative justice which were largely excluded from undergraduate criminology. It is argued that marginalisation of

restorative justice in UCD programmes, as established in Chapter 5, alongside the alternative character of the concept, resulted in knowledges of restorative justice to be excluded.

Excluded knowledges of restorative justice

Knowledge of the various theories and models of restorative justice were largely missing within undergraduate criminology. In comparison to the central elements of restorative justice which differ from dominant criminal justice practice, theories and models of restorative justice were only highlighted generally by some academics. For example, one academic explained that in the module they led: *“we speak about the theory, so that kind of ideas about treating people properly, taking rights, human rights and those kind of things into account”* (Interview 1). Another academic explained that they did include consideration of restorative justice theories and models of its application after introducing students to the idea of victims and offenders engaging and communicating after an incident:

“The first activity I do with them is, um, you know think of, in essence the restorative question so to the offenders’ side and the victim side. And so that's how I introduced them in terms of thinking about two different... I guess parties, to any event but also the fact that offenders...this kind of misconception that offenders don't understand what they've done wrong and that they are just, yeah fine with everything. So, you know that's always kind of the starting point and we move around talking about the definitions, different theories, processes... before moving into application so, you know, what are the different models of implementation... what does that look like, where are the case studies, what are the common debates in the field...” (Interview 2).

Similarly, another academic explained that they designed their restorative justice module to allow exploration of various areas within the field:

“The way I see it [the restorative justice module] is focusing it around ideas and principles first so, you know, I did a lot about where restorative justice as an idea actually came from, what its intellectual foundations were and also what its kind of roots were in other social movements. So, I didn’t turn to practices until I was trying to situate restorative justice. So, yeah, then looked at the kind of root of restorative justice in the kind of 1970s in the movement of alternative neighbourhood courts, the whole community, grass roots movements so it was trying to locate where it came from. Then looked at some of the classic texts which have kind of provided intellectual momentum to restorative justice as it developed as a movement, so,

looking at some of Braithwaite, Christie, and so on. And then started looking at contemporary applications and practices, so, explaining the nature of restorative practices and also the kind of context in which they were being employed. So, within that I also looked at, I didn't have a section at the end on critical perspectives, rather it was along the whole way like" (Interview 6).

The quotes above provide examples of the common ways restorative justice modules included theory and consideration of models. However, beyond these quotes above, few academics mentioned specific theories or ways restorative justice could be applied.

Notably, the only theorist who was mentioned several times in both interviews and focus groups was Nils Christie. Many academics suggested that Christie's article 'Conflicts as Property' was central to their understanding and teaching on restorative justice. For example, one criminology academic stated:

"I'm very much inspired by Christie, big fan of his writings, and his idea of non-clarification for me this is the fundamental aspect of restorative justice, the most valuable, that restorative justice can offer us. I'm very much aware of the intention at the very heart of restorative justice, it being participating in process and values. Here, participate, make your own decisions - however it has to be within a certain... comply with particular values, it's a conflict and it's a big problem. [...] In his paper 'Conflicts as Property' he says somewhere towards the end, maybe it's not answers we need but questions. So, that's what I say to students, ask questions, think critically, don't just take for granted what you read, think" (Interview 5).

Similarly, another criminology academic explained that key to the restorative justice module was students engaging with Christie's work:

"I always start with Christie's 'Conflicts as Property' to get them to understand that the subtle thefts are taking place but that it's not just a basic understanding of it as in you know the criminal justice system takes over, actually we give it away because it's easier" (Interview 2).

Christie being the only theorist mentioned by academics is interesting because it reaffirms that a critical and/or alternative perspective to common criminal justice is being taken in restorative justice modules. Indeed, as was discussed in Chapters 2 and 3, Christie (1977) problematised not only the CJS but also the discipline of criminology. Further, the limited

discussion of restorative justice models, theories, or theorists within interviews suggests that the exploration of such was not the principal purpose of restorative justice modules.

Criminology students also rarely discussed restorative justice models, theories, or theorists within focus groups. One student stated: “*I think we did some of theory and processes and stuff, but I don’t remember much*” (Participant 1, FG 1). Another student, from a different focus group, explained that they did not think the theories they read about were realistic:

“I think theory and stuff as well, when you learn about all the different theories you start to think... Like you’ll read stuff or see stuff and you think, is that actually what it is though? I think that’s just from being more questioning like a lot of the theories didn’t make sense or seem like it’s how it would actually work” (Participant 5, FG3).

Only one student mentioned a specific restorative justice theorist by name. Like some academics, this student talked about Christie’s ‘Conflicts as Property’ when considering the impact the restorative justice module had on them. They stated:

“Although I think it [the restorative justice module] has been definitely useful as a student, one of the readings – I think it was a Christie reading – said that specialists are getting everywhere. And I thought, well if I’m studying it and I’m getting trained to know these things, am I becoming a specialist? That was just something a bit clashy in my head. Although he said, these are taking over people’s conflicts, that sort of thing, then I’m still learning, I’m still being trained, and if I go on will I be a specialist, will I be counterproductive in it? It was quite difficult to click that in my head” (Participant 2, FG 1).

These quotes from students arguably show that although restorative justice theory was included in some modules, their knowledge of this area of the field was limited. Further, the latter quote suggests that the employability agenda currently infused throughout the higher education sector in England and Wales is positioning a UCD as a form of training for a specific career rather than a venture of intellectual and personal exploration and transformation (Barton *et al.* 2010; Freire 1970; Pucci 2015; Davis 1998; hooks 1994).

Several students suggested that they found it difficult to understand restorative justice theories and models. For example, students highlighted that they did cover different applications of restorative justice within the module but that it was confusing because there were so many variations:

P2: “I think [Name of Lecturer] started talking about the different kinds of restorative justice, like the heavier, the mediation but then I got a bit lost, because she threw so many different ones at us it was a lot to keep up with...”

P1: “Yeah, the module, it was a bit confusing.”

P2: “It could be a bit too much, information overload sometimes couldn’t it? Like what am I supposed to think? How can I remember all this stuff?”

(FG 2)

This discussion between students in one focus group highlights that restorative justice is a complex concept that requires time and effort for students to become familiar with. It also suggests that the approach to teaching restorative justice in this module did not successfully support students to develop knowledge of the concepts complexities. Further, it evidences the negative impact of restorative justice only being substantively included in one module of a degree programme. As these students had not encountered restorative justice in their UCD programme prior to studying the focused module which they discussed, it was understandably challenging to develop thorough knowledge of the topic in one module.

Indeed, a common reason as to why students felt they did not fully understand this aspect of the respective restorative justice module was because of the short time frame they had to learn about it. For example, one student explained that they found it difficult to remember the different models and theoretical perspectives of restorative justice, they suggested it would have been better if the module was longer. They stated:

“I think the only thing that I didn’t get, the different approaches to RJ, so there was a process-based approach, outcome-based approach, I think there were four altogether, I can’t remember what they are; it was hard for me to get my head around them, and that’s how I messed up in the exam, I literally explained both of them – we had the process based and outcome based and I explained both of them but I had done them the wrong way round so I didn’t get any marks for it, even though I technically knew what I was talking about but I’d just got them mixed up. I think if it had been a two-year module, by the end of it I’d be like, yes this is the process of this, this is the process for that, but like I said there was so much content to it, it was so hard to remember every single thing, to try and pull it from the back of your brain to answer that question. I think if it was split over the two semesters, so the first semester could

be the essay submitted online and the second semester could be the exam, I think that would have been better” (Participant 1, FG 1).

This quote indicates that the marginalisation of restorative justice in UCD programmes caused difficulties for students who studied a focused restorative justice module at a later point in their degree. This quote, as well as the previous one, furthers the notion that restorative justice is a complex concept discussed in Chapter 5. This suggests that restorative justice is a difficult topic to fully understand unless students are familiar with it prior to taking a focused restorative justice module.

Most students highlighted that prior to the respective focused restorative justice module they had studied, they had rarely heard about the concept within the UCD programme. In most cases restorative justice had been included or mentioned during a module about another topic. For example, one student explained that restorative justice was first mentioned in a module about a larger topic in the first year of their degree:

“I heard about it first in year one and it was [name of lecturer] module and I think it was called Criminal Justice, and it was one of the essay questions for the assessment. So, you had to write a 2000-word essay on restorative justice and explain the pros and the cons and what methods they used and how effective it was, you had to use statistics and stuff. And I chose to do that question. So, that’s how I first heard about restorative justice.” (Participant 6, FG 3)

Similarly, another student explained only hearing about restorative justice briefly before they studied on the focused module in Year 3 of their degree:

“I think in first year [Name of Lecturer] had taught a different module and each week we went over something different, and I remember her briefly mentioning it in a lecture – I don’t know if we had a lecture on it or she briefly mentioned it in a lecture – but it didn’t really grab me then, it just went over my head.” (Participant 2, FG 1)

In a different focus group, students discussed not knowing much about restorative justice prior to studying it as part of a focused module on the topic. They suggested that it would have been helpful to know more about the concept earlier in their degree:

P1: “I think they touched on it before but not much...”

P2: “Briefly, yeah...”

P1: “They didn’t really explain it but more assumed that we knew what it meant. It was only in this module that we understood what it meant.”

P2: “Yeah, we touched upon it in other modules but until this one, that’s when we really delved into it, and we’re taught this is actually what it is, this is what it means, before it was just kind of said and, like you say, it was assumed we knew what it meant but I didn’t. And in lectures sometimes you’re a bit afraid to say, yeah excuse me what does that mean? So, everyone sort of lets it go and then it’s never really explained properly.”

(FG 2)

These quotes show that although restorative justice was sometimes included as part of other modules earlier in their degree in an unfocused way, it was not covered substantially outside of the focused restorative justice module they studied. This finding suggests that focused restorative justice modules tended to concentrate on the central elements of the concept because students did not have sufficient prior knowledge of the concept to enable exploration of complex theoretical perspectives. Therefore, the marginalisation of restorative justice in criminology curricula inhibits the inclusion and development of thorough knowledges of the concept.

This section has shown that knowledge of restorative justice in undergraduate criminology focused on the concept’s central elements. This finding, considered alongside the overarching knowledge of restorative justice as an alternative justice paradigm discussed earlier in Section 6.2, suggests that the concept was understood by how it differed from traditional criminal justice process. Indeed, knowledge of restorative justice focusing on repairing harm, communication, and participation differentiate it directly from the dominant CJS. This is important as it evidences how the alternative and critical position of restorative justice in criminology influenced the way in which the concept was known and understood within curricula and among academics and students. The findings discussed in this section also indicate that the marginalisation of restorative justice in curricula influenced the knowledge production of restorative justice. While some modules did include consideration of the key theoretical perspectives of restorative justice and models of its application, students found this aspect of modules difficult to understand. The limited consideration and knowledge of these aspects of restorative justice literature indicate that there was not space within modules to include such complex knowledge development. This finding is consistent with data

presented in Chapter 5 showing that restorative justice was rarely included across UCD programmes and was mostly included in an unfocused way. This section has evidenced that because restorative justice is marginalised within UCD programmes, students do not have sufficient opportunity to develop knowledge regarding the topic's complex models of application or theoretical perspectives.

So far, this chapter has examined the knowledges of restorative justice which existed in undergraduate criminology. It has established that the predominantly restorative justice knowledge was produced regarding it as an alternative justice paradigm and the central elements of the concept. This chapter now moves to consider understandings in relation to the practical application of restorative justice.

6.4 Applying restorative justice in the CJS and beyond

Knowledge of restorative justice in undergraduate criminology existed regarding how the concept was applied in practice. While primarily restorative justice was understood as a practice used to deal with criminal conflict, considerable knowledge also existed regarding its application in non-criminal justice settings. This section begins by examining the extent of awareness in relation to restorative justice and its application among criminology students and academics. Then, knowledge of restorative justice application in both criminal justice and community settings are examined in turn. This section puts forth that the focus on developing knowledge regarding the practical application of restorative justice within modules was largely due to academics being eager to prove that it was a real practice being applied in the real world. Producing knowledge on the practical application of restorative justice was arguably a way to evidence that the practice is real and to overcome misconceptions about its use. Furthermore, this section considers that developing knowledge of practical applications of restorative justice, particularly in settings beyond criminal justice, was also informed by increased focus on graduate outcomes and employability across higher education in England and Wales.

Awareness of restorative justice and its application

Prior to studying on a restorative justice module as part of their criminology degree, most students had not heard of restorative justice. For example, one third-year student who had studied on a focused module stated:

“I don’t think I knew about it [restorative justice] before doing the module. Like if you’d asked me what’s restorative justice I’d have said, I’ve no idea. I’d assume it was something to do with prisons but I never – the areas that have used it like schools, education, I literally never would have known anything about it. Definitely just know about restorative justice through the module” (Participant 1, FG 1).

Similarly, another criminology student who had taken a focused restorative justice module as part of their degree explained:

“I didn’t really know what it [restorative justice] was until I came to uni. I’d never heard of it before I came to uni, I was just under the understanding that the criminal justice system was very punitively centred. You either got a slap on the wrist and a fine, or you went to jail. So, when I learned about restorative justice, I was surprised because I hadn’t heard about it before” (Participant 6, FG 3).

While restorative justice is used within criminal justice systems internationally, it does not mean that students will be familiar with the practice (Stroup 2019; Smith-Cunnien and Parilla 2001). Indeed, lack of awareness and understanding among members of the public in England and Wales was identified by the CJI in 2012 as being a key limitation to the development and ‘embedding’ of restorative justice in the CJS (CJI 2012; Ministry of Justice 2012). Improving awareness and understanding of restorative justice among members of the public, and criminal justice practitioners, in England and Wales was set, in the most recent Restorative Justice Action Plan for the Criminal Justice System, as a key area of focus to enable the development of restorative justice (Ministry of Justice 2014a: 4). Smith-Cunnien and Parilla argue that an essential justification for including restorative justice meaningfully in criminology and/or criminal justice degree programmes is due to its “growing prominence” within criminal justice practices (2001: 391).

However, a small number of students were aware of restorative justice due to experiences and interactions they had outside of the university context. For example, two focus group participants explained that they had heard of restorative justice before completing their criminology degree but were not sure what it was:

RS: “When was the first time that you heard about restorative justice?”

P1: “Interesting. I used to do some stuff with police cadets, but probably the first time was then but I didn’t really understand what it meant. So probably then I heard it, and

I was, oh what does that mean? And then probably when we started the degree that is when I really started to understand what it is and what it means, for both sides.”

P2: “Well, my dad is a magistrate so, growing up he’s always talked about his cases. Like you, I never quite understood what he meant when he said we need to give them some restorative justice, it just flew over my head. It wasn’t until this restorative justice module last year that we kind of learned more about it.”

(FG 2)

Regardless of the extent to which students were aware of restorative justice prior to starting their criminology degree, all expressed that studying on their respective restorative justice modules had made them aware of the “*different places and ways it [restorative justice] could be used*” which they “*didn’t know about before the module*” (Participant 4, FG 3). Stroup (2019) highlights that, due to the predominantly retributive and individualistic society which criminology students have grown up and been socialised within, it is unrealistic to expect them to have deeply considered restorative justice and practices prior to studying these areas during their degree. Arguably, it is important to equip criminology students with understandings of restorative justice to support their career and personal progression (Britto and Reimund 2013; Deckert and Wood 2013), as well as to equip students with the skills and knowledge required to act against harmful and retributive justice practices in their futures beyond university (Stroup 2019).

Most criminology academics who took part in this project led focused restorative justice modules and thus, were extensively aware of restorative justice and its applications within criminal justice settings and beyond. However, criminology academics who taught on and/or led unfocused restorative justice modules held some understandings of restorative justice generally but did not have an extensive awareness of restorative justice and its application. Academics responsible for unfocused restorative justice modules confessed that they did not hold an extensive awareness of the concept practically, at times openly expressing, for example, that “*I’m now reaching the boundaries of my knowledge*” (Interview 8), or “*that may be wrong, as I say this is not my area of expertise*” (Interview 10). Rather than discussing restorative justice applications in specific settings, academics who taught unfocused restorative justice modules mainly discussed the concept in terms of how it offered a different approach to common criminal justice methods. For example, one leader of an unfocused restorative justice module explained:

“Erm in terms of my research interests specifically I’m not interested in restorative justice. However, I am a sort of cultural critical criminologist, I like to think of myself as being opposed to the current dominant criminal justice system and a lot of the sort of harms that it produces. And therefore, you know I think of myself as a prison abolitionist... erm I think a lot of what the police are involved in, a lot of the practices that police are involved with do more harm than good. So restorative justice is something that is sort of naturally aligned with my sort of criminological world view if you like” (Interview 9).

Academics for which restorative justice was not their main research focus, understandably, did not have a thorough understanding of the concept practically. Rather, their awareness of restorative justice often involved its position as being different to dominant, retributive, justice, corresponding with the predominant perspective in undergraduate criminology curricula that restorative justice is an alternative paradigm of justice (as discussed in Section 6.2 of this chapter).

All lecturers responsible for unfocused restorative justice modules expressed that restorative justice was detached from the CJS. For example, one academic viewed restorative justice as being “*driven onto the side-lines of criminal justice*” (Interview 10) and another academic referred, on several occasions, to restorative justice as an “*outlier*” to the CJS (Interview 9). Similarly, a lecturer who led an unfocused restorative justice module suggested that restorative justice does not link easily to any one criminal justice institution:

“Right, but I worked at [name of university] for a few years and they are very criminal justice-y like there's a whole module, core module, just on police. And another one on all criminal justice systems and criminal justice institutions. Then there's another one on like prisons, so they really specialise in thinking about those sorts of institutions. So, within that framework restorative justice doesn't have an institution in the same sense, right. So, if you structure your degree according to institutions that works in a different way. And I think where we are, because our degree is sociological... where does it fit within sociology coz it doesn't connect obviously to a lot of the core sociological things” (Interview 8).

This quote re-emphasises the position of restorative justice as an alternative and specialist criminological area, as discussed in Chapter 5. However, it also highlights that there is a lack of in-depth awareness among criminology academics for whom restorative justice is not their

main research area, of the real-world application of restorative justice across criminal justice systems (Johnstone and Van Ness 2007). The lack of knowledge of restorative justice among academics who did not specialise in it, and criminology students prior to studying the topic, suggests why many academics who led focused restorative justice modules were eager to prove it was a real practice.

Criminology academics, particularly those who led and/or designed focused modules, indicated that many students who studied their respective modules had not heard of restorative justice before. One academic highlighted that it was important to recognise “*that some of them [students] [...] have never heard what this [restorative justice] is*” (Interview 2). Another academic explained that they thought students’ awareness of restorative justice at the start of their focused module was “*mixed*” (Interview 3). An academic, who designed and led a different focused restorative justice module, explained that some students at the outset of their module were not familiar with restorative justice and had misconceptions about its application in practice. They stated:

“We do find that there are sometimes you know people coming with perspectives that are very much more on the punitive side of things. Particularly when talking about the use of RJ in certain crimes, you know, sex offences, child sex offences, domestic abuse, murder, in some places where it can be and is very contentious for some people. But we try to show in the module that restorative justice is used in these kinds of cases” (Interview 7).

The quotes above show that academics were aware that students were often unfamiliar with restorative justice prior to the module focusing on the topic which they studied. As indicated in the latter quote, and by several other academics, some students had a lack of awareness of how restorative justice was applied in practice and misconceptions about its use in cases of serious harm. This lack of awareness and the misconceptions which were held about restorative justice, it seems, encouraged academics to produce knowledge within modules about how to restorative justice was applied in the real world.

Many academics indicated that they were eager to develop students’ knowledge of restorative justice within modules to prove it was actually used in a range of contexts in the real world. For example, one academic stated: “*I think real-world examples are always kind of proof of concept really*” (Interview 8). Another academic explained:

“I do think bringing real-life things in brings it to life a bit. I get the students to have an awareness of restorative justice more widely, you know what it is conceptually and how and is really being used in real life” (Interview 3).

Encouraging students to engage with examples of how restorative justice was applied “*in a practical sense*” (Interview 1) was important to academics because, as one explained:

“One of the concerns of students is sometimes it's a soft option. So, it's all these liberals who want this kind of soft softly softly approach, but they're not seeing the kind of bigger picture of you know these people [offenders and victims] are in our communities at the end of the day and we want them in the best positioning in which we can support them and develop society. So, giving students a practical understanding of restorative justice can help them see that it can actually really help our society” (Interview 1).

Another academic highlighted the importance of exploring the real-world application of restorative justice in evidencing to students that it is applied in a range of settings and to overcome misconceptions about its use. They stated:

“I think one thing that's really important as well is to use the case studies alongside, for example when a student says aw restorative justice can't be used for that type of offence... oh well its very funny you should say that – here is a case study where restorative justice was used in relation to exactly that type offence, and its written in the words of the victim or the offender, not me” (Interview 2).

These perspectives from academics highlight that there was a common propensity within modules to encourage students to engage with the ways and contexts restorative justice was applied in practice. This finding suggests that academics were keen to prove restorative justice was not merely an abstract idea but was actually used in the real world. It also indicates that they wanted to overcome misconceptions about contexts in which restorative justice could be applied to “*open up students' horizons*” to its practical application and the valuable impact it could have on individuals and society (Interview 4). The concentration on developing practical understandings regarding the application of restorative justice is also interesting pedagogically in terms of overcoming the abstraction of criminological concepts. This is an important discussion which will be explored in Chapter 7. The remainder of this section will concentrate on examining the development of knowledge on the practical application of restorative justice.

Applying restorative justice in criminal justice settings

Most knowledge of restorative justice within criminal justice settings related to the severity of the crime it was applied to in practice. The extent to which it was appropriate to apply restorative justice in response to cases which involved ‘serious’ crimes was a key theme during discussions with criminology academics and students. Focus groups and interview discussions evidenced that crimes prominently regarded as ‘serious’ were offences such as murder and rape. Indeed, when considering the use of restorative justice and serious crimes with criminal justice students, Waltman-Spreha (2013) highlights crimes such as “homicide, sexual assault, physical assault resulting in serious bodily injury, and hate crimes and atrocity crimes/genocide” are considered to be serious crimes (2013: 93). One academic highlighted that developing students’ knowledge about the use of restorative justice in the context of serious crime was very important:

“Exactly, so it’s kind of shocking for students. So, we don’t start with shoplifting, we start with extremely serious crimes, and it invites them to think, okay yes, if it can be done in such serious cases, everything else should be easy” (Interview 5).

Another academic explained that exposing students to the practical application of restorative justice in a range of contexts internationally encouraged them to realise that it must be working for people around the world:

“I don’t tell people [students] about restorative justice at all, I’m like here is a practice let’s just look at what’s happening, let’s see what’s going on here. And I show them all sorts of videos of different conflict resolution processes around the world like... there is all these people and there is something in common between them, but they are very different, like I mean people in Colombia, people in Afghanistan, and people in Oakland California, and people in Sheffield like they are all doing very different things but all around the same concept. And just get them [Students] to see it happening and think about it” (Interview 6).

These quotes describing how and why academics open students up to a range of real-world examples of practice in different conflict contexts is in keeping with the findings discussed earlier in this section, further indicating that academics were eager to overcome misconceptions regarding the practical application of restorative justice among students.

These quotes show that important to this endeavour was using real examples of the use of restorative justice internationally and in response to various forms of conflict.

Some discussions between students in focus groups suggest that perspectives varied in terms of whether restorative justice would be appropriate for serious crimes:

P5: "I think it's important as well to do restorative justice – obviously not the serious crimes like murder and rape because I think it's alright sending someone to prison for doing a crime, but when you go to prison, I don't think you understand the impact that it's had. You probably just think, oh well..."

P2: "Yeah, there's no connection between you and them anymore, you've done the crime and you've been sent to prison. You probably wouldn't see that person ever again. So maybe it is good to do it with serious crimes so people can actually understand the impact..."

P1: "Is it not minimising things that are seen as minor crimes? Because that might not be minor to somebody else? Just because you don't go from one extreme to another, trauma is trauma isn't it? It's how you take it, even if it's a minor crime in the eyes of the law, that could have an impact on that person hugely."

(FG 3)

Concerns regarding the use of restorative justice in cases of 'serious crimes' rather than only in the case of 'low level' crimes are not new (Waltman-Spreha 2013). Despite the restorative justice movement gathering ever-increasing support internationally in recent decades, individuals commonly only view it to be appropriate to apply restorative justice in accordance with offences which are low level, and/or those committed by young or first-time offenders (Sharpe 1998; Waltman-Spreha 2013; Hudson 1998). This perception regarding the applicability of restorative justice in criminal justice settings is particularly common among university students studying criminal justice and criminology (Courtright 2005). Waltman-Spreha (2013) argues that, when facilitating learning regarding restorative justice with criminology and criminal justice students, it is important to unpack perspectives regarding the definitions of 'low level' and 'serious' offences to develop understandings of in what cases restorative justice can be applied. This discussion between students above indicates that by exploring examples of restorative justice being used in relation to various offences in practice they can consider why it might be applicable to serious as well as low level offences.

Therefore, the evidence that academics were keen to prove and discuss that restorative justice was being used in response to serious conflicts was effective in encouraging students to examine this aspect of the topic.

It was evident that following studying restorative justice during their criminology degree many students' perceptions about its use in response to serious offences had changed. For example, some students explained that, although prior to taking the focused restorative justice module they did not think that restorative justice was appropriate for serious crimes, they had realised during the module that it was applicable to all crimes:

P3: "Yeah, I think there was one article that she put up and I didn't think it would be beneficial in rape cases and things like that. But after I read that article, I do get how that would help. Does that make sense? It's that one article that she put up and I thought, you know what, you've actually changed my mind there, so yeah."

P1: "I assumed before it was only for like minor crimes, because when we'd done it last year I think, the videos we'd watched – well it was not minor – but someone had robbed someone's house, so for it to be put on physical crimes you think..."

P3: "It connected it, it's interpersonal. Although not everybody might agree with that, some people might find that helpful and cathartic to go through that process."

(FG3)

When modules specifically included exploration of the use of restorative justice in cases involving all forms of crime and examined why and how restorative justice could be beneficial to victims and offenders involved in 'serious' crimes, students were able to overcome their preconceptions, and misconceptions, about it only being appropriate in response to 'minor' offences (Waltman-Spreha 2013).

Academic staff highlighted that it was important to support students to think about the relevance and value of using restorative justice in relation to all types of criminal offences. For example, one academic, who led a focused restorative justice module, highlighted the importance of considering the applicability of restorative justice in the context of a range of offences within modules:

"Yeah, exactly, we bring into it [the restorative justice module] for example the fact that yeah, there's a move to try and make restorative justice all things to all victims,

but actually there's a huge critique of using restorative justice for rape and sexual assault, and domestic violence, and they can bring that into it by talking about the sort of offences that RJ might be used for. It's all very well using it for burglary, but when you start looking at it where it's between people who've got intimate power relations it's another thing all together. So, it's really getting them to open their eyes and dig under the surface of how they think restorative justice can be used" (Interview 3).

By exposing students to the reality that restorative justice can be used in the case of all types of criminal offence (Ministry of Justice 2012; 2014), restorative justice modules, arguably, encouraged students to both think critically about restorative justice and develop awareness regarding what restorative justice could offer individuals seriously harmed by crime (Smith-Cunnien and Parilla 2001; Stroup 2019; Waltman-Spreha 2013).

Not only did most focused restorative justice modules encourage students to consider the different types of interpersonal offences which the practice could apply to, many also consider the use of restorative justice in cases of genocide and human rights atrocities. For example, one focused restorative justice module dedicated a week to considering 'RJ in Response to Human Rights Abuses' the module handbook for this module stated:

"Responding to human rights abuses is a significant challenge for contemporary society. The complexities involved in achieving justice through a criminal justice approach (i.e., prosecutions) can often reignite violence and such an approach does not respond to the many of the harms experienced. Restorative justice in this context is viewed as an alternative way of securing the 'truth' from a variety of perspectives and an opportunity to find ways to secure a peaceful future" (Module Handbook B).

The leader of another focused restorative justice module explained that their own interest in restorative justice had come from "*working in Rwanda, post-genocide*" and explained that this experience informed the content of the module:

"So, I did some work in Rwanda and they were using the Gacaca experiment in terms of looking at post-genocidal conflict resolution, and so that was where my first interest in restorative justice came from. So, I try to incorporate the use of restorative justice in post-genocidal conflict resolution within this module" (Interview 1).

Including consideration of restorative justice in cases of genocide and human rights abuses within focused restorative justice modules arguably enabled students to explore the concept

as a response to extremely serious harm affecting entire communities and states (Sullivan and Tift 2005).

The use of restorative justice in cases of mass conflict and human rights abuses can support transition from a state of conflict to a state of peace (Clamp 2014: 32). Johnstone (2008) argues that restorative justice in such contexts can provide justice for victims without separating the perpetrators, to determine truth about events which have taken place and encourage peace (Clamp 2014; 2016; Zernova 2019). One criminology academic suggested that exploring the use of restorative justice in the context of human rights abuses and mass conflict resolution could be more valuable than considering its use in the CJS:

“Here you have crimes which are extraordinary, they involve an enormous amount of damage, and they see, oh look what is happening, there are so many possibilities actually, why don’t we use a similar variety in the criminal justice system responding to less serious crimes, and I think it’s an invitation to think more critically about alternative ways of dealing with harms and wrongs and the injustices, which leads them to restorative justice investigations in depth, [...] exploring restorative justice in practice in a lot of detail” (Interview 5).

This quote highlights that by presenting restorative justice as a practice which is used following mass conflict and human rights abuses, it is easier for students to view it as a possible alternative to interpersonal crimes dealt with by common criminal justice approaches.

Ultimately, most criminology academics and students viewed restorative justice as appropriate to apply in the case of any crime. While students did not always believe this prior to studying restorative justice, following completion of the module, most students considered restorative justice to be applicable and valuable in response to all forms of crime. For example, one student explained, following studying on a focused restorative justice module, that:

“I believe that it should be used for more major cases, not minor. In minor cases, its stuff that you could easily do. But for major cases, especially for the victim or the victim’s family in murder say, they really want some answers, and you hear it all the time in documentaries where the family are like, I want to know why, I want to know why. And they’re never given the chance to speak with the offender. They’re just

isolated in prison. I feel that for major cases it... the benefits would be greater than that of a minor case” (Participant 2, FG 2).

The notion that the use of restorative justice following a serious offence may have more significant value for stakeholders than its application after a minor crime is an important debate within the field of restorative justice (Hudson 1998; Walgrave 2011; Van Ness *et al.* 2001). Considerations regarding the effectiveness of restorative justice in response to serious crimes links to wider debates regarding the relationship between restorative justice and the CJS as discussed in Chapter 2 (Walgrave 2011; Van Ness *et al.* 2001; Johnstone 2011). The quote above indicates that by developing knowledge about the real-world application of restorative justice in the CJS, students understood the benefits and challenges of its use in practical terms. Resultantly, misconceptions about the correct conflict situation in which restorative justice could be applied were overcome and students developed knowledge about how it does work effectively within the CJS.

Applying restorative justice outside the CJS

While most restorative justice inclusion modules focused on its application within criminal justice settings, some focused modules dedicated time to exploring restorative justice in settings outside of the CJS. In these modules consideration of restorative justice values and practices being applied outside the CJS was referred to as restorative practice. As discussed in Chapter 2, “restorative approaches” or “restorative practice” are terms which should be used to refer to the application of restorative justice values and practices in “wider community settings” and the term “restorative justice” should relate only to its use within criminal justice settings (Hopkins 2015: 11). Several focused restorative justice modules assigned specific sections of content to concentrate on restorative practice. For example, one focused restorative justice module handbook outlined that two weeks of the module would be dedicated to considering restorative practice:

“Session 4: Restorative Practice

This session explores the key aspects of restorative practice: the wider use of restorative principles for conflict resolution and community building.

[...]

Session 6: Restorative Approaches in Schools

This session explores the use of restorative justice and broader restorative approaches

in schools. The session is taken by a [Name of Guest Speaker], who is Restorative Practice Service Lead for [Name of County] council and is playing a core role in introducing restorative approaches in schools across the county” (Module Handbook E).

The application of restorative justice values outside the CJS through the use of restorative practices has become increasingly common in settings such as: schools, hospitals, care provision, universities, organisations, and workplaces (Hopkins 2015; Van Ness, Morris and Maxwell 2001; Daly 2016; McCluskey 2018; Wachtel and McCold 2001; Karp 2019). Therefore, some focused restorative justice modules, and the leaders who developed them, viewed it as an important development within the field which students should consider to evidence that restorative practices are actually used in the real world.

Notably, the modules which included considerations of restorative practice outside criminal justice settings were designed and delivered by academics who had practical and/or research experience of restorative practice in these settings. For example, one focused restorative justice lecturer explained that their research interests in restorative practice informed its inclusion in the module which they led:

“I have grown interested in restorative practice more broadly, as a way of dealing with social problems and overcoming some of those issues that I’m interested in. So, I have also done work with marginalised groups, supported housing and things like that, and you know it was looking at how RJ and restorative practice could maybe help support people to maintain tenancies and things like that, you know the whole range of different contexts. So not just in the justice context, but in that wider restorative practice context and it just sort of grew from there and in the more I got interested in it myself the more I taught about it” (Interview 7).

Similarly, another focused restorative justice module leader explained that they used their own experience of restorative practice in the context of community mediation as an example when discussing it with students:

“In my half-time research role, one of the research projects was looking at evaluating community mediation, so I - and I talk about this with the students, and I tell them about the different uses for restorative justice and restorative practice - basically I was going around interviewing parties in community disputes, so these neighbours at war, arguing over land and bushes being too high. So, I do give examples from that work

to the students as its important to highlight how these practices are being applied” (Interview 3).

By drawing on their own research and experiences with restorative practice some focused restorative justice modules positioned restorative values and practices as being relevant to contexts beyond criminal justice settings (Hopkins 2015; Pointer *et al.* 2020; Toews 2013). As this academic explains, they deliberately included examples of their own experiences of using restorative practices in contexts beyond the CJS to show students that such practices are used in real-life settings.

Including knowledge of the application of restorative practices beyond the CJS were not only viewed as being important to students’ understanding of the topic areas but also informative to their potential future careers. One focused restorative justice leader highlighted the extent to which alternative forms of justice and conflict resolution were being used in a range of contexts:

“Housing is using mediation; family law, we’re back to making it a requirement to do mediation, for children or parents, whatever, but it keeps on going back to almost a requirement. Commercial disputes are more likely to go to mediation or arbitration then to the courts, even though they can go from arbitration to the courts as people shop around. So, all of these are exactly the same thing, different forms or alternatives. Teaching students only about justice mechanisms which involve judges and courts I think is really not helpful, because I think they’re becoming less and less important. We’re now having virtual courts in criminal justice; they are not very restorative or negotiated. [...] But, in those criminal justice courts, case management is actually the by-word now. Try not to let things go to trial, try to agree issues, everyone – even poor unrepresented defendants. That’s the way it’s being done, all of that is actually negotiation. So, that’s why I think it’s important for students to consider and see how restorative justice is actually being used” (Interview 4).

Given the variety of areas that restorative practice and approaches can be applied to, some criminology academics clearly viewed the inclusion of restorative practice in non-criminal justice contexts as important to students’ development in terms of their future careers as well as academically and personally (Britto and Reimund 2013; Carson and Bussler 2013; Smith-Cunnien and Parilla 2001; Stroup 2019). The quote above indicates that this academic, similarly to several others, believed it was important to show how restorative justice is

applied in practice to evidence the reality of its application. Britto and Reimund (2013) assert that, due to the range of community contexts in which restorative practice is being utilised to deal with conflict, criminology academics have a responsibility to make criminology students aware of this during their degree, informing their potential future careers.

This section has shown that the production of restorative justice knowledge in terms of its practical application inside and outside criminal justice settings was important in most restorative justice modules. Data presented in this section suggests that a key justification of producing restorative justice knowledge in this respect was to overcome the lack of awareness and misconceptions students often had about the concept's application. However, findings presented here also indicate that a focus on practically applying restorative justice, particularly outside criminal justice settings, corresponds to the importance of employability outcomes in higher education (Jameson *et al.* 2012; Diver 2019; Madsen 2022). The value of restorative practice and its application in a range of contexts is highlighted in literature as being central to restorative justice education (Britto and Reimund 2013; Carson and Bussler 2013; Smith-Cunnien and Parilla 2001; Stroup 2019). Perhaps, academics involved in this project were eager to show students the areas they could work in using restorative practices. By doing so, informing them academically about practical applications of restorative justice and linking their respective modules to graduate outcomes metrics prominent across higher education in England and Wales. Yet notably, academics in this study did not highlight the pressure of graduate outcomes impacting their module design directly. Only one student seemed to reflect on the employability focus of UCD programmes. Therefore, given the overarching knowledge of restorative justice as an alternative justice paradigm, it seems academics may have focused on developing practical understandings of restorative justice among students to incite them to act against punitive norms in whatever career they chose. Indeed, as Stroup (2019: 346) puts forth, facilitating an understanding of restorative practice among students as a part of their degree in criminology informs and encourages them to act against retributive processes and progress restorative values and practices in their professional and personal actions. Fundamentally, this section has shown that the propensity to produce knowledge regarding the practical application of restorative justice was informed by the lack of prior awareness and misconceptions students had about its application in the real world.

6.5 Conclusion

By exploring the knowledges of restorative justice which existed in undergraduate criminology and among academics and students, this chapter directly addressed Research Question 2 (*What knowledges of restorative justice exist among undergraduate criminology students and academic criminology staff in England and Wales?*). Three themes developed from data analysed in this chapter. Firstly, this chapter established that the overarching knowledge of restorative justice within undergraduate criminology was as an alternative justice paradigm. Secondly, knowledge of restorative justice produced concentrated on the central practical elements of the concept: repairing harm, participation, and communication; rather than considering, extensively, the varying models and theories of restorative justice. Thirdly, this chapter has shown that students were encouraged to develop understandings of restorative justice in terms of how it could be practically applied inside and outside criminal justice settings.

Findings discussed in this chapter show the knowledges of restorative justice which existed in undergraduate criminology are shaped by the marginal position which the topic has within curricula as established in Chapter 5. The overarching perspective of restorative justice being an alternative justice paradigm corresponds to its marginalisation within curricula and contrasts it significantly with the orthodox criminological ideas which dominate, and repeat across, criminology curricula. Findings suggest that restorative justice existing as a marginalised and alternative perspective results in knowledge development focusing on the concept's central elements which differ from the traditional CJS. Further, this chapter argued that the lack of inclusion of restorative justice at various points in UCD programmes resulted in limited space for the concept's complexity to be explored and understood.

Correspondingly, when beginning to study restorative justice inclusion modules, students have minimal awareness of the topic. This chapter has shown that academics respond to students' lack of prior restorative justice knowledge by encouraging students to engage with "*a litany of examples [of restorative justice] in a variety of contexts*" (Interview 2).

Overall, this chapter has developed arguments made in Chapter 5 by providing further evidence that restorative justice is a complex, critical, and alternative criminological topic, and indicating that knowledges of restorative justice are influenced by that fact that it is marginalised, and largely excluded, in criminology curricula in England and Wales.

Considering the restorative justice knowledges produced in undergraduate criminology, and

the factors influencing such knowledge production, this thesis now moves to consider the pedagogic value of restorative justice. The next chapter (Chapter 7) examines how knowledges of restorative justice were produced in undergraduate criminology and the implication such pedagogic practices had on undergraduate criminological teaching and learning in England and Wales.

Chapter 7: Stretching the criminological imagination - restorative justice as a topic and a tool

7.1 Introduction

This chapter addresses Research Question 3 by examining the ways restorative justice knowledges were produced in undergraduate criminology and the implications that this had for criminological teaching and learning in England and Wales. This chapter is informed by literature discussed in Chapter 2 and Chapter 3 as well as the knowledges of restorative justice found to exist in undergraduate criminology discussed in Chapter 6. It draws on semi-structured interviews with academics and focus groups with criminology students (as outlined in Chapter Four). Data discussed in this chapter shows that restorative justice knowledges in criminology were commonly produced through the application of pedagogic approaches which were in keeping with restorative practices and values. Thus, this chapter evidences that real-life contextualisation, collaboration, and experiential learning were the three key principles of restorative pedagogy in undergraduate criminology. While this chapter shows that restorative practices and values were valuable knowledge production tools in restorative justice inclusion modules, it also argues that restorative justice as a topic is beneficial to criminological teaching and learning. It sets out that restorative justice offered an effective lens to enable students to relate meaningfully to a range of criminological themes, supported critical criminological thinking, and encouraged students to imagine otherwise. As these three components are central to the criminological imagination (Young 2011; Barton *et al.* 2007; Mills 1959), this chapter puts forth that restorative justice is valuable to undergraduate criminology teaching and learning.

By considering the value of restorative justice, as both a pedagogic tool and topic, this chapter argues that it should be included more extensively within undergraduate criminology. It suggests that given the repetitive, status quo-maintaining, character of criminology established in Chapter 5, the value that restorative justice can offer in developing and stretching the criminological imagination among students should be harnessed by the discipline more broadly. Notably, this chapter does not seek to suggest that restorative justice is the only criminological area which offers unique ways to stretch the criminological imagination. Rather, it merely aims to highlight, and evidence, that where restorative justice

is included within the curriculum, it lends itself to this endeavour in intended and unintended ways.

This chapter is composed of three sections. The first examines the approaches to restorative justice teaching and learning which enabled conceptual abstraction to be overcome through real-world contextualisation, collaboration, and experiential learning. Then, the effectiveness of restorative justice in supporting the development of critical criminological thought through questioning of the concept itself and by problematising common criminal justice approaches is explored. Finally, the humanising value of restorative justice in criminology is discussed with consideration of its potential in encouraging students to imagine and act in new ways.

7.2 Restorative teaching and learning in criminology

This section explores the importance of using real-world examples, collaboration, and experiential learning to knowledge production of restorative justice in criminology. All staff interviewed highlighted that they approached teaching restorative justice ‘differently’ to other criminological topics and modules. Similarly, students in each focus group referred to the restorative justice module they had studied on as being ‘different’ to other modules in their criminology degree. For example, one year 3 student stated: “*RJ is my favourite module because it was taught in such a different way, we hadn’t had something quite like that yet*” (Participant 2, FG1). Although not all students regarded restorative justice as being their favourite topic or module in their degree, the alternative pedagogical approaches used in restorative justice modules were commonly recognised and appreciated. Indeed, all restorative justice modules examined offered opportunities to teach and learn with a focus on practicality and dialogue. Teaching approaches within restorative justice modules clearly evidenced a move away from traditional ‘banking’ education, common within HE, in which students passively have information deposited into them by educators (Freire 1970: 45; Barton *et al.* 2010). Instead, students and lecturers collaborated in discussions and activities, giving students the opportunity to be reflexive and create their own meanings rather than being spectators of knowledge (Freire 1970). The participatory approaches to teaching and learning about restorative justice found to exist within criminology evidence ways of stretching the criminological imagination among undergraduate students.

Real-world contextualisation

The use of videos, case studies, and guest speakers were common educational techniques within most restorative justice modules to encourage students to think practically about

restorative justice in various contexts. Every module leader interviewed reflected on their aim of designing their respective module in a way which would link restorative justice theory and practice by using real-life examples to '*bridge the gap between the conceptual and the actual*' (Interview 7). This was accounted as being vital in overcoming the abstraction of restorative justice and enabling participatory learning. As one module leader explained, multiple techniques were used to contextualise restorative justice as a real-life practice for students:

IP6: "One of the things that I was actually trying to do with the restorative justice module was get them to think about ideas but in a much more practical context. You know because they were really interested in the practices like, they were just trying to... there was something concrete you know. So, I used to show them videos of conferences taking place, and I would work from these very concrete things that they could see quite clearly, rather than starting off from abstract ideas and then trying to get them to think about the application. So, I think that its important methodologically within education."

RS: "Yeah, so it's important showing them examples rather than talking about something which feels abstract and distant?"

IP6: "Yeah that's it and I used to get people who were practitioners in the field to come in and give them talks as well because they always like meeting people from the real world."

(Interview 6)

The propensity within all the restorative justice modules to consider multiple real-world perspectives on the topic was notable. Attention given by all module leaders to this highlights a shared aim, however unconscious, to contextualise restorative justice practically, enabling students to develop tangible awareness. Arguably, the common understanding of restorative justice, being 'alternative' to 'traditional' criminal justice structures (Zernova 2016; Zehr 1990), as well as something which students often had misconceptions about (Waltman-Spreha 2013), incited those teaching restorative justice to strongly evidence it as a real practice. Regardless of the rational, commitment to substantiating theory with real-world practice is central to the criminological imagination. Every restorative justice module comprehensively linked theory with real practice and experiences, thus, indicating that approaches characteristic to restorative justice teaching and learning in criminology higher

education focus on encouraging students to relate meaningfully to various real-world applications and experiences of the practice (Britto and Reimund 2013). This principle of restorative pedagogy aligns to a core element of the criminological imagination, situating cultural and social realities at the centre of criminological knowledge production (Young 2011). As Mills (1959) highlighted, when outlining the sociological imagination, social concepts and theories which are not connected to social reality become abstract and distort that which they are supposed to represent.

All restorative justice modules, focused and unfocused, linked theory with real-world examples of practice. While in some cases this was only via videos and/or case studies, the majority involved a mixture of various videos, case studies, and guest speakers from the field. The common reasoning for this was to encourage students to think practically about restorative justice in different contexts, and from different perspectives. One module leader explained the importance of students getting to speak to practitioners to develop practical criminological awareness and understanding:

“So, we're bringing in, you know, different practitioners from different organisations different settings to talk about actually how they apply this stuff in that context. So, we have people talk about sexual violence and the use of community circles for sex offenders, we've got people that come in and talk about RJ in schools and how it's used. In [name of city] we have got a real strong movement towards restorative schooling and a lot of schools that are taking up that challenge. So, we've got some people that are very interesting to talk about that you know... we have people that have harmed in one way or another, many of them ex-offenders, they come in and talk about their restorative journey and they are now volunteering you know or working for restorative agencies, they talk about their journey and stuff like that. So, the module's designed very much to be this, sort of this, theoretical, conceptual understanding, but then looking at what that means in practice in the whole range of different areas” (Interview 8).

Providing opportunities for students to hear from practitioners and people with lived experiences of restorative, and criminal, justice in a variety of contexts supports students to critically reflect on restorative justice and its application. In doing so, this enables development of a criminological imagination. Learning to view the world from multiple standpoints helps to offer a view of the complexity, and interconnectedness, of social

relations and justice processes (Mills 1959; Smith-Cunnien and Parilla 2001). Refusing to provide an isolated view of restorative justice, either from a single angle or only using academic evidence, mitigates the fragmentation of reality common within criminology in HE (Freire 1970; Barton *et al.* 2010). In doing so, students are exposed to authenticity and to viewing knowledge as something which is unfixed. Offering multiple experiences of restorative justice, from the lecturer and people from outside the university, arguably indicates that knowing is not ‘the property of the teacher’ and that it is a continuous process of discovery (Freire 1970: 53). Illustrating, through guest speakers and other real-life examples, that there are multiple ways of knowing and that criminological concepts are engendered by real people thus stimulates authentic and imaginative inquiry (Freire 1970; Mills 1959; Young 2011; Llewellyn and Parker 2018). While the use of practical, real-world, examples is arguably not unique to criminological modules which consider restorative justice, the extent to which this approach was used within such modules was significant and impactful.

Students reflected on opportunities to hear from practitioners as helping them to better understand the intricacies and multiple perspectives which exist in practice. Reflecting on their experience of attending a Restorative Justice Council conference as part of their module one student stated:

“It was interesting. Basically, they were all restorative justice practitioners within the field that they worked in, and they were just – I think it happens every year – they were just coming together to discuss what they’d done in that year previously, successes or not successful. I think there was one thing that massively stuck with me, there was a disagreement between... one woman was saying with domestic violence people were being as victims and not providing them with restorative justice opportunities because they were a victim because it may harm them more. Then someone else was, actually, what’s a victim, and you’re taking that away from them? It was really interesting to see these professionals still battling between things we’d discussed in the workshop, so it was nice to see it in practice. It was an eye-opener” (Participant 2, FG1).

Students having the opportunity to interact with individuals in the fields of restorative justice, and criminal justice, overcomes the notion that there is only one definition or one way of knowing about a topic. It appears to remove the dynamic of the lecturer’s understanding of

restorative justice being the only one which exists, and which students must passively take on (Freire 1970). Instead, through exposure to a range of real-world perspectives, including that of the lecturer, students are expected to participate in making meaning about the topic from all the angles shown to them. Multiple perspectives are arguably particularly important in the context of restorative justice, and criminology more broadly, as the subject matter is complex and impacted by various factors (Young 2011; Smith-Cunnien and Parilla 2001; Johnstone and Van Ness 2011; Daly 2016). By giving students the opportunity to understand and assess various real-life viewpoints, the meaning of criminological concepts such as restorative justice are not imposed on them, as they are given space to examine multiple perspectives and to think critically about the application of restorative justice in practice. Indeed, individual students are free to explore the intricate realities for themselves and make meaning beyond official, hegemonic narratives arguably often placed on them by the academy (Barton *et al.* 2010; Willis 2012; Pucci 2015; Giroux 2014).

Indeed, in every focus group students discussed real-world examples as being important to their learning experience. Similarly, all students expressed that engaging with examples of concepts in practice was not common in other criminology modules. Experiencing a rounded, real-world, view of restorative justice helped students to understand restorative justice practically for two common reasons. Firstly, it visually illustrated to students the actual elements and impacts the process could involve, rather than just thinking about it in theory:

P2: "I quite liked the flow of it and how the teaching was. I think the videos were really important as well because it talked about... instead of looking at a piece of paper and going, well this is how it's meant to be, but when you're seeing the lady come face to face with the guy who'd raped her, I think it was ... you don't expect it to flow smoothly as what it did. I think obviously the mediator was there, but I just thought... I had a lot of admiration for the victim because it's a big thing to do."

P6: "I think when it comes down to the theory as well. So, when you're looking at the theory behind restorative justice it makes it easier to understand when you're looking at it in real life. Because some things in criminology are more difficult to put in real-life situations, but restorative justice you can see what's going on, and you think, yeah that fits with that."

P2: “It’s easy to dehumanise people a lot, you’re generalising people into boxes, and you don’t look at that person as a person anymore, it’s just a theory, it’s just numbers. Whereas seeing things in videos it does help putting it into context.”

(FG 3)

These students, like many others that participated in this project, noted the difference in the learning experience they had as part of their respective restorative justice modules in comparison to other modules on their degree programmes. Arguably evidencing that facilitating learning about restorative justice requires that class structures and content inherently take a different approach to common pedagogic approaches in higher education (Gilbert *et al.* 2013). Rather than asking students to absorb knowledge placed upon them by their teacher and only view a topic in the way their lecturer understood it, restorative justice modules encouraged students to make meaning and knowledge for themselves by engaging with real-world narratives and experiences of the concept practically (Freire 1970; Pointer *et al.* 2020). Further, from the student reflections above it is evident that this teaching approach and the use of real-world examples via videos encouraged them to meaningfully contemplate the practicalities of a restorative dialogue and question preconceived ideas they had about the application of restorative justice (Waltman-Spreha 2013; Smith-Cunnie and Parilla 2001).

Secondly, watching videos of restorative justice encounters made the topic, and the victim(s) and offender(s) involved, relatable to students, supporting reflexive and rich learning. As one student explains, seeing a real-life example of restorative justice illuminated the human emotions involved in what is often viewed as a complex theoretical process:

“Yeah, I think on this module particularly we had to watch a documentary, like a short film about it, so because we’ve seen it happening, we haven’t just been taught about it, to watch this thing and then comment on it, the whole time I was watching it I was thinking, what would I say if I was in that position, how would I feel if I was in that position, so yeah you can definitely relate, because you think, what if that was me, would I be able to do that, would I not be able to do that; I don’t think you can ever know unless you are in that situation, but you can definitely relate to it” (FG 2, Participant 1).

This student’s reflection emphasises the practical and humanising value that videos and documentaries of restorative justice encounters can offer to their learning experience. Arguably, restorative justice education supports that the learning process does not only

involve typical or traditional academic approaches, such as reading academic texts and discussing theoretical perspectives, it also includes engagement with students' emotions (Gilbert *et al.* 2013). Being given spaces within classes to see and hear from individuals actively taking part in restorative justice practices clearly encouraged students to relate emotionally to the topic (Morrison and Vaandering 2012; Llewellyn and Parker 2018). Similarly, learners having time to reflect on their emotions and understandings of restorative justice, following watching examples of its application in a real-life context, is fundamental to teaching and learning restoratively (Pointer *et al.* 2020; Llewellyn and Parker 2018; Carson and Bussler 2013).

However, despite all modules including real-life examples, not all academics felt that restorative justice was “*easy to make real*” (Interview 7). On several occasions restorative justice was described as more abstract than other criminological areas. Some lecturers believed this was because it was not a common, well documented element of the criminal justice system. Thus, there was a lack of clear, illustrative resources to show to students:

“The fact, it’s difficult for something that’s sort of an outlier like restorative justice to sort of move its way into the middle. And I think like when you are looking for resources online, I mean I don’t know if others have maybe had a different experience, but I remember being really frustrated that there wasn’t, that I couldn’t find decent videos that illustrated it in an eloquent and concise way which you could show as part of a lecture really. Whereas if you’ve got something, if you look at the death penalty for instance, the amount of err documentaries and clips from those documentaries and interviews is, you know you’ve got thousands and thousands of them online, so, yeah” (Interview 9).

The difficulty of showing restorative justice as a real practice was identified by another academic as being challenging when supporting students' learning, particularly in comparison to other criminological concepts. However, in this instance the abstractness of restorative justice was linked to the private and individualistic character of the practice:

IP4: “I think RJ is difficult to teach because it’s not visual.”

RS: “Do you think it’s quite abstract?”

IP4: “Yes, abstract. There are now quite a lot of videos and I put them all up – not all, quite a lot of them up – about six or seven videos available to the students. I had to go

and get permission to use them. But they can view themselves because I can't easily put on a restorative justice event in front of them.”

RS: “Yes, exactly.”

IP4: “So, it's not like tell one tell all go down to the Sherriff Court and see what happens, I can't do that because it's private. So, that's really problematic, there are no images. When we do the Moot [online restorative justice event], there's nothing you can put on front, there's nothing.”

(Interview 4)

The perception of restorative justice being less tangible, and more complicated, than other areas of criminology and criminal justice was shared by a few academics. The above accounts came from both an unfocused and a focused restorative justice module leader. Reflections on the availability of relevant restorative justice resources suggests that academics had to spend considerable time finding, and achieving access, to make them available to students. This links clearly to the barriers to inclusion of restorative justice discussed in Chapter 5. A lack of resources available to teach restorative justice, mixed with the often-inherent abstractness of the concept due to students' unfamiliarity, could impact the likelihood of academics wanting to include it in the curriculum. As restorative justice is an area which requires a distinctive approach to teaching, the additional challenge of finding relevant resources might prevent some lecturers from representing it accurately, or even including it at all (Gilbert *et al.* 2013). However, the concerns raised, and efforts made, evidence that restorative justice was felt to be an important area for students to understand. Thus, largely the lecturers who participated in this project were eager, and committed, to overcoming the abstraction of restorative justice by finding relevant resources and effectively developing students' understanding.

While it was not always easy to facilitate real-world contextualisation in restorative justice modules, most reflections from students and academics highlighted that this pedagogic approach humanised restorative justice. Interestingly, connecting concepts with practice in this way was identified as being uncommon to other criminological topics. Young (2011: 174) highlights that the academy is often prone to 'retreating' into itself with disciplines such as criminology, forgetting the real-life contexts and practices of its subject matter (Young 2011). As discussed by students above, much of criminology, often characterised as mainstream or 'establishment' criminology, in its positivist effort to explain crime and justice

can come adrift from reality (Young 2011). Arguably, the same is true of a large proportion of criminology curricula which focuses on theory and concepts removed from their involvement with, and impact on, human actors as well as the broader social and cultural conditions in which they exist (Young 2011). The untrue principle, important to mainstream criminology, that reality is exposed through exactness is harmful to the criminological imagination (Mills 1959; Young 2011). Indeed, students felt able to relate to and understand criminological ideas and concepts when they were shown real-world contexts and experiences. Thus, by moving beyond theory and exact meanings through real-world contextualisation, restorative justice modules were able to incite students to see and relate to social actors and relations in order to imagine criminologically.

Collaboration

Attempts to remove power imbalances between lecturers and students within classes was often reflected on by academics who taught restorative justice modules. In interviews all academic staff, when reflecting on module delivery and activities, used the term ‘*we*’ repeatedly, evidencing that lecturers did not see themselves as separate from the students, and that module structure focused on collaborative learning. This was commonly viewed as important to enable learning through meaningful yet informal discussion and debate. Although in most modules a mixture of lectures and workshops were used, structuring classes to be discussion-focused was commonly viewed as important. For example, when explaining the use of both lectures and workshops in their restorative justice module, one academic stated:

“Yeah, we try to discuss, we try to participate, the sessions tend to be very informal, in the spirit of restorative justice, encouraging participation, debate, often people disagree, but it tends to be a very nice debate” (Interview 5).

Collaborative learning, via discussion, participation, and debate, was important to the delivery of all restorative justice modules. However, only focused modules designed sessions specifically to enable collaboration learning. This approach was deemed to be “*in the spirit of restorative justice*” (Interview 5). Indeed, collaboration and dialogue between students and teachers, as well as among students, is extremely important in restorative justice education and restorative pedagogy (Gilbert *et al.* 2013; Pointer *et al.* 2020; Hopkins 2012). Using restorative values to guide the learning environment and the educators’ approach arguably helps students engage practically with such values during the learning process (Pointer *et al.*

2020; Toews 2013). Active enablement of collaboration in various forms within restorative justice education situates the student and teacher synonymously as learners and givers of knowledge, positioning all involved with an equal voice and encouraging every individual to share their views and experiences (Freire 1970; Toews 2013; Pointer *et al.* 2020).

The power imbalance created by the traditional lecturer/student relationship, causing ‘banking education’ (Freire 1970: 45), was something which most module leaders evidently tried to overcome when designing lesson structures to support the removal of demographic divisions and promote the principles of inclusivity and mutual respect. Restorative justice classes predominantly taking the format of workshops rather than formal lectures helped to remove power imbalances within the classroom by positioning the person teaching as facilitator, rather than as lecturer. In doing so, promoting that learning, and knowledge production, is a process of investigation immersed in dialogue, collaboration, and humanisation (Freire 1970). When discussing their approach to structuring classes, one module leader emphasised the importance of their role as a facilitator of discussion, rather than a lecturer, when teaching restorative justice:

“And so, you know, that kind of element is really really important, and the kind of group work and the facilitating discussions and their ability to feel safe with me, but also to challenge what I'm saying... and to go actually I don't agree with what you're saying, then that's fine... great, well tell me more about that... how does that work? You know... and trying to facilitate that environment whereby people feel...safe”
(Interview 2).

As highlighted in the above quote, creating a safe environment focused on relationships is central to teaching and learning restoratively (Vaandering 2014a; Morrison and Vaandering 2012; Riestenberg 2007; Toews 2013). The creation of safe learning spaces, centred on trust and respect, links clearly to restorative values and restorative pedagogy regardless of the topic being considered. Arguably, infusing these values within spaces where restorative justice is being explored and assessed by criminology students is particularly important to ensure students feel able to ask questions, engage in debates, and evaluate how restorative justice links to their own values and experiences (Carson and Bussler 2013; Toews 2013; Gilbert *et al.* 2013). Indeed, lecturers facilitating safe discussions, rather than ‘depositing’ information into students, as in the case of the traditional ‘banking’ style, positions learning as a process (Freire 1970). Discussions and debates around restorative justice, in which

everyone's perspectives and ideas are equally valid, develops a situation in which teachers and students are partners learning together, and from each other (Freire 1970). Arguably, this overcomes the notion of criminological concepts being fixed ideas with definite definitions, removed from human life and perspectives (Gilbert *et al.* 2013; Young 2011). Thus, allowing students' opinions to be validated and for them to inquire and make meaning for themselves about criminological ideas, rather than understandings being imposed upon them. Like the use of real-life examples, collaborative learning mitigates understandings being placed on students from above (Young 2011). In doing so, developing the criminological imagination by interactively exploring restorative justice through dialogue with others in the class.

Discussion between all class members, in an equal and collective way, was empowering for students. The majority of students highlighted that they enjoyed not passively listening to a lecture and got a lot more out of discussions. One student expressed that the alternative approach to teaching in restorative justice classes was a welcomed approach: "*I enjoyed it [the restorative justice module] because it was a different approach, because before it's like lecture, lecture, lecture, lecture*" (FG 2, Participant 1). Similarly, when comparing the collaborative workshop structure to traditional lectures one student stated:

"I think having the different elements of it – rather than just having a three-hour lecture – it was group work and talking to people about it and I did really enjoy that style of teaching" (FG1, Participant 1).

The process of actively learning through discussion and collaboration with others was clearly beneficial and different to some other modules students had studied on. Creation of a largely power neutral class, by disrupting the normal lecture style helped to make learning enjoyable and productive. This dynamic of students and teachers as partners and mutual learners is key to enabling critical thinking (Freire 1970), principally, because it signals to students that their opinions are just as valid as the teacher and offers more opportunity to explore ideas. Thus, these dialogical spaces, commonly created within restorative justice modules, promote imagination over passive and fixed knowledge intake. Which in turn, is arguably more likely to weaken the perpetuation of harmful discourses about justice, crime and related stakeholders which often occurs in criminology (Clarke, Chadwick and Williams 2018; Maglione 2018a; Hall 1988).

Principles of collaboration and discussion, evident in focused modules, were important to students' learning experiences. Although unfocused modules did largely include real-life

examples to a similar extent as focused modules, particularly through videos and case studies, the approach to class structure in unfocused modules took a more traditional form. This was due, in most instances, to the fact that restorative justice only occupied one or two weeks of the module content (see Chapter 4 for full module categorisation). Thus, shifting the style of teaching of the whole module to align with restorative values perhaps seemed irrelevant. Indeed, the distinction between the approaches of academics in relation to focused and unfocused modules, and what this offered to students, is interesting. Less concern for power imbalances through class structure in unfocused modules accentuates student's descriptions that focused restorative justice modules were considerably different to other criminology modules. While unfocused modules did encourage discussion and debate around restorative justice, they did not go to the lengths of changing the class format to make collaborative learning central. Contrastingly, most academics involved in focused modules aimed to promote power neutral and collaborative learning environments. Highlighting, arguably, that approaches to communication and knowledge production among academics specialising in restorative justice noticeably differ from other criminology academics. Indeed, promoting collaborative learning and communication are identified as vital when teaching restorative justice (Gilbert *et al.* 2013; Hopkins 2012; Pointer *et al.* 2020). The centrality of dialogue, participation, and power neutral environments within focused modules offered an innovative and effective learning experience. While the principles of this collaborative approach clearly align with restorative justice values, so too are they synonymous with the development of the criminological imagination. Suggesting, therefore, that structuring classes in line with these principles and dynamics could be pedagogically beneficial to criminology modules other than restorative justice, to develop a criminological imagination among undergraduate students.

Experiential learning

Learning activities which allowed students to experience restorative justice, in some way, were viewed as important by most lecturers. Three of the focused modules extensively included restorative practices with students to facilitate learning through experience.

Practices included activities such as: role play of restorative justice encounters, sharing circles, and restorative problem-solving tasks. While not all modules incorporated restorative practices, most academics expressed that they thought this would be extremely valuable. A module leader, for an unfocused module, highlighted the value that restorative practices in class could have for students learning, but felt it would be difficult to successfully enable:

“I would quite like to have students sort of play out a restorative justice scenario. But I don’t know how, like it’s really complicated isn’t it, you know. Like what roles they play, it’s not an easy thing to role play” (Interview 9).

Two challenges to the inclusion of restorative practices as a learning activity within classes were identified. Firstly, as detailed above, some staff, particularly within unfocused modules, did not have enough expertise or awareness to include restorative practices within classes. Secondly, some staff, although well experienced in restorative justice, were not trained facilitators. Thus, did not feel it was appropriate for them to conduct such activities with students. Indeed, a focused module leader, highly experienced in the field of restorative justice, stressed that restorative practices should only be carried out by trained facilitators: “*So you know we would only do that stuff with, we would use trained practitioners to do that stuff, it’s not something that you know we would get anyone to do*” (Interview 7). This notion adds to discussions within Chapter 5 regarding restorative justice being viewed as a specialist criminological area which requires considerable and specific experience in order to teach. Certainly, it is unrealistic to expect academics to be able to facilitate restorative practices with students if they are not trained, and/or not familiar with such practices (Gilbert *et al.* 2013).

Another notable factor to the varied use of restorative practices in class was the lecturer’s perspective of restorative justice. As discussed in Chapter 6, regardless of their respective level of experience in the field, some academics in their research and/or teaching only focused on restorative justice in the context of crime. While others viewed restorative justice as a practice, and thus something which was relevant to areas of society beyond criminal justice. This differentiation in understanding among academics appears to influence the likelihood of facilitating restorative practice with students, with those who hold the latter understanding of restorative justice incorporating restorative practices into classes. Nonetheless, regardless of the reason for not including restorative practices in their module, many academics felt it would be an effective learning activity if the challenges to inclusion could be overcome.

All three of the focused modules which incorporated restorative practices included various forms of restorative circles to enable students to experience restorative justice practically. Reflections on these activities from staff and students evidenced that the experiential learning enabled students to learn actively and reflexively, rather than passively. In doing so, students

had the opportunity to be creators of their understandings as opposed to being submissive ‘spectators’ of knowledge which is placed upon them by others (Freire 1970: 48-49). Problem-solving circles were facilitated within sessions to evidence the multiple contexts in which restorative justice is relevant. Rather than asking students to solve problems in relation to criminal offences, “*mundane examples*” (Interview 7) of everyday problems were used to evidence the multiple ways harm can be caused and experienced, as well as the relevance of restorative practice in an array of contexts. For example, one module leader explained:

“They [facilitators] ran a problem-solving circle, with some you know, with an issue they had with their housing or something like that. And we went round the room, and everybody gave potential solutions and stuff like that. But you know, yeah that that sort of applied thing because not only is it great, it's a great experience but then you know but it's a really nice way for them to not just hear how or see you know in a whatever someone explain this kind of stuff. But to participate in it and things.”

(Interview 7)

Through experiential learning students can relate practically to restorative justice and its focus on communication between victim(s) and offender(s). The use of mundane, every day, examples offer a view of harm as something which is not confined to the distinct criminal other, and instead illuminates that conflict and its resolution take place throughout society (Young 2011). Arguably, this is important to knowledge production regarding restorative justice, as often understandings of restorative practices focus on communication between victims and offenders of crime, rather than also exploring various forms of conflict and harm or considering the wider structural factors which impact individuals and conflict resolution (Dyck 2008; Vaandering 2010). In that sense, highlighting the often-overlooked interactions of day-to-day life, to encourage students to see criminological concepts as entrenched in social, political, and cultural contexts (Mills 1959; Young 2011). Further, considering everyday issues within a problem-solving circle encourages students to think about how they deal with problems in their own lives, potentially informing their behaviour as social actors within their various social roles and future careers (Carson and Bussler 2013; Kitchen 2013; Stroup 2019).

In one module, students were asked to think about a time that they had been a victim, and then also a time when they had hurt someone. This encouraged students to think reflexively about what harm is and, as the module leader explained, it:

“Introduces them in terms of thinking about two different, I guess parties, to any event but also the fact that offenders... this kind of misconception that offenders don’t understand what they have done wrong and that they are just fine with everything” (Interview 2).

Asking students to put themselves in the position of a victim and/or offender using examples from their own lives humanises such individuals. Like other restorative pedagogic methods, experiential learning activities seem to highlight that fixed notions of criminals as the deviant other are incorrect. Instead, through reflection on their own experiences, students see that crime is a social construct and something which anyone can be involved in regardless of their role or position in society (Young 2011; Barton *et al.* 2007).

Another approach was the use of a restorative circle to arrange the structure of physical shapes. The aim being to help students understand the importance of everyone’s ideas being considered and key restorative justice principles of empowerment, problem solving and participation. One module leader explained facilitating a circle in their class, with blocks of Lego in the middle, going around the circle one by one with each person having the chance to arrange the blocks the way they liked. Continuing to go around the circle, in silence, until everyone has agreed on the structure which had been created. On finishing the activity, a group discussion was had regarding:

“What’s the relevance to restorative justice, why are we doing this, what have you learned from this exercise? So, they make some very good observations, how this is a participatory model, everybody gets a chance, they are all equal, nobody forces a decision, as a teacher I’m participating in the circle, I also get the chance to make my own rearrangements, but I don’t tell them when to stop. You often get one or two people who continue rearranging the structure when everybody else has already finished, and usually they don’t, these people don’t like the other person they are with and we have a discussion, is this about Lego or is this something much bigger? So, techniques like that, I think they help understand some concepts, and experience some key principles of restorative justice” (Interview 5).

Posing students with problems, asking them to explore their own behaviours and propose responses to issues, emphasises key elements of restorative justice to students. Given that criminology students are often not aware of how restorative practices work prior to studying the topic, experiencing a problem-solving circle for themselves enhances their understanding

in a way that reading or hearing about the practice would not (Gilbert *et al.* 2013). Learning from experience enables students to develop an understanding for themselves about restorative practices by reflecting on their contributions, observations, and emotions during the experience (Pointer *et al.* 2020). Arguably, by experiencing and participating in restorative circles during classes, students can develop skills and awareness of how to apply restorative practices and values themselves within settings beyond the university classroom (Gilbert *et al.* 2013). This is of particular relevance to students studying for a degree in criminology as they are likely to go on to work in criminal justice settings or other human services (Smith-Cunnen and Parilla 2001; Stroup 2019; Britto and Reimund 2013; Kitchen 2013).

Restorative practices in modules also took the form of sharing circles. Some modules included sharing circles a few times in the module, however in some cases sharing circles were facilitated at the beginning of every session within the module. Like the other restorative practices, this had a considerable impact on students understanding of restorative justice. As one student explained, rather than just thinking about the importance of communication, and the views of others, it was something that they experienced and therefore understood more meaningfully:

“I think my favourite thing was we did check-ins every week, every morning, and to start with I was petrified, I wasn’t really listening to what other people were saying, I was so nervous about what I was going to say. But by the third week – so [lecturers first name] would ask us something – and we’d go round, pass the ball round and say how we’re feeling, I really like to see how that was applied in our lectures, so what we were learning we could see it, we could feel it a bit more” (FG 1, Participant 2).

Although in the statement above, the student highlights that weekly class sharing circles did end up being their favourite part of the restorative justice module they studied, they note that initially it was a daunting activity. The physical space created by the circle process is very different to traditional lecture or seminar spaces in higher education (Kitchen 2013). Coupling this change to the class setting with the realisation that every person will be invited to contribute to the circle discussion is understandably frightening for students who are unfamiliar with the practice. Nonetheless, as evidenced by the student quote above, sharing circles are extremely valuable in developing understandings about restorative justice (Gilbert *et al.* 2013; Kitchen 2013; Carson and Bussler 2013). Indeed, the use of circles in restorative

justice education encourages participation, creates safe learning spaces, and supports students to relate meaningfully and practically to curriculum content (Gilbert *et al.* 2013; Carson and Bussler 2013) Being able to relate meaningfully to curriculum content and engage with one's own emotions and experience is important to restorative pedagogy (Gilbert *et al.* 2013; Pointer 2020). However, this is also fundamental to the criminological imagination as it ultimately seeks to connect the personal with the social, as well as humanise and contextualise theory (Young 2011; Barton *et al.* 2007). As such, including experiential learning activities within the criminology curriculum could be valuable to emphasise, and relate, the reality of its subject matter to students enabling improved awareness and understanding. While only three modules used restorative practices in class, it has been important to explore these examples as it shows that when restorative justice is included thoroughly it has valuable pedagogic potential for criminological learning and imagining. It further reinforces the dual value of restorative justice in undergraduate criminology curricula: as a topic and a tool; this significance is most clearly evident with regards to development of critical criminological thinking which is explored in the next section of this chapter.

7.3 Critical criminological thinking

This section sets out the relevance of restorative justice to critical thinking development among undergraduate criminology students. Once students developed understandings of restorative justice, their ability to think critically was advanced. There are two ways that restorative justice invites, and supports, critical criminological thinking, and thus enables the criminological imagination to be stretched. Firstly, through the interrogation of restorative justice as a concept; secondly, by using restorative justice as a lens to problematise prominent narratives of crime and justice.

Questioning restorative justice

The complexity, vastness, and diversity of restorative justice theory and practice, mixed with the prominent understand of it as an 'alternative' justice form (see Chapter 6), invited interrogation and debate. As discussed, restorative justice practice was considered from multiple real-life perspectives. Similarly, the concept's application was explored from multiple angles. Thus, presenting a rounded view of the intricacies of restorative justice theory and practice enabled critique and developed critical thinking skills among students. As one module leader explains, various perspectives of restorative justice were included within module curricula to invite students to think critically about the concept:

“So, this module...covers different aspects of restorative justice, the practice, key principles, background, it’s very critical in its nature so students are exposed to a variety of perspectives, use of proponents, use of critics coming from a more conservative perspective as well as critics coming from a more radical perspective that restorative justice isn’t good enough because simply it is not enough. So, yeah, it’s very critical in its approach and invites students to make up their own mind on where they stand on the issue” (Interview 5).

All those involved in teaching focused restorative justice modules expressed that students were encouraged to question the concept throughout the module. Exposing students to the various viewpoints of restorative justice supported a thorough understanding, which in turn enabled critical thinking. Due to restorative justice being so different to ‘common’ criminal justice process and practices, which students were familiar with, they were often ‘*skeptical*’ (Interview 6) about the practice. The unusual, and contradictory, character of restorative justice, compared to justice forms and processes students were more familiar with, incited students to query and debate the concept. In doing so, restorative justice as a concept promoted critical thinking, which is not only important to the topic itself, but to students’ wider transferable skills and to development of a criminological imagination (Young 2011; Barton *et al.* 2010).

Most prominently, practical application of restorative justice in relation to different types of offences was a key area of examination and debate. As explored in Chapter 6, the majority of modules considered the use of restorative justice in relation to serious crimes to encourage students to question the appropriateness and potential of restorative justice in practice. Indeed, after considering theories, process and principles, most modules explored restorative justice through: “*the common debates in the fields, you know around kind of serious and complex cases in relation to rape and murder, and you know child abuse or whatever it is*” (Interview 2). Considering restorative justice application in the context of more serious crimes encouraged students to think critically about the intricacies of the concept, and its appropriateness in individual cases. As one module leader explained, considering restorative justice in the context of sexual and intimate partner violence invited students to intensely question the concept:

“Yeah, exactly, they might bring into it for example the fact that yeah, there’s a move to try and make restorative justice all things to all victims, but actually there’s a huge

critique of using restorative justice for rape and sexual assault, and domestic violence, and they can bring that into it by talking about the sort of offences that RJ might be used for. It's all very well using it for burglary, but when you start looking at it, where it's between people who've got intimate power relations, it's another thing all together. So, it's really getting them to open their eyes and dig under the surface" (Interview 3).

While academics held differing perspectives on the use of restorative justice in serious crimes, all expressed that it was an important area of exploration within their modules. To overcome abstraction about restorative justice and encourage students to think critically: "*So, we don't start with shoplifting, we start with extremely serious crimes, and it invites them to think critically, and think okay yes, if it can be done in such serious cases, everything else should be easy*" (Interview 5). Drawing on student's unfamiliarity and uncertainty about the practice prompted critical thinking about the concept. As restorative justice presents responding to crime in a largely different way to understanding of criminal justice students may have found normal, it is arguably an effective means to develop critical criminological thinking (Barton *et al.* 2010; Smith-Cunnie and Parilla 2001; Britto and Reimund 2012; Carson and Bussler 2013; Deckert and Wood 2013; and Stroup 2019). Similarly, exploring the use of restorative justice in the context of serious offences moves critical analysis from the theory, on a broad scale, to individual situations where it has or could be used. In doing so, fostering critical analysis skills through seeing intricacies, comparing and contrasting, and linking theory with real-life examples to evidence ideas. Therefore, the opposing and often jarring character of restorative justice, compared to other narratives of crime and justice in the criminology curriculum, incites inquiry and critique – important to the criminological imagination and the intellectual progression of students (Barton *et al.* 2010; Willis 2013; Freire 1970; Young 2011).

All students reflected on finding it '*difficult*' to imagine and understand how restorative justice could be appropriate in relation to serious crimes. For instance, one student stated: "*I assumed before it was only for like minor crimes... so for it to be put on physical, serious crimes you think - how could that work?*" (FG 3, Participant 4). However, most students explained that being exposed to its real-life application in the context of serious crimes, allowed them to question their original assumptions. For example, as students in one focus group discussed, understanding various perspectives allowed them to critically explore the use of restorative justice in different contexts:

P2: “Yeah, because I think when first people hear about it, not many people agree with it as punishment...”

P6: “Yeah, because we’re exploring it, you’re seeing it from every angle...”

P2: “If you just told someone who wasn’t maybe studying criminology, they might put it down, it’s not a very good thing to do.”

P3: “I think it’s important as well to do – obviously not with the serious crimes like murder and rape because I think it’s alright sending someone to prison for doing a crime, but when you go to prison, I don’t think you understand the impact that it’s had. You probably just think, oh well...”

P5: “There’s no connection between you and them anymore, you’ve done the crime and you’ve been sent to prison. You probably wouldn’t see that person ever again. So maybe it is good to do it with serious crimes so people can actually understand the impact.”

P1: “Is it not minimising things that are seen as minor crimes? Because that might not be minor to somebody else? Just because you don’t go from one extreme to another, trauma is trauma, isn’t it? It’s how you take it, even if it’s a minor crime in the eyes of the law, that could have an impact on that person hugely.”

(FG 3)

Critically exploring restorative justice in practice encouraged students to question the point of restorative justice. Almost every student identified that fundamentally it was about communication and closure in the aftermath of a criminal incident. Therefore, regardless of the crime “*people might find it [restorative justice] helpful and cathartic to go through that interpersonal process, it should be up to them to choose*” (FG 3, Participant 2). Considering the use of restorative justice in different, often serious, conflict situations reinforced the individual contexts which people are situated within, instead of viewing offenders as one homogeneous group of bad people who should be treated harshly (Young 2011; Barton *et al.* 2007). Correspondingly, it appears that by challenging students’ understandings of crime and responses to it through the lens of restorative justice, they were able to question the meaning of justice more broadly. This suggests that thinking critically about restorative justice encouraged students to view justice as taking various forms, and that common views of

justice in response to crime are socially constructed, not fixed or naturally existing structures (Willis 2013; Young 2011).

Exploring restorative justice intricately strengthened student's confidence and ability to critique how it could be beneficial, and/or problematic. Within focus groups, critical consideration of restorative justice often took place as students discussed their understandings of the practice. For example, from what they had learned in the restorative justice module they studied, two students contemplated the relevance, purpose, and practical impacts:

P2: "I think it should be used for cases where the victim has been seriously hurt, mentally seriously hurt by it. If you're unable to express yourself, you're unable to move on. So, stuff where they've just been burgled and they haven't actually seen the offender but say if they've been raped and they're actually willing to talk to them, I think that's a good... just to be able to see the offender looking ashamed, is that reassurance that they can move on."

P1: "I think it needs to be a really careful process. As much as it can be beneficial, it can be very harmful. Both parties need to understand what it involves, and they both need to be a certain kind of person, if that makes sense. They both need to be open-minded to what can happen, the offender needs to be someone that recognises what they've done and want to change. I see a lot of people in probation that just don't care, and if those kinds of people went into it, I think it could really, really hurt the victim, and it would just be so bad. So, they need to both be willing to get something beneficial out of it, but not beneficial on the offender's part if it's going to mean less prison time. Because I think that's completely the wrong motive for doing it."

(FG 2)

Interrogating the practicality of restorative justice, and the motives of those involved, supported the development of critical thinking about the concept. The process of learning about an approach to dealing with crime which many, as discussed in Chapter 6, had little previous knowledge of caused students to question when it would be a relevant practice. This shows that not only did the concept help them to evaluate justice as having different forms, but also to query the use of the concept itself in various situations. Hence, the juxtaposition posed by restorative justice seems to have supported critical criminological thinking - an essential element of the criminological imagination (Barton *et al.* 2010).

Restorative Justice: a problematising tool

While the novelty of restorative justice naturally invited questions and debate about the character of the processes in and of itself to develop critical criminological thinking. It was also a tool by which crime and justice, more broadly, could be problematised. All academic staff described restorative justice as a very valuable ‘*tool*’ or ‘*device*’ to help students think critically about common justice structures and processes. Most staff, regardless of the extent of their expertise in the field, expressed that their main motivation for teaching restorative justice was to invite students to problematise the ‘traditional’ criminal justice system. As highlighted in the quote below, the pedagogic value of restorative justice was viewed as being more important than the content of the topic:

“I mean at undergraduate level its I think it is important in what will be opening up people’s minds to alternative ways of thinking. So that’s the real value, yeah, it’s not so much the content... yeah, the content is clearly important, but not as centrally important I think as a lot of people regard it. I think at undergraduate level it’s really about trying to get people to think, and thinking is hard like!” (Interview 6).

Although many academics did think that restorative justice was valuable for students to be aware of and understand, using it as a lens to develop critical criminological thinking was its most important function. Accordingly, all staff, especially those who were restorative justice experts, tried hard to:

“Teach that module not as an advocate for restorative justice, although I am an advocate for restorative justice, but as a way you know in a way that's about informing them, and providing criticism, and providing critique, and certainly providing all those perspectives that you would expect level six students to engage in when they’re understanding any subject” (Interview 7).

Positioning restorative justice as a phenomenon, in a neutral way, within modules enabled it to be interrogated and compared with other justice forms. This enabled students to question justice as being social constructs rather than natural or pre-existing social structures. Indeed, restorative justice was predominantly used as a means to examine the social, cultural, and historic structures which relate to justice and punishment (Mills 1959; Young 2011). As explained by one module leader:

“I think there is a conception of education that is just that we are going to accumulate more and more knowledge as we go along, and I think education for me must be a kind of critical thinking exercise. And the hardest thing is to actually question everything that you think you know and understand like I mean you’ve got to kind of question like how did we come to think in this way? How did we come to have this kind of justice system? Yeah, I think that restorative justice is fascinating for that like. I mean the starting point again, if you want to understand restorative justice you’ve got to really go back and start to think about right well how did criminal justice institutions develop and quite a lot of interesting questions there” (Interview 6).

Using restorative justice as a ‘tool’ to invite students to question how and why systems of justice and punishment exist as they do offers significant pedagogical as well as imaginative criminological benefits (Freire 1970; Young 2011; Mills 1959).

By providing an alternative idea of justice, restorative justice was viewed as a lens through which students could develop critiques about the criminal justice system. Indeed, broadening the focus of criminology, in the context of research and teaching, to include perspectives of crime and justice beyond those provided by ‘establishment’ criminology is central to the criminological imagination (Young 2011: 185). Restorative justice, in every module, was explored to overcome hegemonic narratives of crime, justice and punishment. For example, one module leader stated:

“I would like students to start thinking critically about what happens in the criminal justice system, even though they’re criminology students I don’t want them to be dogmatic, very narrow minded about how things should be done. So, I think it opens them, for them it opens a different perspective, presents an alternative, and invites them to think more critically about the state of affairs in the criminal justice system, how crime and wrongdoings could be responded to so, yeah. Providing a critical perspective and inviting them to ask questions” (Interview 5).

In questioning the way that criminal justice exists, and the socio-historic reasons for this, restorative justice modules encouraged students to consider criminal justice stakeholders. Comparing common criminal justice processes with restorative justice incited students to explore and evaluate different approaches to justice. In particular, what each justice form offers to victim(s), offender(s) and communities, and their respective perspectives on crime

and punishment. For example, when explaining the assessment for their focused module, a module leader discussed the centrality of comparing and contrasting justice forms:

“I think it’s important for... the concepts of restorative justice can be a great way to problematise criminal justice systems. You’ll see in the module brief, the essay the students are set is basically what is RJ offering over traditional punitive systems... how are they different, what is RJ, how can we use RJ to critique these kinds of approaches. So more than in just, erm, here is another approach to justice, RJ can be why is this needed, what is going on, what are the problems with the traditional justice system, why is the victim forgotten, why is it problematic to involve communities in understanding crime, and what is it about offenders that we really need to understand to understand why they commit those crimes. So as a vehicle, not just in and of itself, but as a vehicle to help critical engagement with the discipline in a broader context, restorative justice is invaluable” (Interview 7).

Indeed, the prevailing aim of most modules was to problematise common, hegemonic narratives of crime, justice, punishment, and related stakeholders. Through using restorative justice to present justice has having various forms, modules stimulated students to critique traditional or mainstream criminological ideas about crime and justice. In this sense, restorative justice aligns directly with critical criminology and the criminological imagination which is unbound by positivist and pathologising ideas of crime and justice (Barton *et al.* 2007; Smith-Cunnien and Parilla 2001).

Additionally, restorative justice was viewed as an effective critical criminological ‘tool’ with regards to de-mystifying dominant understandings and discourses around responses to crime. In some modules, perspectives of restorative justice as an indigenous practice (see Chapter 2) were included to encourage students to question Western, taken for granted, approaches to wrongdoing and justice. A module leader from an unfocused module explained this was a key reason why they included restorative justice in the module curricula:

“So restorative justice is a really useful device to use because there's this kind of overarching assumption that somehow, we in the West have got it right. But I think that when you can show a lovely video of restorative justice practice, I think it's really transformative, it allows students to see that thing directly. And I mean the other kind of strand of that module’s always trying to think beyond sort of Western ways of

legitimate knowledge, so trying to include other voices and other ways of communicating by including restorative justice is really useful” (Interview 8).

Problematising assumptions about responses to crime within modules, deliberately posed more problems than answers, in order to develop critical thinking (Freire 1970). By challenging students’ understanding of crime and justice, and offering new possibilities out with dominant narratives, they were encouraged to consider that “things are not necessarily what they seem to be” as well as the fact “the world may be different from what it is” (Bauman and Tester 2001: 33).

It is clearly difficult for students to open themselves to new ways of thinking, understanding crime and justice in terms of stakeholders, communication, conflict resolution and alternative forms. As considered in Chapter 6, the lack of space given to restorative justice within UCD programmes impacted the extent to which the complex and critical concept could be explored thoroughly within modules. However, developing awareness of restorative justice as an alternative justice form was deemed important to criminology students by all academics (see Chapter 6). For example, as one module leader explained, restorative justice’s ability to illuminate crime and punishment as conflict management and resolution was extremely valuable for criminology students:

“Housing is using mediation; family law, we’re back to making it a requirement to do mediation, for children or parents whatever, but it keeps on going back to almost a requirement. Commercial disputes are more likely to go to mediation or arbitration than to the courts, even though they can go from arbitration to the courts as people shop around. So, all of these are exactly the same thing, different forms, or alternatives. Teaching students only about justice mechanisms which involve judges and courts I think is really not helpful, because I think they’re becoming less and less important. We’re now having virtual courts in criminal justice; they are not very restorative or negotiated. But, in those criminal justice courts, case management is actually the by-word now. Try not to let things go to trial, try to agree issues, everyone – even poor unrepresented defendants – must filter out their issues so they know, the trial is only a myth. That’s the way it’s being done, all of that is actually negotiation. So, that’s why I think restorative justice is important for students to consider and see how restorative justice is actually being used” (Interview 6).

By problematising Western validated knowledge, discourse around conflict resolution, and the criminal justice system, restorative justice was believed by all staff to provide an incredibly valuable critical tool. From the reflections of academic staff, taken as a contrasting perspective, restorative justice supported students to question and think differently about criminology and its subject matter. Which was beneficial to their academic progression as well as transferable skills which they would expect to take from their degree into their careers (Willis 2013; Barton *et al.* 2010; Smith-Cunnien and Parilla 2001; Britto and Reimund 2012; Carson and Bussler 2013; Kitchen 2013; and Stroup 2019).

7.4 Imagining otherwise

By developing knowledge of restorative justice and questioning key criminological areas through the lens of restorative justice, imagining otherwise became possible. In this sense, restorative justice offered a means by which the limited and distorting view common to ‘orthodox criminology’ could be overcome (Young 2011: 189). Exposing undergraduate criminology students to restorative justice not only prompted them to critique dominant ideas of criminal justice, but further revealed new possibilities and visions. In connecting criminological ideas and concepts with human actors, lived realities, and social structures it was shown that restorative justice is part of a more humanistic criminology which Young asserts is fundamental to ‘rescuing the [criminological] imagination’ (2011: 224). Firstly, this section explores the humanising character of restorative justice and what it offers within criminology curricula. Then it considers the value of restorative justice in enabling students to connect their personal actions with wider social processes.

Humanising criminology

Every academic expressed that restorative justice was an effective lens through which students could consider the circumstances and experiences of victim(s) and offender(s). As discussed earlier in this chapter, the pedagogic approaches within restorative justice inclusion modules centralised restorative practices and values to encourage students to relate meaningfully to content. Reflecting on the lived experiences of individuals involved in restorative justice humanised criminal justice processes. This enabled students to connect their own experiences with others to overcome the ‘clear-cut’ distinction between victims and offenders and ‘othering’ common in mainstream criminology (Young 2011: 65, 197). Indeed, as one lecturer who led a focused restorative justice module explained, through restorative

justice they encouraged students to think about their own rights to overcome viewing offenders as the de-humanised ‘other’:

“Just from my experience I think of it in terms of getting students to think about their rights, their responsibilities, ‘what are your rights?’ and quite often they’ll be like, I don’t know. It’s something that they’re probably not asked that often; and then in terms of offenders and offenders’ rights, rather than seeing them as this distinct other, then trying to show within that module that actually it might not be that clear-cut, that there might be a blurring of boundaries and there might be... so those offenders might be like us. So, rather than being distinct monsters or whatever, its actually more useful to see that these are human beings that have gone down a different route. So, those kinds of ideas” (Interview 1).

Restorative justice brings to the fore that justice involves real people and arguably encourages students to reflect on the emotions and social narratives involved. Inviting students to imagine what it would be like if they were a victim and/or offender eliminates the separation between themselves and the criminological structures they are exploring academically (Freire 1970). Indeed, as Young (2011) puts forth, key to the criminological imagination is reflexivity as well as the social and cultural narratives relating to crime and the individuals involved.

Focus on humanisation and reflexivity within restorative justice modules encouraged criminology students to relate to, and think differently about, crime and justice (Smith-Cunnien and Parilla 2006). One student explained how their perspective on justice, and the experiences of offenders and victims, changed due to being encouraged to think about the individual’s perspectives and experiences within the restorative justice module:

“I think when you think of justice you always think of justice for the victim, justice for the victims’ families, things like that, you never think, right okay, this offender has committed a crime but why have they done that? Because they could be suffering just as much as the victim is, and there’s so many reasons why people commit crime, not just because they’re a bad person, they should have that chance to speak to the victim, to say, this is why I did it, I’ve actually got some real underlying issues that I have to deal with on a day-to-day basis, and I’m really sorry but that is why... they have a chance to explain from their side. The victim probably doesn’t think about it in that way, if you have a crime committed against you, you’re thinking, oh my God, you’re

a horrible person, how could you do that, not knowing what these people go through. So, it's a good way of seeing it from both perspectives then. But yeah, I think it's really good" (FG 2, Participant 1).

Prior to studying restorative justice, students often focused on harm experienced by the victim and perhaps ignored the offender's circumstances, reasons, or emotions when committing a crime. This quote shows that studying the personal and communication-orientated nature of restorative justice, offered students new ways to consider crime and those involved. While much of criminology arguably lacks depth with regards to the consideration of human narratives and social contexts of deviant behaviour (Young 2011). Restorative justice appears to offer new ways to show students the various factors and implications relevant to a conflict and its resolution. Providing a lens through which people involved in crime can be viewed as human beings with social realities, rather than being pathologised and identified as the undesirable other (Barton *et al.* 2007; Young 2011).

Rather than generalising the causes and emotions surrounding a criminal incident, restorative justice appeared to illuminate that there are numerous angles from which crime can be considered. Another student reflected on how, after taking a restorative justice module, their understanding of the individualistic nature of each conflict increased:

"I think it makes you look at crime differently. Studying criminology, you study crime, and I was more interested in why people choose to... I always thought that people, I do personally feel like people make a choice, whatever has happened to you at that time you have made a decision to do what you're doing. But now, I think learning about restorative justice, everyone's case is individual, something has happened to someone. It's just knocking down those doors to find out what has happened and how you can help that person individually" (FG 1, Participant 1).

This quote clearly indicates that learning about restorative justice can encourage criminology students to think differently about crime, perhaps more so than other topics in the curriculum. Restorative justice arguably offers a way for criminology students to relate to, and imagine, key elements of crime such as victims, offenders, and conflict, in new ways. Areas which are not just important to restorative justice, but also to other criminological topics (Smith-Cunnen and Parilla 2006). The humanisation of conflict stakeholders through restorative justice education is therefore arguably beneficial to the criminological imagination in the context of restorative justice, and the wider criminology curriculum.

Criminology students as social actors

Restorative justice was regarded by all academic staff as “*a valuable means to ask students to imagine otherwise*” (Interview 8). As discussed throughout this chapter, restorative justice invited students to learn, understand, think about and imagine criminological ideas differently. However, in many cases restorative justice offered students new ways of acting as well as thinking. Indeed, increased reflectivity and awareness of crime and justice as involving individuals with social, cultural, and historical contexts establishes the criminological imagination, and with it, opportunities for change (Young 2011). As Mills (1959: 7-8) explained of the new outlook brought about by the development of the sociological imagination:

“Older decisions that once appeared sound now seem to them products of a mind unaccountably dense. Their capacity for astonishment is made live again. They acquire a new way of thinking, they experience a transvaluation of values: in a word, by their reflection and their sensibility, they realise the cultural meaning of the Social Sciences” (1959: 7-8).

In stretching their criminological imagination through the lens of restorative justice, students reflected on their new awareness of how their own actions could be meaningful within wider society. From students’ reflections, their degree no longer seemed isolated from their own daily lives, and their new understandings of harm, conflict, and the complex social realities of individuals offered new opportunities to them as social actors (Pucci 2015; Maisuria and Cole 2017; Brookfield 2003; Giroux 1980).

Many staff highlighted the personal and vocational importance that restorative justice could have for students. Academics, mainly from focused modules, emphasised that students reflected on the restorative justice modules as “*opening up new perspectives and new possibilities to them*” (Interview 5). Six of the seven module leaders from focused modules reflected on students going on to work, volunteer, or complete further study in relation to restorative justice during or after their undergraduate criminology degree. As one lecturer explained, the value of restorative justice goes beyond criminology:

“The value of restorative justice I think to any area of criminological concern is that it provides a useful counter to what happens in criminology, but also then I think conceptually and theoretically gets us to start thinking about the way that we approach our own work, and the way that we write about things, and who we use to get ahead,

and all that kind of stuff. So, I think it's really good for framing how we approach our work but also useful in terms of us reflecting on the way we publish, the way we deal with our research subjects, the way that we teach our students, the way we engage with one another, the way that we think about assessment or appeals, or, you know, its... so I think that it's incredibly valuable" (Interview 2).

In exploring restorative justice academically, students were able to consider alternatives in the context of criminal justice but also in terms of how they might deal with day-to-day situations. Thus, restorative justice can help provide criminology students with a social awareness central to the criminological imagination: 'a quality of mind that seems most dramatically to promise an understanding of the intimate realities of ourselves in connection with larger social realities' (Mills 1959: 15).

Indeed, after studying restorative justice, several students changed their approach to dealing with situations in their own daily lives. For example, one student explained that they had changed their management approach within their part-time job:

"So, I have a part-time job anyway, and I think after doing the workshops there are some situations, because I'm a supervisor I have to deal sometimes with issues, rather than going in with a really brash approach, this is what's going to be done, it's more a case of sitting down with that person and talking through things. In big companies that isn't always a thing, so being able to put it into practise myself with my job, I think it will definitely help me once I graduate and get my full-time career. I think even with interviews and group assessments, things like that, it can help, especially in group assessments: if you don't have that ability to listen to other people, taking other people's viewpoints, that can hinder you in a way. Yeah, I do think it will help beyond academic approaches" (FG 1, Participant 1).

Similarly, another student discussed how learning about restorative justice had influenced how they interact with people on a daily basis:

"Especially for me, it makes me think if you see someone acting up, instead of thinking, oh they're bad, I think of the restorative justice module and think, yeah there is other stuff going on with them. I've got a different mindset now almost; I try to think about two sides" (FG 2, Participant 1).

Arguably, students actively involving restorative values and practices within their own lives shows that their criminological imagination had been stretched by learning about the concept. They appear to have a new understanding of harm and conflict beyond pathologised notions of individuals, seeing the interconnectedness of social relations, and the opportunities they have to make changes (Barton *et al.* 2007). It seems, perhaps, restorative justice as an idea not only offers an alternative to hegemonic narratives of conflict and its management, but further is a tangible and feasible approach to change which students can act on (Young 2011; Stroup 2019; Britto and Reimund 2013; and Kitchen 2013; Trebilcock and Griffiths 2022).

In addition to influencing several students' behaviour in day-to-day interactions, restorative justice had influenced numerous students' career choices. Some students felt that restorative justice had opened new areas that they might like to work in:

P5: "It's cemented my reasons for wanting to work in that area. So, I came in and I knew what I wanted to do anyway and it's kind of cemented that for me, it's made me think yes, I do want to go into that area."

RS: "And what area do you want to go into working in?"

P5: It was probation, but now we know probation is all these different things, I do want to go into that, but I want to... this is my main thing. I want to be an advocate for restorative justice."

(FG 3)

Other students explained that studying the restorative justice made them decide to volunteer with criminal justice organisations. For example:

"Yeah, it definitely influenced me. After doing this module, that's when I started going into probation and doing lots of volunteering with them, and bringing that module in and the probation in, you see a lot of criminals commit crime because of their life, they've maybe been brought up in an abusive family or they're homeless, and there's a hundred-and-one reasons why people commit crime. I can definitely see that more now; it's definitely been an influence" (FG 2, Participant 2).

Studying restorative justice within their criminology degree encouraged many students to pursue working within criminal justice, and in some cases in relation to restorative justice specifically. While this does highlight the focus on employability in higher education, the

influence of restorative justice modules on student's career aims seemed to be in relation to how they could actively change neoliberal approaches to crime and justice rather than work to maintain existing methods. As one student expressed, restorative justice:

“Opened my eyes a bit more to so many different options, and we can use it in so many different places, which could be helpful, maybe change things a bit more. Because going into my degree I was, right I'm going to help people, I'll do this, I'll do that – then going to right, everything's messed up, what's going on? So, I think having... learning about this was finally thinking, there might be a solution, there might be a viable option to help things” (FG 1, Participant 2).

Of course, there are differences in perspective surrounding whether restorative justice, on a macro level, can improve some of the problems posed within the current CJS (see Chapter 2 and Chapter 6). However, students who were exposed to restorative justice commonly felt it offered them a lens to see how change could be possible, and how they could be part of such change on a micro level. Both in terms of their everyday interaction and their future career, students indicated that they had begun to see things differently due to studying restorative justice. Individuals being able to understand themselves as social actors, connecting what might once have been felt as 'personal troubles' to re-form as collective 'public issues' is essential to the sociological imagination (Mills 1959: 226). Indeed, through awareness of the vast complicated associations between such troubles and issues, “the life of the individual and the making of societies occur; and within that range the sociological imagination has its chance to make a difference in the quality of human life in our time” (Mills 1959: 226). From the accounts of most students, it appears that understanding and critically exploring restorative justice uncovered connections, stretched their criminological imagination, and offered new ideas for how to deal with both personal troubles and public issues. Obviously, there is no way of knowing if it was only the restorative justice modules, rather than a mixture of modules on their UCD programmes which influenced this new perspective. However, identification by students that it was the content and character of the respective restorative justice module that they had studied is interesting. This perspective provided by most students, taken alongside academics aiming to get students to think in new ways and open up new possibilities suggests that restorative justice was central to criminology students imagining otherwise.

7.5 Conclusion

This chapter has directly addressed Research Question 3 (*How are restorative justice knowledges produced within undergraduate criminology, and what implications does this have for undergraduate criminological teaching and learning in England and Wales?*). It has shown, firstly, that real-world contextualisation, collaboration, and experiential learning are central principles of restorative justice knowledge production in undergraduate criminology. Secondly, it has evidenced that these pedagogic approaches, coupled with the overarching knowledge of restorative justice as an alternative justice form discussed in Chapter 6, have significant implications for criminological teaching and learning in England and Wales. Namely, as a valuable topic and tool in developing and stretching the criminological imagination. This chapter has shown that as a topic restorative justice encourages students to develop critical criminological thinking by questioning the topic itself as well as provoking students to problematise common narratives of crime and justice through the lens of restorative justice. It has also argued that the topic of restorative justice lends itself to giving students opportunities to imagine otherwise – beyond dominant narratives of crime and justice – and appreciate their own agency in transforming the lives of themselves and others. While the extent to which restorative pedagogic techniques were applied varied between modules, often dependent on the level of restorative justice expertise held by academics, there were clear parallels across restorative justice modules. This is important as it suggests that restorative justice, through the practices and values it prioritises, provides a valuable pedagogic tool for facilitating criminological teaching and learning about restorative justice as well as other themes. Therefore, it is arguably clear from the data discussed in this chapter that learning about restorative justice with restorative practices and values strongly supports the development of criminological imagination among students (Young 2011; Barton *et al.* 2007; Barton *et al.* 2010).

Findings discussed in this chapter both support and problematise findings discussed in the previous two chapters (Chapter 5 and Chapter 6). On one hand, the findings in this chapter further affirm that restorative justice is a critical criminological topic area (see Chapter 5) and is predominantly understood as an alternative justice paradigm (see Chapter 6). Similarly, this chapter has shown that the propensity for academics to encourage students to consider practical applications of restorative justice explored in Chapter 6 was to prove to students, who were often unfamiliar with the concept, that it does exist in practice. As shown, this was viewed as important to support students to think critically about both restorative justice and

the current CJS (Smith-Cunnien and Parilla 2001; Britto and Reimund 2012; Carson and Bussler 2013; Deckert and Wood 2013; and Stroup 2019).

On the other hand, findings from this chapter which evidence the significant implications that restorative justice as a lens has for criminological teaching and learning problematises its marginalisation within curricula examined in Chapter 5. If restorative justice, as shown in this chapter, not only encourages students to question the topic itself but also dominant knowledges of crime and justice which exist within criminology it seems problematic that it is marginalised. Given that restorative justice is shown to be a topic and pedagogic tool which can develop and stretch the criminological imagination, its lack of inclusion in UCD programmes is troubling. Arguably, it suggests that much of criminology currently is not concerned with equipping and encouraging students to develop their criminological imagination but instead reproduce dominant knowledges and narratives of crime and justice. Thus, reaffirming the arguments put forth in Chapter 5 that the character of criminology is repetitive and status quo-maintaining with critical topics such as restorative justice side-lined and positioned as alternative. Although, evidently there are programmes and academics who harness the benefit of restorative justice as a topic and pedagogic tool, it seems it would be advantageous for criminology students, and society, if approaches which develop the criminological imagination were applied more commonly within the discipline.

Chapter 8: Conclusion

8.1 Introduction

This thesis empirically analysed the undergraduate criminology curriculum in England and Wales, and restorative justice knowledge production within it. This project used a mixture of methods across two stages. The first stage employed a combined qualitative/quantitative scoping study to examine the content of undergraduate criminology programmes offered at universities across England and Wales. The second stage involved the analysis of restorative justice inclusion module documents, one-to-one semi-structured interviews with academics, and focus groups with undergraduate criminology students. This approach enabled both macro and micro level analysis of the criminology curricula in England and Wales and the position of restorative justice within it. The project aimed to critically examine the production, and/or exclusion, of restorative justice knowledges within undergraduate criminology in England and Wales by answering three research questions:

1. To what extent is restorative justice included, and/or excluded, within undergraduate criminology curricula in England and Wales?
2. What knowledge(s) of restorative justice exist among undergraduate criminology students and academic criminology staff in England and Wales?
3. How are restorative justice knowledge(s) produced within undergraduate criminology, and what implications does this have for undergraduate criminological teaching and learning in England and Wales?

This chapter discusses the striking findings and themes from the thesis, assesses the extent to which the overall aim of the project was achieved and considers the wider implications for scholarship and practice. The first section of this chapter summarises and discusses the project's key research findings. In doing so, it discusses what they illuminate about the awareness and understanding of restorative justice in a criminological teaching and learning context as well as the implicit and explicit value and challenges of restorative justice knowledge production in undergraduate criminology. Secondly, it evaluates the success of this project in achieving its overarching aim and reflects on key limitations of the research. Then this chapter discusses the unique contribution to knowledge which this thesis provides. Thirdly, the implications of the study's findings for criminological and restorative justice education are explored. The chapter then recommends gaps to be considered in future research. Lastly, the chapter ends with some final thoughts on the project.

8.2 Summary and discussion of main research findings

Research Question 1: Extent and form of restorative justice inclusion

This project exposed that restorative justice was not extensively included within undergraduate criminology curricula in England and Wales. Further, even when it was included, it held a marginal position within the curriculum. These key findings regarding the extent and form of restorative justice inclusion in undergraduate criminology show that restorative justice was not a fundamental topic, nor even a prominent fringe theme, within undergraduate criminology in England and Wales. Aware that curriculum development does not occur in isolation, this study critically examined the factors potentially influencing the marginalisation of restorative justice within criminology. Three impacting factors were identified: first, the character of contemporary criminology curricula; second, the position of restorative justice as a specialist criminological area; and lastly, the wider socio-economic forces influencing the higher education context in which criminology curricula, teaching, and learning exist.

Pertinent to the marginalisation of restorative justice was the repetitive, status quo-maintaining, character of contemporary criminology. The 17 criminological topic areas derived during this project, which generally represent the core themes of all 2,324 undergraduate criminology modules offered, largely covered mainstream criminological concepts, institutions, and ideas. Yet the topics represented least across all programmes were those which explored notions of crime and justice beyond dominant status quo understandings. The similarities in curriculum content across all UCD programmes (n=85) evidenced a pattern of mainly orthodox criminological topics considered to be core and a small handful of fundamentally critical topics viewed as additions or special interest areas. Findings from the scoping study show that undergraduate criminology curricula are repetitive, both in terms of the topics covered and the common precedence placed on mainstream orientated topics. As restorative justice was the topic area which represented the smallest proportion of modules, it seems that its links to critical criminological thought mean it is positioned as a special interest topic rather than a core criminological topic.

Reflections on curriculum design from academics who participated in this project further emphasised the repetitive and status quo-maintaining character of criminology curricula, and the marginalisation of restorative justice within it. Factors central to most academics' perspectives regarding the inclusion of restorative justice, and creation of criminology

curricula generally, were practicality, relevance to the criminal justice system, and the contents of core textbooks and the QAA Benchmark Statements for Criminology. Arguably, these common factors of justification highlight the impact of commodification in higher education on criminology in England and Wales. Drawing on key criminology textbooks and the QAA Benchmarks when designing curricula makes it unsurprising that undergraduate criminology is repetitive and focuses on status quo perspectives of crime and justice. Further, if UCD programmes generally mirror each other in terms of content, perhaps it is realistic that few criminology departments and academics would risk moving away from this norm. It seems that UCD programmes are designed in pursuit of practicality and student/consumer satisfaction through focusing on common sense notions of what a criminology UCD should involve (Giroux 2011; Strunk and Betties 2019; Barton *et al.* 2007). Further, findings presented in this thesis suggest that the high workloads of academic staff at universities, arguably exacerbated by the marketisation of UCD programmes and student/consumer expectations, drives pragmatism and ease over epistemological considerations and innovation within curricula.

The findings suggest that the marginalisation of restorative justice is also a result of its position as a specialist criminological area. All focused, and some unfocused, restorative justice modules were created and led by academics who were restorative justice experts. Having extensive restorative justice research and/or practical experience was a key factor in a criminology academic's confidence, ability, and authority in designing and introducing a restorative justice inclusion module into the degree programme delivered by the department in which they worked. Restorative justice is widely recognised in the field as complex due to the variety of definitions, values, principles, and practices associated with it (Van Ness and Strong 2010 cited in Dünkel *et al.* 2015: 177; Johnstone and Van Ness 2007; Daly 2016). Criminology academics that were experts in restorative justice, as well as those who were not, equally highlighted the challenges that come with teaching restorative justice. Justifiably, academics whose research does not focus on restorative justice did not feel that they had enough knowledge of the topic to include it extensively in the curriculum due to its complexity. Nonetheless, evidence that academics are increasingly teaching topics which are not their area of research expertise suggests that contemporary higher education bases curricula on consumer demand rather than expertise of academics in individual departments. Correspondingly, as restorative justice is not specified within QAA Benchmark Statements for Criminology, as a topic which undergraduate students must consider, not all criminology

academics would be aware of or familiar with teaching it. The extensive restorative justice expertise and the seniority of most academics who led focused restorative justice modules suggests that academic authority, and confidence, is required to be able to introduce a specialist topic like restorative justice to their respective departments' curriculum. Academics who led focused modules were provided with opportunities to draw on their specialist knowledge and extensive research of restorative justice to create and deliver research-led modules, an option which is not available to all academics.

While the repetitive and mainstream character of criminology and the position of restorative justice as a specialism were influential in the marginal inclusion of restorative justice, arguably these conditions connect to wider social forces influencing criminology curricula generally. The impact of neoliberal processes and consumerism on higher education ultimately inform the context in which undergraduate criminology curricula exists. The perspectives of criminology academics presented in Chapter 5 showed that many believed that the marketisation of higher education impacted students' perception of university education and a degree in criminology. Several academics reflected on the change in the content of criminology degrees in recent years to attract students (consumers) who perceive criminology to be about serious offenders such as murderers or serial killers, extreme forms of punishment, and traditional criminal justice institutions (e.g., police, courts, and prisons). Competitiveness across the sector to attract students was viewed as being key to decision making regarding modules which would be offered on a criminology degree programme. Direct references were made, by some academics interviewed, to the removal of the cap on student enrolment numbers at universities in England and the increase in university tuition fees. Academics believed this was encouraging universities to use criminology to attract students, students to feel that they were purchasing a degree by paying to attend university and resulting in high staff workloads (Harris *et al.* 2019; Palmer 2020). The reflections from criminology academics discussed in Chapter 5 showed clearly that the focus on increasing student numbers, quality assurance metrics for student experience, teaching, and research, high workloads, time constraints, and departmental dynamics experienced by academics, have all intensified due to the neoliberal and consumer-driven agenda throughout higher education which in turn influences criminology curricula and the position of restorative justice within it.

Research Question 2: Knowledges of restorative justice

This project found that knowledge of restorative justice in undergraduate criminology predominantly centred on it as an alternative justice paradigm. It was largely presented to students via module materials and by academics in terms of the key ways in which it was different to dominant criminal justice processes. This encouraged knowledges of restorative justice among students to be based on central elements of the practice, rather than extensively developing knowledge of theoretical perspectives of the concept and debates regarding its definition. Arguably, knowledges of restorative justice as an alternative justice paradigm with key practical differences to common criminal justice approaches are symptomatic of its position within undergraduate criminology discussed in Chapter 5. The lack of space in curricula to develop knowledges of restorative justice made it difficult for the intricate theoretical perspectives and debates within the field of restorative justice to be considered. Another key knowledge of restorative justice produced within undergraduate criminology was its relevance to many areas of the CJS and community settings. This focus on practical application indicated that staff were eager to prove to students that restorative justice was a real practice due to few students having prior knowledge of it. Arguably, the practical, and at times employability, focus within restorative justice modules highlights the influence of marketised higher education on restorative justice knowledge production. Nonetheless, this project found that ultimately a small amount of restorative justice knowledge production, evidencing an alternative to dominant understandings of crime and justice, was better than it not being included in criminology curricula at all. The value of restorative justice to undergraduate criminology was further evidenced when approaches to its knowledge production were explored in Chapter 7.

Knowledges of restorative justice which existed among undergraduate criminology students and criminology academics in England and Wales who participated in this project were evidenced in Chapter 6 and took the form of three key themes. Firstly, this study established that the overarching knowledge of restorative justice within undergraduate criminology was as an alternative justice paradigm. This predominant understanding of restorative justice manifested in two ways: most commonly, restorative justice was constituted as an alternative approach to the entire criminal justice system; in other, less frequent, instances restorative justice was recognised as an alternative form of justice as part of the current criminal justice system. Variations between these knowledges of restorative justice as an alternative justice paradigm centred on differing perceptions regarding how effective it would be if it were to

override the current criminal justice system. On one hand, there was a view that restorative justice could deal with many of the problems within the 'traditional' largely 'retributive' justice system which exists currently and the harms which it can cause. By providing a new approach to justice which would involve those directly affected by conflict and align more with the pursuit of social justice. Yet, on the other hand, this radical perspective of restorative justice as a complete alternative did not align with modules that focused on the role of restorative justice in better supporting victims of crime. This view was also problematised due to the ways in which it might compromise voluntariness within restorative processes. The varying understandings found within undergraduate criminology regarding the extent to which restorative justice constituted an alternative form of justice closely reflect ongoing debates within the field.

However, the tangibility of restorative justice completely changing the CJS also differed in line with the extent to which individual academics who designed and led modules were restorative justice experts. Focused restorative justice modules, and respective academics and students, viewed restorative justice as a different way of thinking about crime and justice (Zernova 2016). These modules supported intricate considerations of how restorative justice provided an alternative to common criminal justice methods. However, unfocused restorative justice modules, and the academics who led them, viewed restorative justice as being an alternative paradigm in a general sense. Notably, although criminology academics who were not restorative justice experts did support the application of restorative justice and the alternative, less punitive, response to crime which it offered, they did not always believe that it would be a tangible reality.

A second theme which emerged was that restorative justice was understood in terms of the central elements of the concept practically, rather than considering extensively the varying models and theories of restorative justice. Although some consideration was given to the concept's theories by a few criminology academics and within some module handbooks, knowledge production focused on central elements of restorative justice and how these were different to common criminal justice approaches. Criminology students and academics, as well as the module handbooks created by such academics, evidenced that knowledges with regards to what constitutes restorative justice involved three, often intersecting, central elements: repairing harm, participation, and communication. Each of these three key elements are at odds with the 'traditional' criminal justice system, and thus further position restorative justice as an alternative justice paradigm within undergraduate criminology curricula. Given

that there are various, contested, definitions of restorative justice within the field it seems understandable that within modules the concept and practice was considered more in terms of key components rather than in relation to a specific definition (Johnstone and Van Ness 2007; Daly 2016). Nonetheless, the elements identified by criminology students and academics as key to restorative justice, repairing harm, participation, and communication, do align generally with those outlined by academics and activists within the field (Johnstone and Van Ness 2007; Daly 2016; Zernova 2016; Zehr 1990).

Thirdly, knowledges of restorative justice concerned its application in both criminal justice and community settings. Most students were encouraged within restorative justice modules to develop understandings of its practical application. Despite the lack of awareness among criminology students, prior to studying restorative justice, and some academic staff (whose research focus was not restorative justice) of the variety of contexts in which restorative justice could be applied, knowledge regarding its application was extensive. Not only was restorative justice understood as being relevant in response to a range of crimes, but significant knowledge also existed on restorative practice and its application in various settings outside the CJS. Knowledges of the applicability of restorative justice, as well as restorative practice and values, links to the practical, rather than theoretical, knowledge produced regarding the central elements of restorative justice. Restorative justice was, largely, presented and understood as something which is real, which is being, and can be, applied in a range of settings.

These three themes of restorative justice knowledge production in undergraduate criminology provide important and original insights regarding understandings of the concept to restorative justice scholarship. Yet, further, as was discussed in Chapter 6, consideration of the wider context in which these knowledges were produced offers important insight regarding restorative justice education in undergraduate criminology. While the overarching knowledge of restorative justice was as an alternative justice paradigm, which is arguably positive due to the status quo-maintaining character of criminology curricula discussed in Chapter 5, the marginal position of restorative justice in curricula impacts the extent of knowledge produced about it. Restorative justice being added on to modules, marginalised as a critical specialism and/or delivered in an optional module reduces the opportunities for thorough knowledge to be developed. Hence, as this thesis has shown, knowledges are developed regarding core components of restorative justice rather than deep engagement with it theoretically and practically. This thesis has put forth that the lack of awareness of restorative justice among

many criminology students, arguably due to the mainstream focus of criminology curricula guided by consumerism, seemed to encourage academics to prove that restorative justice exists in the real world. As part of demonstrating the areas restorative justice could be applied to, there was consideration of potential future careers in restorative settings. This directly addresses the employability outcome focus of higher education currently, whereby modules are often validated and offered based on the extent to which they support employability and graduate outcomes. Therefore, it seems such conditions placed on curricula influence restorative justice knowledge production, and feasibly the production of other criminological knowledges.

Research Question 3: Production of restorative justice knowledges and the implications for criminology teaching and learning

This project identified that the predominant knowledge of restorative justice being an alternative justice form influenced the way in which restorative justice knowledges were produced within undergraduate criminology curricula. Not only did restorative justice inclusion modules present the concept as a tangible and alternative approach to justice within module content, but these understandings of restorative justice also informed criminological teaching and learning methods within such modules. Indeed, throughout all restorative justice modules, discussed in interviews and focus groups, the topic was taught using restorative practices and values, albeit to varying extents. This pedagogic approach was shown to be valuable in supporting knowledge production about restorative justice as well as other criminological themes. Approaches to restorative justice knowledge production, presented and discussed in Chapter 7, encouraged criminology students to think critically about a range of criminological ideas, understand themselves as social actors, and humanise and relate to often abstract criminological ideas. Ultimately, evidencing that restorative justice as both a topic and teaching tool is valuable to the development of the criminological imagination in undergraduate criminology. Arguably, this is particularly important to counteract the dominant narratives of crime and justice in society, and as discussed in Chapter 5, in much of criminology. This thesis has shown that restorative pedagogy and focusing on developing the criminological imagination is important to emancipatory and transformative criminological education. Particularly at a time when university education is increasingly being pulled away from its traditional ideals of personal growth, creativity, and liberation by the neoliberal and consumerist academy as discussed in Chapter 3 (Maisuria and Cole 2017; Giroux 1980).

Findings discussed in Chapter 7 of this thesis show that, regardless of whether it was a focused or unfocused module, restorative justice was taught using restorative pedagogy which included three principles: real-life contextualisation, collaboration, and experiential learning. Both criminology academics and students acknowledged that this approach was different to those used when teaching or learning about other criminological topics. Arguably, the different pedagogical methods employed within restorative justice inclusion modules enabled the criminological imagination to be developed and expanded for students (Young 2011; Barton *et al.* 2007). Yet, the extent to which these pedagogic methods were applied extensively, as well as knowingly, differed depending on the restorative justice expertise of the academic leading the respective module. Most leaders of focused restorative justice modules applied restorative pedagogy extensively, and deliberately designed teaching and learning activities in line with restorative practices and values. Given the extensive restorative justice experience of focused module leaders, it is arguably unsurprising that they instinctively taught in a relational way and applied restorative practices and values in classroom settings. Further, as discussed in Chapter 5, many criminology academics who specialised in restorative justice held high level positions within their departments and therefore arguably had more authority and opportunities to teach in a different and innovative way. In contrast, while criminology academics who led and/or taught on unfocused restorative justice modules did use elements of restorative pedagogy they did not do so as significantly, particularly in the case of facilitating experiential learning. Further, they had not always meaningfully planned to use these approaches to teach in a restorative way. Perhaps indicating that applying restorative pedagogy does not always link to the extent of restorative justice knowledge an educator has, but rather, depends on if it overlaps with principles of pedagogical techniques such academics are more familiar and confident with.

Regardless of the extent to which restorative pedagogic principles were applied in different modules, the approaches had clear impacts on educational spaces, learners, and the knowledge produced within them. Both focused and unfocused modules used real-world contextualisation to evidence the tangibility of restorative justice, humanise justice stakeholders, and support students' understandings of how it could be applied. Engagement with a range of real-world examples of restorative justice overcame the abstraction of the concept as well as the misconceptions which students often have about its application (Waltman-Spreha 2013). This propensity to make restorative justice real to students linked to how academics felt that they needed to provide examples and role play, to demonstrate that

restorative justice is a practice being applied in the real world and not just an abstract concept, as discussed in Chapter 6. Further, contextualising restorative justice via relevant videos, documentaries, case studies, and guest speakers made students relate to the topic and in doing so supported meaningful knowledge production.

Collaborative learning, via discussion, participation, and debate, was important to the delivery of all restorative justice modules. However, although this approach was used in both focused and unfocused modules, it was more extensively used in focused modules. Central to this approach was the development of power neutral learning environments in which everyone in the spaces was synonymously teacher and student to enable equal voice (Freire 1970; Toews 2013; Pointer *et al.* 2020). Collaboration within modules was viewed as beneficial by both academics and students and as one academic explained, enabled learning to be facilitated “*in the spirit of restorative justice*” (Interview 5). Experiential learning, applied only in focused restorative justice modules, enabled students to develop knowledge of restorative sharing circles, problem-solving circles, and role plays of restorative justice encounters by actually being involved in such practices in classes. Having the opportunity to experience restorative justice in this way showed students the importance of empowerment, problem solving, and participation to restorative justice and evidenced that conflict and its stakeholders do not exist in isolation, but are influenced by a range of social, economic, and cultural factors (Dyck 2008; Vaandering 2010).

Restorative pedagogic approaches, and restorative justice as a topic, were not only effective in supporting knowledge production about restorative justice, but also had broader implications for criminological teaching and learning. Restorative justice being positioned within the curricula as an alternative idea, and being understood as an alternative form of justice, encouraged critical criminological thinking. Restorative justice as a concept supported critical thinking in two ways: by causing students to question the validity of the concept itself; and by encouraging students to problematise the criminal justice system. This invitation to think critically, which restorative justice inherently offered, was enhanced in modules which prioritised real-world contextualisation and collaborative learning. These pedagogic approaches gave students the power and space to question their preconceptions, visualise and relate to restorative justice, and debate their ideas with others. Further to the development of critical criminological thinking, the way in which restorative justice encouraged students to question and problematise criminal justice approaches often encouraged them to imagine criminological themes in new ways. Through learning about

restorative justice, they related to criminal justice stakeholders in a more humanistic way. Many students also discussed their own actions and potential as social actors to influence change in their own lives and lives of others. Although, students imagining themselves and criminological ideas differently was partly enabled due to the critical thinking restorative justice prompted, this knowledge was also produced due to the application of restorative pedagogy. Learning through real-world contextualisation, collaboration, and experiential learning enabled students to relate and empathise meaningfully with criminal justice stakeholders and criminological ideas. Thus, this thesis has evidenced that restorative justice, as both a topic and pedagogic tool, had significant implications for criminology teaching and learning, and in particular development of the criminological imagination.

8.3 Reflections on achieving the project's aim

This project set out to critically examine the production, and/or exclusion, of restorative justice knowledges within undergraduate criminology in England and Wales. Largely, this project has been successful in achieving its overall aim for two key reasons.

Firstly, through examination of the extent and form of restorative justice inclusion within all UCD programmes offered at universities in England and Wales via the scoping study, this research has established that restorative justice knowledges are principally excluded from undergraduate criminology. It is fully recognised, as outlined in Chapter 4, that there were limitations to some elements of the scoping approach. However, the extent of macro-level evidence gathered regarding contents of undergraduate criminology curricula at 85 universities via analysis of all undergraduate criminology modules offered (n=2,324) on all 85 UCD programmes in England and Wales, alongside the reflections provided from academics (n=10) at multiple universities (n=7) suggests that restorative justice is largely excluded from undergraduate criminology. While restorative justice is on occasion included in a marginal way, its lack of representation across the discipline's curricula is arguably a symptom of the wider socio-economic forces influencing higher education in England and Wales and the status quo-maintaining character of criminology currently.

Secondly, despite restorative justice knowledges generally being excluded from undergraduate criminology, some knowledges of the concept were produced. This project established that there were two ways that restorative justice knowledge was produced, either via its inclusion in an unfocused restorative justice module or in a focused restorative justice module. It established that the vast majority of focused modules were optional modules, as

were many unfocused modules. Therefore, restorative justice was not viewed as core to criminological knowledge. Through the collection and analysis of module descriptions (n=33), module handbooks (n=8), interviews with criminology academics (n=10), and focus groups with students (n=3) this research has critically examined the restorative justice knowledges which did exist in undergraduate criminology and how they were produced. Principally, it has shown that restorative justice knowledges centre on it being an alternative justice paradigm and its application in practice. The most prominent influences on the production of restorative justice knowledges were indicated as being its position within criminology as a marginal specialism, the expertise of staff, and correspondingly, the facilitation of restorative pedagogy.

While this project did achieve its overall aim and has provided extensive examination of knowledges of restorative justice in undergraduate criminology by drawing on the range of evidence collected, there are a few ways that this aim could have been more extensively addressed. As discussed in Chapter 4, the study set out to engage with and collect the perspectives of a greater number of students. Unfortunately, due to issues caused by COVID-19 this was not possible. However, collection of further student reflections, and inclusion of students from unfocused modules in the research, would have strengthened the overall examination of restorative justice knowledge production within undergraduate criminology. Further, as discussed in Chapter 4, while the study did involve a representative sample of criminology academics expert in restorative justice, it is recognised that academic interviews conducted were not representative of all criminologists in England and Wales. COVID-19 impacted the participant recruitment process for interviews with academics, albeit to a lesser extent than for focus groups. Thus, perspectives on restorative justice inclusion and knowledge production in UCD programmes were provided by most restorative justice experts in this context. However, findings regarding academics' perspectives of criminology curricula generally were derived from views of the participants involved and do not necessarily reflect the views of all criminologists. Participation of a greater number of criminology academics in this project would have provided a greater range of perspectives and enabled deeper consideration of the character of criminology curricula in England and Wales. Also, having the opportunity to speak with representatives from the QAA Benchmark Statements in Criminology review groups via interviews would have strengthened the exploration of the position of restorative justice knowledge within criminology. However,

while attempts were made to speak with members of these review groups no one agreed to be involved in the project.

8.4 Contribution to knowledge

The key findings of this study, which have been summarised and discussed in the previous sections of this chapter, are examined below in terms of how they contribute to knowledge both in the discipline of criminology and the field of restorative justice. Findings from this project provide four original and significant contributions to knowledge which are discussed in turn below.

Firstly, this thesis has provided a unique holistic understanding of the ways in which the discipline of criminology is understood and practiced in English and Welsh higher education. Although scholarship regarding criminology teaching and learning in a UK context exists and is gaining momentum (for example, see Barton *et al.* 2007, 2010; Stockdale and Sweeney 2019, 2022; Stockdale *et al.* 2021; Sweeney 2022; Harris *et al.* 2019; Young and Strudwick 2022; Trebilcock and Griffiths 2022), no previous study has empirically examined the undergraduate criminology curriculum at a national level. Thus, this research adds significantly to literature in the field by evidencing the current character of criminology curricula, UCD programme delivery and structure, and the practicalities involved in delivering, and teaching on, a UCD programme. Although, as highlighted in Section 8.3 above, there were some limitations to this project in terms of the number of criminologists who participated, nonetheless their valuable perspectives combined with scoping study results offer a unique, holistic, and original overview of undergraduate criminology in England and Wales. Indeed, insights which this thesis provides regarding undergraduate criminology at a macro level will inform the development of research and knowledge in relation to criminology curricula, teaching, and learning. This is important because the discipline is growing at an intense rate (Garland 2011; Bosworth and Hoyle 2011; Harris *et al.* 2019; Stockdale and Sweeney 2019). Given the increasing numbers of students taking up criminology degrees in the UK and the pressures faced by academic knowledge production in the current higher education sector, it is an opportune time to take stock and consider the purpose of a degree in criminology. By providing a holistic picture of undergraduate criminology in England and Wales, this thesis provides a starting point for discussion within the area of criminology teaching and learning, and the field of criminology more broadly, about the position and function of criminology degree programmes in the academy.

Correspondingly, findings from this thesis, regarding the ways in which the discipline of criminology is understood and practiced in English and Welsh higher education, contribute to epistemological debates and questions which exist within the discipline of criminology. In 2011 Mary Bosworth and Carolyn Hoyle edited a book entitled ‘What is Criminology?’ which explored the parameters, silos, divisions, and core elements of the discipline. By providing a rounded and broad perspective of undergraduate criminology this thesis furthers knowledge about the discipline itself. It shows that regardless of the academic debates and explorations the discipline conducts about the intersecting fields and epistemological divisions which it contains, in practice criminology is being marketed and studied as a subject which focuses on and replicates dominant notions of crime and justice. Indeed, this thesis provides the first empirical evidence of the criminological canon that is being taught across England and Wales which speaks to theoretical scholarship regarding its academic parameters. This is important because it provides foundational evidence that establishes what criminology is in practice when it comes to undergraduate degree programmes. Furthermore, it suggests that marketisation and neoliberalism are directly impacting criticality, subjectivity, and imagination within criminology programmes.

Secondly, this thesis makes a unique contribution to knowledge regarding the position of restorative justice in criminology. This study was the first to assess the extent to which restorative justice was included within undergraduate level programmes in a UK context. Similarly, it is the first project internationally to have explored the extent of restorative justice inclusion within criminology curricula across all universities in a higher education system. This is important because all previous research on restorative justice education in criminology has been conducted in a USA or New Zealand higher education context and in relation to individual criminology and/or criminal justice undergraduate programmes (Smith-Cunnien and Parilla 2001; Britto and Reimund 2013; Deckert and Wood 2013; Carson and Bussler 2013; Stroup 2019; Waltman-Spreha 2013). Therefore, by empirically examining the extent and form of restorative justice across all universities in England and Wales, this thesis has provided unique and significant wide-ranging evidence regarding the position of restorative justice in criminology higher education. In doing so, it has established evidence of trends in the way that restorative justice is included within criminology curricula, primarily in either a *focused* or *unfocused* format. This thesis has shown that when a module focuses on restorative justice, the topic is explored extensively, however these modules are most likely to be optional and come in the last year of an undergraduate degree. Modules which included

restorative justice in an unfocused way considered the concept and practice in relation to a broader criminological topic and were more likely than focused modules to be included early in the degree and be core modules. Such findings are important to the emerging field of scholarship on restorative justice teaching and learning both in the UK and internationally.

The range of criminological topic areas that included restorative justice in an unfocused way, evidenced that the concept is relevant to multiple criminological areas. However, while this research has evidenced different forms of restorative justice inclusion, ultimately it has established that restorative justice is not extensively included within criminology curricula. Restorative justice is positioned on the margins of undergraduate criminology curricula across England and Wales. Given the progression of restorative justice scholarship, policy, and practice, evidence that restorative justice is not being explored extensively within criminology is of great relevance to the field of restorative justice. Many criminology graduates are likely to have careers in criminal justice, social services and/or human services in which restorative justice practices are relevant and progressing. Therefore, by exposing the lack of restorative justice inclusion within the discipline's curricula on a broad scale, this research contributes to knowledge regarding the progress of restorative justice in the UK.

Thirdly, this thesis has shown how undergraduate criminology students and academic teaching staff perceive and understand restorative justice. No study in a UK context has previously explored understandings of the concept among these groups. Thus, this thesis has provided important insight regarding the knowledges and perceptions of restorative justice which exist among criminology academics and students which can inform the development of the topic within criminology and other relevant subjects. As has been highlighted throughout this thesis, restorative justice is a contested concept with multiple, often competing, understandings of it theoretically and practically. Although many staff and some students reflected on these debates within the field, knowledges which existed within undergraduate criminology predominantly focused on restorative justice as an alternative way of understanding crime and responding to it. Fundamentally, restorative justice was understood as an alternative to traditional forms of justice. Yet, there was a common understanding across most participants in the project that restorative justice should be considered as a combination of key elements that differentiate it from the common criminal justice system. Notably, academics who led or taught on unfocused restorative justice modules were not always aware of the vastness of restorative justice scholarship or the range of contexts and countries in which restorative justice was, and is, being applied. Findings regarding

knowledges of restorative justice in criminology contribute important knowledges to the field, in particular the lack of awareness academics who were not expert in the field had of restorative justice as well as how they interpret and understand it; the common understanding of it as being signified by core components rather than a fixed definition; and that fundamentally it is viewed as an alternative form of justice. Such findings can inform restorative justice scholarship regarding how to further understandings of the concept both inside and outside the academy.

Finally, this project has explored and evidenced the use of restorative pedagogy in criminology on a broad scale which has not previously been done within this discipline or in a UK context. While literature exists on the application of restorative pedagogy in a school context (Hopkins 2003, 2012; Morrison and Vaandering 2012; Vaandering 2014a, 2014b; Morrison 2015) and in education on restorative justice generally (Toews 2013; Pointer *et al.* 2020; Pointer and McGoey 2019; Gilbert *et al.* 2013), this thesis provides the first empirical evidence of its application in criminological higher education in the UK (Sweeney 2022). This research adds to knowledge regarding applying restorative pedagogy in criminology by showing that real-life contextualisation, collaboration, and experiential learning are key to restorative pedagogic principles and are valuable in facilitating teaching and learning about restorative justice and other criminological topics and themes as well as in stretching the criminological imagination (Sweeney 2022). This empirical evidence of principles of restorative pedagogy in higher education adds to academic knowledge around the use of restorative practices in organisational and community settings as well as to pedagogic practice which will be discussed in the next section of this chapter (see Section 8.5).

8.5 Implications for practice

In addition to significantly contributing to restorative justice and criminological knowledge, findings from this project have several important implications for practice within criminology and/or restorative justice education.

Firstly, findings discussed in this thesis suggest that criminological education which excludes restorative justice is harmful. More extensive provision of restorative justice education within UCD programmes would provide criminology students with an effective lens to examine key criminological themes such as crime, justice, victims, offenders, and communities (as discussed in Chapter 7). Unlike some existing literature on restorative justice education in criminology, this thesis does not simply advocate for the inclusion of restorative justice in

UCD programmes because of its advancement in criminal justice policy and practice (Smith-Cunnien and Parilla 2001; Britto and Reimund 2013; Carson and Bussler 2013). Rather, as discussed in Chapter 7, learning about restorative justice can offer students a lens to think critically about restorative justice itself, the CJS, dominant narratives of crime and justice, as well as their own abilities as social actors. It is, of course, recognised that restorative justice is not the only criminological topic which can provide students with a lens to encourage critical thinking. However, this thesis has shown that restorative justice can be valuable for such purposes and given the minimal inclusion of the topic in UCD programmes evidenced in Chapter 5, it seems important that greater efforts are made to include restorative justice in criminology curricula. Such efforts could be achieved if restorative justice is recognised by criminologists as a topic with both criminological and pedagogic value. It is hoped that the dissemination of literature and recourses informed by this thesis will increase awareness of the pedagogic value of restorative justice in undergraduate criminology.

Correspondingly, while the lack of restorative justice inclusion in UCD programmes is harmful to criminological education, so too is the lack of critical criminological topics more broadly. Indeed, as discussed in Chapter 5, the criminological topic areas represented least across curricula in England and Wales were those which provided alternative perspectives on crime and justice (such as crimes of the powerful, environmental harms, and restorative justice). Therefore, findings from this research suggest that undergraduate criminology is generally reproducing the status quo rather than meaningfully encouraging students to think differently about crime, justice, and related stakeholders. As discussed in Chapter 5, UCD programmes are repetitive in the way that mainstream criminology topics are given precedence while critical criminological areas are marginalised. Addressing this common epistemological imbalance across UCD programmes is therefore an important task. It requires that individual UCD programmes, and academics managing them, are able to shift critical criminological issues to the fore of curricula rather than being pressured to replicate the curricula of other programmes to remain competitive in marketised higher education. Further, it requires that the QAA take action which meaningfully ensure that the Benchmark Statements for Criminology are in fact used as guidance rather than to directly inform or prescribe curricula content. Arguably, in contemporary higher education where quality assurance metrics are applied, rather than merely understood as suggested information, greater attention should be given by the QAA and criminologists as to how these resources are created and what interests they aim to serve.

Another important practical implication is that developing a criminological imagination should be understood as the purpose of a criminology degree. This thesis has argued that development of such an imagination lends itself to all criminological topics, encourages critical thinking, and enables criminological education to be transformative (Barton *et al.* 2010; Barton and Davis 2015; Young 2011; Mills 1959; Freire 1970; hooks 1994). While there are deep rooted epistemological divisions within the discipline, a consensus that undergraduate criminology should focus on the development of a criminological imagination throughout all modules in a course would enable two important things. Firstly, it would prevent the marginalisation of critical criminological thinking and issues in UCD programmes. Secondly, if due to marketisation and neoliberalisation higher education courses are going to reflect each other, it would provide a clearer and improved purpose for criminology degrees across England and Wales. Such change is required because as things stand, the discipline seems to be reproducing many of the harms which it intends to address (Christie 1977). Therefore, to avoid “not [having] any criminology” or “abolishing institutes” as Christie suggested over 40 years ago because “the social consequences of criminology are more dubious than we like to think” (1977: 1), the discipline should be united in its pursuit to develop future criminologists with strong imaginations and critical thinking.

Finally, this thesis provides practical evidence of how to facilitate restorative pedagogy in criminology as well as higher education more generally. It has set out that key elements of restorative pedagogy are real-life contextualisation, collaboration, and experiential learning. By evidencing the principles of restorative pedagogy, and its application and impact on knowledge production, it is hoped that this thesis, as well as the resources and literature disseminated from it, will increase practical understandings of best practice in terms of facilitating learning with restorative practices and values (Sweeney 2022). Alongside informing restorative justice education, findings of this study regarding restorative pedagogy add to wider restorative pedagogical practice (Toews 2013; Pointer *et al.* 2020; Pointer and McGoey 2019; Gilbert *et al.* 2013; Marder *et al.* 2022). By showing how restorative practices and values can be applied to support teaching and learning which is useful to topics other than restorative justice, this study informs pedagogical practice within a range of higher education subjects.

8.6 Recommendations for future research

This thesis has addressed its overall aim and the three research questions which it set out to answer. However, this thesis did have three key limitations which it would be beneficial to address in future research. Firstly, as explained in Chapter 4, it was intended that this research would gather the perspectives of a greater number of students from different universities but due to COVID-19-related issues this was not possible. Future research concerning restorative justice knowledge production in undergraduate criminology which engaged with the experiences of a greater number of students would add considerably to knowledge regarding both restorative justice and criminology teaching and learning. Secondly, given the relevance of QAA Benchmark Statements for Criminology to the discussion of findings in this thesis, it would have been beneficial to gain the perspectives of individuals who had served on the review groups for such statements. Despite efforts made to invite such individuals to take part in interviews for this project, none responded. It would be valuable to complete further research considering in more depth the work of QAA review group members to provide knowledge of how decisions for Benchmark Statements are made. Thirdly, the majority of academics and all students that participated in this project were linked to focused restorative justice modules. Some findings within this study would have been strengthened regarding the different forms of restorative justice inclusion in criminology curricula if a greater number of academics linked to unfocused restorative justice modules had participated in the project. This is something which should be considered further in future research regarding restorative justice inclusion in criminology curricula. Further, to explore the character of undergraduate criminology more deeply, and add to findings from this project, future research should focus on gathering perspectives from a larger proportion of criminologists from across England and Wales.

Beyond future research which would address some of the limitations of this project, there are several interesting areas for future research which have become apparent during this study. Further analysis could be conducted in terms of the type of university (e.g., Russel Group, post-92 etc.) where restorative justice is offered as part of a criminology degree and the implications this has for the way the topic is included and the extent to which restorative pedagogy is enabled. Similarly, given the propensity evidenced for academics to prove that restorative justice is a real practice and teach using real-world contextualisation (see Chapter 6 and Chapter 7), it would be of interest to consider if relationships between universities or academics and local restorative justice organisations influence the likelihood that the topic

will be included in curricula. This is of particular interest given the increased focus on employability across the higher education sector currently.

Finally, to support achievement of the practical implications of this thesis discussed above further research would be useful. This project has highlighted that criminology curricula is repetitive and focuses on mainstream criminological topics and perspectives, which suggests that further research should be conducted to explore the way that criminology is portrayed to students/consumers by analysing university marketing materials for UCD programmes. Such research would provide further insight regarding the marketisation of criminology in contemporary higher education and why mainstream topics are prioritised. In terms of restorative pedagogy, it would be useful for further research to explore the use of this practice in all higher education subjects in England and Wales. This would add considerably to emerging knowledge and practice of restorative pedagogy in the UK and internationally.

8.7 Conclusion

This research has provided a unique and holistic picture of undergraduate criminology and the production of restorative justice knowledges within it in England and Wales. It has shown that restorative justice is rarely included in undergraduate criminology, and even when it is included it is marginalised in programme curricula. By examining the extent and form of restorative justice in undergraduate criminology this research has exposed the repetitive, status quo-maintaining, character of contemporary criminology curricula. UCD programmes seem to mirror each other in terms of content and structure, with topics deemed alternative, special interest, or critical, like restorative justice, pushed to the side-lines. It has suggested that the dominance of mainstream criminological topics and perspectives is influenced by the wider socio-economic forces impacting contemporary higher education. Thus, neoliberal processes and marketisation not only impact universities but also the knowledge produced within them (Giroux 1980; Pucci 2015; Maisuria and Cole 2017). These findings add new empirical evidence to existing literature regarding restorative justice education in criminology (Stroup 2019; Deckert and Wood 2013; Carson and Bussler 2013; Britto and Reimund 2013; Smith-Cunnen and Parilla 2001) as well as the purpose and parameters of criminology (Garland 2011; Bosworth and Hoyle 2011; Bowling and Ross 2006; Harris *et al.* 2019).

Despite the lack of restorative justice inclusion in undergraduate criminology, this thesis has established that it is a topic which should exist at the core of curricula because of the criminological and pedagogic value which it offers. It has shown that, as a topic, restorative

justice provides a lens through which dominant criminal justice approaches can be problematised to develop criminological imagination and critical thinking among students. As a pedagogic tool, restorative practices and values can be infused throughout educational spaces to support transformative and emancipatory criminological teaching and learning. The connection between restorative justice, critical thinking, and imagination established within this research suggests that criminology curricula should focus on developing the criminological imagination. Centring undergraduate criminology on this purpose would help prevent further marginalisation of critical criminological issues within the curricula and the reproduction of hegemonic narratives of crime and justice. It is recognised that wider forces in higher education impact teaching and learning conditions and diminish opportunities to be innovative and radical. However, ultimately this thesis argues that failing to make innovative changes in curricula will see criminology increasingly reproduce the harms which it seeks to address and create higher education that furthers oppression rather than acts against it (Christie 1977; Freire 1970). Overall, it is hoped that the findings and recommendations from this thesis will encourage criminologists to initiate discussions about the purpose of criminology education, reflect on the influence of neoliberal processes and marketisation on criminology degrees, question the epistemological structure of their modules and degree programmes, and identify opportunities in pedagogy and curricula to explore restorative justice.

Appendices

Appendix A: Semi-structured interview schedule

Interview Questions

1. Can you tell me a bit about your role, area of research, and teaching interests?
2. Can you tell me a bit about the restorative justice module at [name of university]?
 - How long has it been running?
 - What topics are included? Or is it specific to RJ?
3. What has been your experience of teaching/co-ordinating this module?
 - a. Have a lot of things changed over the years the module has run for?
 - b. Is it always a certainty that the module will run each year?
4. What do you find criminology students responses to restorative justice within your module to be?
5. Is restorative justice covered in any other criminology modules at this university?
6. Have you taught restorative justice in any other contexts?
 - a. Was this different to your experience teaching it here?
7. What led to your interest in restorative justice?
 - a. Do you think that this influences the way you teach the module?
 - b. Why?
8. From your interest and experience of restorative justice, what do you feel are the key elements of restorative justice?
 - a. How do you view the relationship between restorative justice and the criminal justice system (England and Wales)?
Why?
 - b. Do you think that this has changed over time?
Why?
9. What value do you think restorative justice has within criminology education? Why?
 - a. Any perspectives which are most commonly taken?
 - b. Do you think considering restorative justice in criminology is an effective way to encourage students to consider justice (forms)?
10. Do you think that the approach to restorative justice in criminology (discipline) is effective? (Could be research and/or teaching and learning).
 - a. What more could be done?
11. *Any additional thoughts relating to anything we have discussed or anything else that came to mind?*

Appendix B: Focus group schedule

Focus Group Questions:

1. Can you tell me your name and what is your favourite topic which you have studied on your criminology course? Why?
2. When did you first hear about restorative justice?
3. What is RJ to you?
4. In the RJ Module you are/have taken, is restorative justice the focus of the module?
 - a. Was it a compulsory module or did you choose it? If so, why?
 - b. What were the parts of the module which helped you understand restorative justice most?
 - c. Was there anything that you found hard to understand or didn't enjoy?
5. Did you think differently about restorative justice after taking the module?
 - a. Why?
6. What is the criminal justice system? Map out the concept of the criminal justice system – the institutions and processes which you think are involved in it. This is just what it means to you. **Ask about it first then use map.**
 - a. Get them to explain their maps.
 - b. Why?
7. What is Restorative Justice? Map out the concept of Restorative Justice – the key terms, words, stakeholders and processes which you think can be involved in it. This is just what it means to you. **Ask about it first then use map.**
 - a. What do you think is the most important thing about restorative justice?
 - b. Explain Maps.
 - c. Why?
8. How do you think that restorative justice is used in the criminal justice system?
 - a. Then get them to place RJ stickers on maps of CJS
 - b. Explain placement.
 - c. Why?
9. Do you think that restorative justice is important to criminal justice?
10. Has learning about restorative justice made you think differently about what 'justice' is?
11. Has learning about restorative justice provided you with skills which you will use outside and/or after university?
12. Do you think that learning about restorative justice is important to criminology?
 - a. Why (are you interested in it)?
13. We have been discussing restorative justice within criminology, is there anything you think that we should have discussed which we haven't covered?

Appendix C: Interview participant information sheet

Interview Information Sheet

Title of Study: *Restorative Justice in Undergraduate Criminology? Critically examining the production, and exclusion, of knowledge(s) within criminology in England and Wales.*

Introduction

This research is being conducted by Rowan Sweeney, PhD researcher at York St John University. This research is part of my PhD project supervised by Dr Kelly Stockdale and Dr Kathryn Dutton. *This research projected has received ethic approval from York St John University Ethics Committee.* It further abides by the British Sociological Association research standards and the British Criminology Societies Statement for Ethical Research.

If you have any questions or would like further information about this research, please contact the researcher via any suitable method (full contact details below):

Rowan Sweeney
School of Psychology and Social Sciences
York St John University
Lord Mayor's Walk
York
YO31 7EX
Email: r.sweeney@yorks.ac.uk
Tel: 01904 876145

What is the purpose of this investigation?

This research project is interested in exploring understandings of restorative justice developed through criminology in higher education courses. Particularly the different ways restorative justice is understood in the context of criminal justice, how understandings of restorative justice have been developed, and whether justice can be understood in different forms through criminology teaching and learning.

Important to the main aims of this research is consideration of understanding of restorative justice held by criminology academics. Particularly the way that restorative justice is included in criminology curricula. In what ways criminology academics who hold teaching positions approach restorative justice within modules and how they facilitate teaching and learning in relation to restorative justice within criminology at both undergraduate and post graduate levels.

Do you have to take part?

No, there is no obligation for you to take part it is your choice.

If you decide to take part in the study, you will be asked to sign a consent form.

You are free to change your mind at any time; you will not need to give a reason.

If you decide to take part in the study and then change your mind about being involved, you can withdraw *up to 28 days after* your involvement in the research project.

What will you do in the project?

Taking part will involve one informal semi-structured interview with a researcher. The project is interested in your personal views, experiences and understandings - there are no wrong or right answers. Interviews will last up to one hour.

With your consent, the interview will be recorded to ensure that an accurate account of your views is taken.

After the interview the recording will be listened to, typed up, and anything that could identify you will be removed. Only the researcher and possibly their supervisors will listen to the recording. The recording will be destroyed once it has been typed up.

Why have you been invited to take part?

You have been invited to take part because you are an academic member of staff in a university criminology department and have experience of teaching undergraduate and/or postgraduate criminology students, as well as your own criminological knowledge, perspectives, and understandings.

What are the potential risks of you taking part?

All the information collected will be treated as confidential and will only be disclosed to other agencies with your consent, except where required by law or where you or another person is at risk. The data will be anonymised and cleaned for identifying markers.

Only the researcher and their supervisors will be able to see the study information.

You will not be named in any report. You do not have to answer any questions that you feel uncomfortable with.

You are free to change your mind at any time during the interview; you will not need to give a reason. If you wish to withdraw from the study after the interview please contact Rowan Sweeney (full contact details provided below). You can withdraw your data from the study up to 28 days after the interview has taken place.

What happens to the information in the project?

With your consent, the interview will be recorded to ensure that an accurate account of your views has been taken.

After the interview the recording will be listened to, typed up, and anything that could identify you will be removed. The recording will be destroyed once it has been typed up.

All information you give will be treated in confidence. All responses will be anonymised.

Data will be stored on password-protected computer.

What happens next?

Thank you for reading this information – please feel free to ask any questions if you are unsure about what is written here.

If you are happy to take part in the research project, please sign and date the consent form.

If you have any questions/concerns, during or after the investigation, please feel free to get in touch at any time. Below is a list of contact information for people involved in this research including: the PhD researcher conducting this project, the supervisors of the PhD researcher.

If you seek to speak to an independent person from this specific research whom can answer any question you may have please contact the Chair of the University Ethics Committee who has authorised this research who's contact details are also listed below.

PhD Supervisory Team:

Dr Kelly J. Stockdale
School of Psychology and Social Sciences
York St John University
Lord Mayor's Walk
York
YO31 7EX
Email: k.stockdale@yorks.ac.uk

Tel: 01904876156

Ethics Committee Chair:

Nathalie Noret
Psychological and Social Sciences
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York,
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Dr Kathryn Dutton
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Tel: 01904876342

Appendix D: Interview participant consent form

Interview Consent Form

Title of Study: *Restorative Justice in Criminology? Critically examining the production, and exclusion, of knowledge(s) of justice within criminology in England and Wales.*

Name of researcher: Rowan Sweeney

Name of University: York St John University, School of Psychological and Social Sciences

Please read and complete this form carefully. If you are willing to participate in this study, circle the appropriate responses, and then sign and date the declaration at the end. Please ask if you do not understand anything and would like more information.

- I have had the research satisfactorily explained to me in verbal and / or written form by the researcher. YES / NO
- I understand that the research will involve: an interview lasting approx. 1 hour. This interview will be recorded. YES / NO
- I understand that I do not have to take part in this study.
If I choose to take part, I may withdraw from this study at any time without having to give an explanation. I can withdraw my data from this study by contacting Rowan Sweeney r.sweeney@yorks.ac.uk within 28 days of the interview taking place. YES / NO
- I understand that all information about me will be treated in strict confidence and that I will not be named in any written work arising from this study. All responses I give will be anonymised for all research outputs. YES / NO
- I understand that any audiotape material of me will be used solely for research purposes and will be destroyed on completion of the research. YES / NO
- I consent to being a participant in the project YES / NO

(PRINT NAME)	
Signature of Participant:	Date:

Appendix E: Focus group participant information sheet

Focus Group Information Sheet

Title of Study: *Restorative Justice in Undergraduate Criminology? Critically examining the production, and exclusion, of knowledge(s) of within criminology in England and Wales.*

Introduction

This research is being conducted by Rowan Sweeney, PhD researcher at York St John University. This research is part of my PhD project supervised by Dr Kelly Stockdale and Dr Kathryn Dutton. *This research projected has received ethic approval from York St John University Ethics Committee.* It further abides by the British Sociological Association research standards and the British Criminology Societies Statement for Ethical Research.

If you have any questions or would like further information about this research, please contact the researcher via any suitable method (full contact details below):

Rowan Sweeney
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York St John University
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Email: r.sweeney@yorks.ac.uk
Tel: 01904 876145

What is the purpose of this investigation?

This research project is interested in exploring understandings of restorative justice developed through criminology in higher education courses. Particularly the different ways restorative justice is understood in the context of criminal justice, how understandings of restorative justice have been developed, and whether justice can be understood in different forms in a criminological context. Fundamental to the aims of this research is consideration of understandings of restorative justice held by undergraduate criminology students.

Do you have to take part?

No, there is no obligation for you to take part it is your choice.

If you decide to take part in the study, you will be asked to sign a consent form.

You are free to change your mind at any time; you will not need to give a reason.

If you decide to take part in the study and then change your mind about being involved, you can withdraw *up to 28 days after* your involvement in the research project.

What will you do in the project?

Taking part will involve one informal focus group with a researcher. The researcher is interested in your personal views and understandings - there are no wrong or right answers.

Focus groups will last up to one hour.

With your consent, the focus group will be recorded to ensure that an accurate account of your views is taken.

After the focus group the recording will be listened to, typed up, and anything that could identify you will be removed. Only the researcher and their supervisors will listen to the recording. The recording will be destroyed once it has been typed up.

Why have you been invited to take part?

You have been invited to take part because you are an undergraduate criminology student.

What are the potential risks of you taking part?

All the information collected will be treated as confidential and will only be disclosed to other agencies with your consent, except where required by law or where you or another person is at risk. The data will be anonymised and cleaned for identifying markers.

Only the researcher and their supervisors will be able to see the study information.

You will not be named in any report.

You do not have to answer any questions that you feel uncomfortable with.

You are free to change your mind at any time during the focus group; you will not need to give a reason. If you wish to withdraw from the study after the focus group please contact Rowan Sweeney (full contact details provided bellow), you do not need to give a reason. You can withdraw your data from the study up to 28 days after the interview has taken place.

What happens to the information in the project?

With your consent, the focus group will be recorded to ensure that an accurate account of your views has been taken.

After the focus group the recording will be listened to, typed up, and anything that could identify you will be removed. The recording will be destroyed once it has been typed up.

All information you give will be treated in confidence. All responses will be anonymised.

Data will be stored on password protected computer.

What happens next?

Thank you for reading this information – please feel free to ask any questions if you are unsure about what is written here.

If you are happy to take part in the research project, please sign and date the consent form.

If you have any questions/concerns, during or after the investigation, please feel free to get in touch at any time. Below is a list of contact information for people involved in this research including: the PhD researcher conducting this project, the supervisors of the PhD researcher.

If you seek to speak to an independent person from this specific research whom can answer any question you may have please contact the Chair of the University Ethics Committee who has authorised this research who's contact details are also listed below.

PhD Supervisory Team:

Dr Kelly J. Stockdale
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Ethics Committee Chair:

Nathalie Noret
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Dr Kathryn Dutton
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Appendix F: Focus group participant consent form

Focus Group Consent Form

Title of Study: *Restorative Justice in Undergraduate Criminology? Critically examining the production, and exclusion, of knowledge(s) of justice within criminology in England and Wales.*

Name of researcher: Rowan Sweeney

Name of University: York St John University, School of Psychological and Social Sciences

Please read and complete this form carefully. If you are willing to participate in this study, circle the appropriate responses, and then sign and date the declaration at the end. Please ask if you do not understand anything and would like more information.

- I have had the research satisfactorily explained to me in verbal and / or written form by the researcher. YES / NO
- I understand that the research will involve: a focus group lasting approx. 1 hour. This focus group will be recorded. YES / NO
- I understand that I do not have to take part in this study.
If I choose to take part, I may withdraw from this study at any time without having to give an explanation. I can withdraw my data from this study by contacting Rowan Sweeney r.sweeney@yorksj.ac.uk within 28 days of the interview taking place. YES / NO
- I understand that all information about me will be treated in strict confidence and that I will not be named in any written work arising from this study. All responses I give will be anonymised for all research outputs. YES / NO
- I understand that any audiotape material of me will be used solely for research purposes and will be destroyed on completion of your research. YES / NO
- I consent to being a participant in the project YES / NO

(PRINT NAME)	
Signature of Participant:	Date:

Appendix G: Scoping Study Module Categorisation Table

Category Number	Criminological Topic Area Category	Examples of Module Included in Category
1	Crimes of the Powerful and Mass Atrocities	<ul style="list-style-type: none"> • “Crime and Power” • “State Crime” • “War Crimes and Crimes Against Humanity” • “Genocide and Crimes Against Humanity” • “Crime, Power and Justice”
2	Criminal Justice	<ul style="list-style-type: none"> • “Legal and Criminal Justice Systems” • “Criminal Justice and the Penal System” • “Trials and Errors: Justice in Courts” • “The Criminal Justice System” • “Criminal Justice: Theory, Policy, and Practice” • “Introduction to the Criminal Justice System”
3	Criminal Psychology	<ul style="list-style-type: none"> • “Psychology and Crime” • “Criminal and Forensic Psychology” • “The Psychology of Criminal Justice” • “Psychology of Offending and Victimisation” • “Criminal Psychology”
4	Criminological Thought, Ideas and Debates	<ul style="list-style-type: none"> • “Criminological Thought” • “Introduction to Criminology” • “Key Themes and Perspectives in Criminology” • “Criminological Foundations” • “Current Issues in Criminology”
5	Forms of Criminality, Deviance and Harm	<ul style="list-style-type: none"> • “Sex Work” • “Professional Organised Crime” • “Murder” • “Drugs, Society and Crime” • “Hate Crime” • “Riots, Protests, and Public Disorders” • “Cybercrime and Cybersecurity” • “Modern-day Slavery in the UK” • “Deviant Leisure” • “Violence: Realities and Impact of Crime”
6	Green Criminology and Environmental Harm	<ul style="list-style-type: none"> • “Green Criminology, Animal Harm and Wildlife Crime” • “The environment, sustainability and climate change” • “Environmental Justice and Green Criminology”

		<ul style="list-style-type: none"> • “Green Criminology”
7	Identity and Diversity	<ul style="list-style-type: none"> • “Race, Racism and Cultural Identity” • “Mental Health and Violence” • “Gender and Society” • “Division and Inequalities: Race and Ethnicity, Class and Religion” • “Culture, Race, Difference” • “Diversity and Discrimination in the Criminal Justice System” • “‘Race’, Racialisation and the criminal justice system” • “Gender, Crime and Justice”
8	International Criminology and Criminal Justice	<ul style="list-style-type: none"> • “Human Rights and Global Injustice” • “Global Terrorism and Violence” • “International Criminal Justice: Application of Theory to Transnational and International Crime” • “Social Networks and Crime: Global Perspectives on Social order, violence and organised crime” • “Crime & (In)security in Europe” • “International (In)Justice and the Death Penalty” • “Borders, Migration and Criminal Justice”
9	Justice	<ul style="list-style-type: none"> • “Criminology for a Just Society” • “Justice: Future Challenges” • “Understanding Social Justice and Community Action” • “Challenging Injustice: Welfare, Policy and Control” • “Miscarriages of Justice” • “Social Change and Justice” • “Understanding Justice”
10	Representations of Crime, Deviance and Justice	<ul style="list-style-type: none"> • “Crime and the Media” • “Narratives of Crime” • “Crime Media Culture: Representation, Consumption and Production” • “Picturing the Criminal: From Mugshot to Fine Art” • “Images of Crime and Criminal Justice” • “Jack the Ripper: Myth, Reality Culture and Popular History” • “Representations of Deviance and Social Control”
11	Research Skills and Work Experience	<ul style="list-style-type: none"> • “Criminology Research Project” • “Applied Quantitative Research in the Social Sciences”

		<ul style="list-style-type: none"> • “Questionnaire Design and Analysis” • “Research Methods in The Social Sciences” • “Qualitative Research: Foundations, Principles and Skills” • “Dissertation in Criminology” • “Work Experience” • “Criminology Work Placement” • “Interchange: Community-based learning” • “Enhancing your employability through Work Based Learning”
12	Responses to Crime and Deviance	<ul style="list-style-type: none"> • “Police, Policing and Society” • “Revolving Doors: Punishment and Rehabilitation” • “Prisons and Punishment” • “Penology” • “Rehabilitation and Recovery” • “Police and Punishment: History and Functions” • “Experiencing Custodial and Community Sentences” • “Policing, Crime Control and Prevention” • “Big Brother is Watching You! Contemporary Surveillance and Security” • “Punishment, Power and the State” • “Policing Society” • “Crime Prevention and Crime Science” • “Crime and Punishment in the Modern Era” • “Controlling and Preventing Crime and Deviance” • “Understanding Policing”
13	Restorative Justice	<ul style="list-style-type: none"> • “Restorative Justice” • “Restorative Justice and Peace-making Criminology” • “Restorative Justice and Desistance” • “Restorative Justice: Concepts, Ideas, Debates”
14	Social Order, Policy, and Governance	<ul style="list-style-type: none"> • “Criminology: Policy & Practice” • “Power, Politics and Policy” • “The Criminalisation of Welfare” • “Politics, Crime and Policy” • “Comparative Political Economy and Social Policy” • “Policing & Social Control”
15	Theoretical	<ul style="list-style-type: none"> • “Criminological Theory” • “Theories of Crime and Criminal Justice”

		<ul style="list-style-type: none"> • “Criminology and Social Theory” • “Imagining Crime: Progressive Criminological Theory” • “Introduction to Criminological Theory” • “Critical and Radical Criminology” • “Classical Social Theory” • “Theorising Crime and Harm”
16	Victims of Crime	<ul style="list-style-type: none"> • “Victims, Crime and Society” • “Victimology” • “Victims, Crime and Justice” • “Victimisation and Social Harm”
17	Youth Justice	<ul style="list-style-type: none"> • “Contemporary Youth Justice” • “Youth Justice” • “Children and Young People ‘at Risk’” • “Youth Crime and Deviance” • “Youth, Crime and Criminology” • “Youth and Resistance”

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