



“The law is the law”: The Malaysian police readiness for the implementation of restorative policing

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ABSTRACT

In Malaysia, restorative justice is a relatively new concept in its criminal justice system and assessing the readiness of police officers in accepting the implementation of restorative justice in the police departments (i.e., restorative policing) is crucial. In this qualitative study, 28 police officers were interviewed regarding their readiness to accept the roles to implement restorative justice through the exploration of three key themes: ownership of crime, police culture, and acceptance of new roles. Our findings indicated that their readiness on the implementation of restorative justice appeared to have patterns which are categorized into cautious, in-the-box, and balanced. The different patterns of readiness provide illumination into implementing restorative policing in Malaysia through the different types of resistance shown. The findings indicate that top-down and bottom-up implementation policies are useful as they can foster shared valued among the police within their departments and the police and the communities.

1. Introduction

Restorative justice (RJ) is an alternative approach to responding to crime. RJ seeks to address some of the limitations of the conventional criminal justice system that largely ignores specific needs of different stakeholders, such as the victims, offenders, and the community (Zehr, 2015). RJ started as an effort to respond to property crimes but grew to other more serious crimes and applied in different contexts such as the school, the workplace and the policing department. RJ practiced by the police – known as restorative policing (Clamp, 2019), has been a growing arena of RJ implementation science due to its benefits on a community level. While restorative policing has been a subject of research and practice in countries such as Australia, New Zealand and the United States (Paterson and Clamp, 2012), research on alternative models of policing in an Asian context are scarce and focus exclusively on China (Qu et al., 2020; Zhang, 2020).

In Malaysia, more steps towards recognizing the benefits of RJ have been made (Koshy, 2008; Dzulkifli, 2019), and while Malaysia has not fully implemented RJ in its system, some parts of its criminal procedures are argued to be parallel to restorative philosophy (Ab Aziz and Ab Hamid, 2018). For instance, when the Child Act 2001 underwent a process of amendment in 2016, a new provision of community service order (which is a form of restorative justice given the involvement of communities as a stakeholder in the process) was added while removing whipping as a punishment for juvenile offenders (although in the Malaysian context, the term ‘order’ is used instead of ‘punishment’). While this is a welcome improvement in the Malaysian juvenile justice system, a full implementation of

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RJ is still afar. A full implementation of RJ, however, requires considerations towards several challenges that might exist systemically, culturally, and individually (Mohammad et al., 2019), by which readiness for RJ implementation from various stakeholders should be evaluated. Given that RJ is still in its infancy in Malaysia, not much research has been conducted to see the cultural nuances that may influence the implementation of RJ in the country. This may cause the criminal justice system to adopt a Western-centric definition of RJ, such as the call for a shift from a punitive to a healing system (Thien, 2019) without considering the power distribution between the authority and the public in Malaysia. Failing to understand RJ in the Malaysian context may limit implementation because the Malaysian criminal justice system relies on more punitive measures (Mohammad et al., 2019a,b). Punitive criminal processes may become barriers to accommodating attitudes towards restorative justice implementation among criminal justice personnel.

Past research in educational settings suggests that the readiness of institutions to implement RJ is the crux of effective implementation (Greer, 2018). However, institutional actors can have different perceptions of RJ. For example, prior research in China suggest that police cadets have varying levels of support for alternative policing models such as restorative policing (Qu et al., 2020). These perceptions and varying levels of support may affect the willingness of these officers to adopt practices associated with restorative policing (Qu et al., 2020). However, these studies do not explicitly focus on officers' readiness to implement restorative policing. In Zhang's (2020) study, using Wilson's (1978) three organizational styles of policing, found that police adhering to certain styles of policing (i.e., service style) were more likely to choose RJ and that the implementation of RJ in the country was largely facilitated through a top-down approach which resulted in several issues such as workloads.

Studies exploring restorative policing in Malaysia are scarce. Studying restorative policing in the Malaysian context is important because it will increase our understanding of implementing restorative policing in the Asian context, while supplementing recent efforts of the Malaysian government to integrate RJ in its criminal justice system. However, implementing restorative policing in Malaysia is expected to face certain challenges because Malaysia is argued to practice a punitive criminal justice system (Hussin, 2011; Mohammad et al., 2019). A punitive criminal justice system is associated with a curtailment of restorative policies in favour of 'populist punitiveness' that demands harsh punishments to offenders (McAlinden, 2011; Mohammad et al., 2019a,b).

Understanding the readiness of police officers to implement restorative policing is critical for developing effective implementation policies aimed at facilitating restorative policing in the police departments. Practitioners in the forensic settings, for example forensic social workers, usually play a role in providing training to those who work in the criminal justice system (National Organization of Forensic Social Work, 2020). Police training depends on research that informs how it can be designed to enhance awareness and to most effectively increase readiness among police officers. The present study explores an under-studied phenomenon among an under-studied population – the readiness of Malaysian police officers to implement restorative policing. Our findings identify key themes that can develop a theoretical base for restorative policing and identify methods of facilitating restorative policing in the country.

2. Literature review

2.1. Policing and restorative policing

Before discussing the possibility of implementing RJ within the policing department, it is helpful to briefly explore studies that looked into the different styles of policing (Wilson, 1978). According to Wilson, there are three styles of policing: watchmen, legalistic and service styles. These styles are relevant in understanding the implementation of restorative policing as the styles may influence the police decision-making in interventions (e.g., arrest and patrols). Based on Wilson's categorizations, police officers following a legalistic style of policing enforce the laws using a bureaucratic model characterized by objectivity and impartiality. Due to the 'top-down' approach of this style, police officers using a legalistic style make a higher rate of arrests and more likely to follow what is in the box.

Unlike the legalistic style, police officers following a watchmen-style of policing have a closer relationship with the communities. They are more likely to preserve order based on the immediate consequences and seriousness of the offences rather than the fact that the offending behavior breaks the law. Lastly, police officers using a service-style of policing are more likely to be open to informal means of maintaining orders and upholding the laws. In a service-style policing, community satisfaction is an important goal and that the police maintain the equilibrium of maintaining order and upholding the law. Wilson's (1978) typologies are useful in understanding the various ways these styles affect the operation taking place within the policing bureaucracy. For example, it was demonstrated that these policing styles do influence whether the police are open to implementing restorative policing (Zhang, 2020). However, it has also been argued that these also seem to be impacted by the factor of time, where the police no longer operate the same as it was during Wilson's (1978) time (Zhao and Hassell, 2005).

The discussion on policing style above seems to point to the importance of the police view on the community that influences their openness to implement informal strategies of handling crimes like restorative policing. There are multiple crime prevention models that emphasize the importance of partnerships between the police and communities including community oriented policing (Brogdon and Nijhar, 2013; Miller et al., 2013), procedural justice (De Mesmaecker, 2014; Hough et al., 2013) and RJ (Fulford, 2011). Though these approaches vary, with a bottom-up or a top-down mechanisms of implementation, they recognize the community members as key partners in crime prevention. Furthermore, these approaches rely on trust between communities and the police. A broad body of research supports the effectiveness of these approaches in terms of crime reduction and increasing trust between community members and the police (Paez and Diernfeldt, 2020; Lauru-an & Beup, 2015).

One such approach is restorative justice (RJ). The goal of RJ is to address the needs of the stakeholders most directly affected by crime (McCold, 1996). The two primary stakeholders in RJ are the victims and the offenders. However, communities and the State are

secondary stakeholders that play a significant role in RJ (McCold, 1996; Beck, 2012; Rosenblatt, 2015). Crime can have a negative impact on communities by increasing fear, hopelessness, and a desire to move away (Yuan and McNeeley, 2016). However, at the same time, communities are an important resource to address crime through various means such as RJ (Beck, 2012; McCold, 1996; Rosenblatt, 2015). Basically, communities become a focal point of context for these approaches which has a direct impact of implementation.

Previous research has studied the effectiveness of a bottom-up approach of RJ trainings in communities (Ohmer, 2016). Findings suggest that these trainings may have a positive impact on the individuals involved with the trainings but are limited in their ability to translate into changes within the broader community. There are multiple possible explanations for these findings including low mutual efficacy in the community (Gearhart and Joseph, 2019), hesitance to collaborate with police (Myhill and Bradford, 2012), and a limited theoretical foundation in terms of how to actually build community between community members and the police (Glowatski et al., 2017). Though research typically studies RJ efforts from the perspective of community members, research from the perspective of police officers (where top-down approaches are usually adopted) is limited (Glowatski et al., 2017). Studies in the Western context seem to point to the general police open-mindedness towards implementing RJ in their practice (Gavin and MacVean, 2018; Marder, 2020). However, this may be expected in a context where RJ is normalized, which might not translate to contexts where RJ is an uncommon concept, like Malaysia.

Restorative policing is rooted in RJ and is a model of policing that focuses on effectively dealing with crime in partnership with the community (Clamp, 2019). According to Bazemore and Griffiths (2003), restorative policing is when “affected parties – and police officers as facilitators, conveners, or participants – develop agreements that outline offender obligations such as community service, restitution, or other informal reparative sanctions, apologies, peacemaking pacts, and relationship building approaches that allow for concrete repair of harm without recourse to adversarial processing” (p. 337). This implies the active role of the police in implementing RJ when handling a case at the community level, which may prevent the case from being forwarded to a formal system. Restorative policing goes beyond merely changing officer behaviours, and focuses on structural changes that facilitate collaborations between the police and communities to effectively respond to crime (Clamp and Paterson, 2016; Glowatski et al., 2017). However, research on restorative policing were typically about when officers utilize restorative policing skills and behaviours – not the implementation of structural changes within police departments (Glowatski et al., 2017; Moor et al., 2009).

As discussed by Glowatski et al. (2017), three key changes are needed to implement restorative policing: 1) defining crime in terms of harm caused as opposed to violating the law, 2) viewing police as peace-makers as opposed to peace-keepers, and 3) increasing the role of communities in the criminal justice process (Bazemore and Griffiths, 2003; Clamp and Paterson, 2016). Furthermore, implementing RJ in police departments require considerations from different aspects of the bureaucracies such as how the police officers view who ‘owns’ crime, their own cultures within the bureaucracies and whether they are willing to accept new roles that contain new responsibilities.

Researchers recommend a blend of top-down and bottom-up strategies to create these changes. The desire to shift towards restorative policing can begin at the top of police departments, but there needs to be a bottom-up discussion in terms of how to implement restorative policing strategies (Clamp and Paterson, 2016). However, the use of bottom-up and top-down approaches of implementation may depend on the cultures and styles of policing of a context.

A key challenge to implementing interventions within police departments is a limited understanding of what works when it comes to changing police practices (Hansson and Markström, 2014; Huey, 2018; Rosenbaum and Lawrence, 2017; Wolfe et al., 2020). Though research typically suggests that trainings can influence officer attitudes (Skogan et al., 2015), research is limited in terms of whether trainings influence officer behavior. Further, these trainings typically do not target the structural changes needed to effectively implement restorative policing. Officer readiness to implement restorative policing may play a key role in shaping officers’ behaviors as it relates to restorative policing.

2.2. Readiness and restorative policing

As RJ can be considered a well-established policy in the Western context, studies have been done across phases of implementation. Research in the field of education (Greer, 2018) suggest that buy-in from the individuals most directly involved with practicing RJ (i.e. school staff) is foundational to the implementation of RJ. Resistance from important stakeholders such as those who work for the criminal justice system may also pose a challenge in fully implementing RJ and restorative policing in the police departments (Shapland et al., 2011). Nonetheless, while some research on the readiness to implement RJ practices have been conducted in the Malaysian setting (e.g., Mohammad, 2020), there is a lack of research findings that can facilitate RJ implementation policies in the Malaysian context, despite the different cultural, religious and demographic backgrounds of the country.

In other Asian contexts, research has studied readiness to implement community policing, an alternative model of policing similar to restorative policing (Qu et al., 2020). Qu et al. (2020) collected data from over 900 police cadets in China and found that cadets viewed community policing as distinct from the traditional model of law enforcement. Cadets also reported varied levels of support for community policing, which may affect their willingness to adopt behaviors associated with community policing. Though informative, the perceptions of a practice like community policing is a separate though positively correlated construct from the readiness to implement these practices (Greer, 2018). Furthermore, research among active duty officers in other Asian countries, specifically Malaysia, is warranted given the increasing recognition of the benefits of RJ as an alternative forms of justice.

2.3. Restorative policing in the Malaysian context

The police force in Malaysia is comprised of a uniformed body with a centralised organisation. The responsibilities of the Malaysian police officers are outlined in Section 20 of the Police Act of 1967:

1. Apprehending all persons whom he is by law authorized to apprehend;
2. Processing security intelligence;
3. Conducting prosecutions;
4. Giving assistance in the carrying out of any law relating to revenue, excise, sanitation, quarantine, immigration and registration;
5. Giving assistance in the preservation of order in the ports, harbours and airports of Malaysia, and in enforcing maritime and port regulations;
6. Executing summonses, subpoenas, warrants, commitments and other process lawfully issued by any competent authority;
7. Exhibiting information;
8. Protecting unclaimed and lost property and finding the owners thereof;
9. Seizing stray animals and placing them in a public pound;
10. Giving assistance in the protection of life and property;
11. Protecting public property from loss or injury;
12. Attending the criminal courts and, if specially ordered, the civil courts, and keeping order therein; and,
13. Escorting and guarding prisoners and other persons in the custody of the police.

There is a lack of emphasis on the element of community in the Police Act of 1967 particularly when compared to similar policing-related legislation in other countries. For example, in New Zealand's Policing Act 2008, Section 8(c), there is a stipulation that the police should equally provide their services focusing on the security of the nation as well as the local community which implies the need for a strong relationship with community members. Meanwhile, in Canada, the Community Safety and Policing Act 2019 specifically targets the safety and well-being of the community through increasing community trust to the police and improving governance and police transparency.

We do not argue that community initiatives such as restorative policing only begin with an explicit mention of the word "community" in a country's legislation. Rather, these initiatives are based on the understanding that the community is an important stakeholder and a pivotal ally of the criminal justice system. Early attempts to facilitate police-community collaborations can be seen in Malaysia. Rakan Community-Oriented Policing (COP), the main Malaysian initiative of establishing the collaboration between the police and the community, aims to reduce the police-community gap that makes policing in the community setting much easier.

While this effort is commendable, we argue that, as we stated above, buy-in from the individuals and the system is foundational to implementation of any innovative approach to justice. This is an important thing to consider given the lack of the element of community in the policing legislation. RJ represents a reform in policing, which requires the engagement and readiness from all levels of police bureaucracies. These bureaucracies also represent a set of cultures, values and philosophies adopted that drive how the police do their work. For example, the finding from Cheurprakobkit and Puthongsiriporn's study (2005) on community policing revealed that the paramilitary model of the Malaysian police culture provides an organisational barrier to a commitment to implement community policing. The paramilitary model of policing implies that a top-down approaches to implementation of new policies require the buy-in from the higher-ups.

Organisational barriers may require special attention in the Malaysian context, especially when this barrier is viewed from the lens of power distance as conceptualized in cultural dimensions theory (Hofstede, 2011). According to Hofstede (2011), power distance is a trait that describes the acceptance of the less powerful members of the society that power is distributed unequally. In a society with a high power distance, obedience from the less powerful is expected and the norm. Moreover, in a country with a high power distance, an individual of a lower level will more likely defer to the higher power, resulting in a higher level of compliance. Compared to the other countries such as the United States (a score of 40), United Kingdom (a score of 35), Australia (a score of 36), and China (a score of 80), Malaysia is rated with a power distance index of 100.

The findings from these past studies cited above provide early illumination into how the individual and organisational cultures of a police bureaucracy may impact the implementation of innovative justice, such as restorative policing. Arguments advocating for reforms in regard to police culture are not exactly new. Stockdale (2015), in their study, has asserted that the police culture cannot be ignored. One such culture is the heavy emphasis on performance that prioritizes detections that affects police priority when conducting their responsibilities in the community level. Furthermore, McLeod (2003) suggests three levels of police bureaucracy transformation that is useful to conceptualize how restorative policing is implemented in a context: bureaucratic, post-bureaucratic, and restorative transformation. In a bureaucratic level, policing is characterized by a hierarchical chain of command and a clear division of labour. We argue that McLeod's bureaucratic model is akin to Wilson's (1978) legalistic style of policing which emphasizes top-down operations of the police department and that the roles of each hierarchy is clear and well-defined. In a post-bureaucratic model, a police bureaucracy increasingly emphasizes on customer-focused procedure, which means that the bureaucracy should shift away from an authoritarian view of policing. Finally, a police bureaucracy that is characterized by a restorative model ideally embraces the notion that the police should be empowered to act as leaders and that they are not constrained by titles or ranks. The malleability of this type of police bureaucracy allows for learning and adaptability.

Based on McLeod's conceptualization, Malaysia can be argued to still be in a bureaucratic stage with several signs of stepping into a post-bureaucratic stage of transformation. Malaysia is a system that is still largely dependent on conventional values. Even so, whether

the members of the police department are reluctant or accepting of innovative justice, especially RJ, is yet to be understood, which is the aim of the current study.

2.4. The present study

A key gap in the Malaysian literature is the lack of a theoretical foundation guiding restorative policing efforts. While past literature in other contexts, mainly Western, provide some illumination, the cultural, religious and demographic backgrounds of Malaysia may warrant against generalization of these past findings. For example, previous research (Glowatski et al., 2017) utilized relational theory (Llewellyn, 2012) to demonstrate how officers' relationships with the community are associated with an increased desire to be involved in all community issues – an indicator of restorative policing. Though this finding is informative, it fails to shed light on officer readiness to implement restorative policing, considering the different bottom-up or top-down approaches fitting with Malaysia's paramilitary model of policing (Cheurprakobkit and Puthongsiriporn, 2005).

The goal of the present study is to discuss key themes as it pertains to Malaysian police officers' readiness to implement restorative policing practices. This research contributes to the literature in multiple ways. Research on RJ in the Malaysian context is scarce, and studies focusing on Malaysian police officers are non-existent (Mohammad, 2020). It is also worth noting that prior research suggests that the readiness to implement RJ in other contexts may impact implementation (Mohammad, 2020). Despite this, research has yet to examine police officers' readiness to implement restorative policing. There have been acknowledgments of the value of conducting qualitative research in criminology (Kirkwood, 2015). We concur and argue that qualitative research on officer readiness to implement restorative policing is necessary for developing theories of facilitating restorative policing that can inform interventions aimed at promoting restorative policing.

3. Methods

3.1. Sample and procedure

The data collection began upon obtaining approval from Penang Contingent Police Headquarters. The police in Malaysia operate using a centralized protocol, coming from the headquarter in Kuala Lumpur. Therefore, we expect the location of the data collection would not affect the findings, given the similarity of philosophy and values of police officers regardless where they operate. A total of five police stations agreed to give permission for subsequent visits and to identify police officers who were willing to participate in the study. The place and time of each interview were set by the interviewed police officers. Each interview lasted around 30–40 min and began with a brief description of the study, obtaining informed consent, and a brief description of restorative policing from a script. In the rapport building, the respondents were briefly described of what restorative justice was (using a script) and the main purpose of the study and also asked to give a verbal form of informed consent. This brief description was done to familiarize the police with the basic information of what restorative policing is for us, the researchers, to ensure that their perception of readiness was, in fact, about restorative policing, and not other similar programs such as community policing. All respondents understood that participation was voluntary, and they could withdraw from the study anytime during the interview.

A sample of 28 police officers participated in the study. Their ranks were corporal ($n = 18$), lance corporal ($n = 4$), sergeant major ($n = 2$), and the rest were in administration/leadership. A majority of the respondents were male ($n = 25$, 89%). The gender ratio is reflective of the number of female officers in Malaysia which constitutes only 12% of the whole police force (Timbuong, 2017). The mean years of service is 16.2 years (min = 2 years, max = 37 years). It should be made clear that restorative policing is non-existent as a program in the Malaysian police departments, thus the interviews would deal with the hypothetical implementation of restorative policing and how these police officers viewed their position in this implementation (the interview protocol made sure that they understood this).

3.1.1. The interview and the data analysis

The semi-structured interview protocol was inspired by the works of McLeod (2003) and Stockdale (2015) where the main themes of *ownership of crime*, *police cultures*, and *acceptance of new roles* among police officers were explored. In *ownership of crime*, the questions touched upon the police officers' perspectives on: i) whether all crimes needed to undergo a formal justice process; ii) the importance of victims in the justice system; and, iii) if programs like RJ are sufficient to address crime. The theme of *police culture* explored: i) the police identity and how the police saw their works and responsibilities; and, ii) where in their enforcement that RJ could be incorporated. Finally, *acceptance of new roles* was more straightforward where the police officers were asked on their opinions regarding: i) accepting new responsibilities in implementing RJ; and, ii) their readiness to undergo training that qualify them to implement RJ. The themes of the interviews were meant to investigate how much the current police culture might be a barrier to the police officers readiness to bear new responsibilities in regard to implementing RJ in various contexts (especially in the community context) and how RJ might be integrated as part of the policing system in Malaysia.

To achieve the objective of the study in obtaining deeper understanding of how the Malaysian police officers view RJ in conjunction with the current policing system, a qualitative approach was employed. Data were analysed using the six-step thematic analysis proposed by Braun and Clarke (2006) was employed. The six steps were: 1. Familiarisation with the data; 2. Generating initial codes from the responses; 3. Organising the codes into patterned themes; 4. Reviewing themes; 5. Defining themes where the 'story' and map of the theme is charted; and 6. Producing the report, in the form of this article.

When it comes to qualitative studies, the concerns on the possible biases when interpreting data need to be seriously considered

(Galdas, 2017). While the terms validity and reliability are considered as pertinent concepts in research using the positivist perspective to signify the research's credibility, the terms are used together in qualitative research to point to the effort of the researchers' to achieve rigor (Golafshani, 2003). Therefore, the terminology in qualitative research that encompasses the effort of the researcher to enhance the research's validity and reliability, like transferability and trustworthiness, is used. This study followed the guidelines of Leung (2015) to reduce the potential of biases and increase the transferability and trustworthiness of the data. The first step in the data analysis involved rigorous audit trail of the interviews. Researchers made sure to properly record the interviews and keeping memos and notes arising from the interviews – creating a rigorous audit trail. These recordings and notes were important tools for revisions of analysis and for the later purpose of triangulation. In regard to triangulation, this study integrated the perspectives of other researchers and scholars on whether the interpretation of the data, mainly in the forms of themes and keywords emerging from the analysis, was agreeable. The agreeableness of the interpretation indicated an interrater reliability of the data analysed for this study. We were also concerned with the power dynamics (McGrath et al., 2019) between the interviewers and interviewees which might threaten the propensity of the respondents' to be truthful in the interviews. McGrath et al. (2019) have suggested that to address this, rapport building with the interviewees is an important step to build trust that increases truthfulness which we did before the interviews. Finally, to ensure a comprehensive view of the data, both horizontal (inter-individual) and vertical (intra-individual) analyses are conducted. While the vertical analysis provides the main themes across individuals, the horizontal analysis gives us the individual.

4. Results

The key themes of exploration in the interviews with the police officers revolve around the ideas of ownership of crime, police cultures, and acceptance of new roles among police officers. Based on their responses, it is clear that there were different patterns of readiness of these respondents on the implementation of RJ, while the respondents also held common expressed values across patterns of readiness. Below are the descriptions of the common values and the three levels of readiness among the respondents in this study based on the outcome of the thematic analysis performed on the responses.

4.1. Common values

In our analyses, we found two common values held by these respondents: 1) police as legal enforcers; and, 2) restricted views of victims. Unsurprisingly, many of the officers in the sample viewed upholding the law as a core value of policing. Even when not prompted, the respondents typically showed deference to the laws as the sole reason of their existence. Consequently, these respondents asserted that the laws were the answers to criminal issues faced by the country. This can be seen from the response of Respondent 7 who described the laws and said, “*the police only serve the law. They do the arrest, and the court will determine the outcome and make decision.*” Some of other keywords that reflected this theme are “*everything has to follow the law,*” “*the law is law,*” and “*the laws exist*”.

Other than viewing the laws as the ultimate source of justice, the respondents have also shown *restricted views of victims*. Parallel to other responses that focus on punishments (as will be described later on), these views might be due to working in a punitive criminal justice system that typically put aside victims in the criminal processes. When asked about what roles the victims had in the criminal justice system, they cited that the victims' roles were to *make a report* (eight respondents), as witnesses (three respondents) that *allow for punishing the offenders* (four respondents), and one respondent even aggrandize victims' roles as *to reduce crimes*. Another one respondent, however, went as far as saying that “*victims should be put aside.*”

4.2. Levels of readiness

While the respondents have common values on two fronts, our analysis has also shown that when it comes to their readiness for the implementation of restorative policing in their department, their responses varied. In general, the analysis yielded patterns of readiness by which we categorized as three: ‘cautious’ (11 respondents), ‘in-the-box’ (7 respondents), and ‘balanced’ (10 respondents).

4.2.1. Cautious readiness

The first pattern of readiness that was observed through the responses is a cautious readiness (Respondent 1, 2, 3, 5, 6, 7, 10, 12, 13, 14, and 15). The respondents who demonstrated a *cautious* readiness seemed to be accepting of the idea of RJ, although they still prioritized legal procedures and asserted that these legal procedures limit what is considered as “victims' rights” – giving the implication that the State ‘owns’ crime instead of victims as the primary stakeholders. Furthermore, while other respondents also shared a similar utilitarian view of victims of crime, cautious respondents who subscribed to the idea that victims of crime were essential for providing evidence seemed to generate cautiousness from this view because treating victims as more than utilities would mean they had to go beyond what is prescribed of them. Among the keywords used that indicated cautiousness were “*concerned*”, “*limited*”, and “*it depends*”.

Consequently, the police officers of this level of readiness were cautious to the idea of integrating the task of delivering RJ programmes in the scopes of being a police officer. Many cautious police officers cited the existence of other agencies such as the prosecutors, investigating officers and mediators that work in the context of civil laws. Part of the sources of cautiousness, as we observed, was due to the hesitance from their lack of ‘expertise’ and their ways of acknowledging the bureaucracies that exist. Furthermore, it is interesting to note that, some respondents who cited the existence of these agencies also seem to have a degree of humility in their responses – that their power is limited. For example, when asked if the police should implement RJ, Respondent 5

said, “*there are other people [in the justice system] that deserve more to make a decision. Our part [the police] does not have a say in this.*” This can also be seen from what Respondent 3 reported, “*the job scopes of a police officer are limited, and we have the prosecutors for that. The prosecutors are more suitable for something like this.*”

Much of their cautiousness also stemmed from the concern that adding RJ in a police officer’s job scope would add burden to an already heavy workload. Respondent 2 said, “*a police officer’s responsibility is already so heavy now. And if they’re asking us to do this, it’d be too much.*” Furthermore, this burden was also associated with the technicality of implementing RJ such as the time it might take to identify victims and getting consent from both the victims and the offenders.

Interestingly, while these police officers said they were willing to undergo training, they still maintained their stance where there was deference to other agencies who were deemed more suitable for playing a role in implementing RJ. Although this aspect of readiness sounded contradictory to their cautiousness, it was made sense by their emphasis that RJ should only meant for small crimes and that it should not be implemented consistently. Among the reasons cited for this half-readiness for implementation is the concern of injured reputation of the police department that they might face from the community if it were implemented. This concern further affirms their cautious level of readiness in RJ as the respondents also saw RJ as a ‘soft’ approach to crime. One of the most cited keywords for this is “*only for small crimes*”.

Related to the sub-theme of injured reputation above, one respondent’s (Respondent 12) cautiousness can be seen through his concern that implementing RJ might give the police department a bad name. He said, “*the community has to do something first before the police comes, because if the police comes and the suspect is not brought to the police station, then the community members might say we’re not doing our job. There’ll be a stigma.*”

4.2.2. In-the-box readiness

Respondent 4, 9, 11, 17, 18, 25, and 28 can be categorized as those who have in-the-box readiness. For those respondents whose readiness was *in-the-box*, their narratives seemed to be cut and clear – that RJ should not be accepted until it is fully integrated within the formal legal context. The keyword ‘in-the-box’ is chosen to describe these respondents as their responses point to a lack of flexibility and openness to innovation in implementing justice. Many of the phrases used to describe their lack of flexibility were “*there’s already law*”, “*contradictory to the law*” and “*the law is the answer*”. While deference to the law is shared by almost all respondents (as per the theme “police as legal enforcers” under common values above), the respondents of this pattern of readiness see laws one notch higher – where the laws are the absolute answers and the ones outside of the box are considered wrong, hence, their readiness is categorized as “in-the-box”.

Mainly, these police officers were also firm believers in the idea that all crimes need to be processed by the criminal justice system and that all offenders need to face consequences in the form of legal punishments. According to these respondents, too, the criminal justice system is a tool for justice and the victims’ roles are to provide utilities so the rates of crime could be reduced. For example, Respondent 4 answered when asked if all crimes had to undergo the criminal justice system, “*yes, there’s no other way, if there’s another way (like restorative justice), it’ll be contradictory to the law. We must follow the system.*”

‘In-the-box’ police officers also often claimed that the role of a mediator has already been played by many police officers as part of their daily tasks. However, what has been described by these police officers were mostly resemblant of mediation as practiced in a civil law (the keywords used were focused on the “*outcome*” rather than the process which is one of the differences between RJ and mediation as practiced in the civil law). They also believed that victim satisfaction would be achieved when the law is used as a tool to get justice. Respondent 9 said, “*let the court decide. The victims will be satisfied that way.*”

Interestingly, aside from their general refusal to accept RJ as a form of foreign justice, just like cautious respondents, these in-the-box police officers said they were ready to undergo training, except that their reasoning was that their readiness was dependent on the fact that if it was required by law. This supports their earlier stance where only laws are the acceptable tools for addressing crime – and if RJ is integrated within the laws, it becomes an acceptable part of a police practice. Many of these respondents simply and firmly said, “*yes,*” with no elaboration and hesitance.

4.2.3. Balanced readiness

Finally, the last pattern of readiness is categorized as balanced (Respondent 8, 16, 19, 20, 21, 22, 23, 24, 26, and 27). *Balanced* respondents, on the other hand, gave responses that had equal emphasis between the importance of law and prioritizing victims as primary stakeholders in the criminal justice system. Unlike the respondents of the previous categories, the respondents of this pattern of readiness viewed the victims and the offenders as more active stakeholders of the criminal justice system. While still agreeing that victims are important for utilitarian values, these respondents also often cited that integrating the voices of the victims in criminal processes are as important as enforcing the law. Many keywords that are relevant and parallel to the idea of RJ, such as “*achieving victim satisfaction*”, “*listening to what the victims want*” and “*providing platform for victims’ and offenders’ voice*” were mentioned.

One of the most salient traits of respondents whose pattern of readiness is more balanced is the openness that RJ could be a form of an alternative justice – which means that *merely* implementing RJ might be sufficient to address justice and to increase victim satisfaction. Respondent 19, for example, answered when asked if all crimes have to undergo the criminal justice system, “*no, everything is on the victim’s hand. If they’re satisfied, there is no need.*” Respondent 22 said, “*victims are there so justice can be upheld. But, there are also other kinds of justice outside of this [current] system.*”

Balanced respondents are similar to ‘in-the-box’ respondents as they reiterated that the role of a mediator was already played by many police officers. However, their responses were different in a way that balanced respondents seem to underscore the importance of victim satisfaction which should be the ultimate objective of justice. Their language also sounded more empathic with the emphasis of understanding of both victims’ and offenders’ experience. Respondent 23 said, “*... it is important to listen to what the victims want [in*

criminal processes].”

All in all, their language was more consistent with what is practiced in RJ which differentiates their responses from ‘in-the-box’ respondents. Many of these respondents also had more openness to RJ as an innovative justice and that being trained in RJ is treated as valuable as it is considered as “new knowledge”.

5. Discussion

In this study, we sought to explore how Malaysian police officers view the different aspects of police culture and the implementation of restorative policing. The main findings of our analysis indicate different levels of readiness among police officers when it comes to implementing restorative policing. The police are often seen as a group of people who hold similar views and values (McCartney and Parent, 2015; Stockdale, 2015), which is what our analysis partly shows, but mainly our findings demonstrate that when it comes to restorative policing, there are different patterns of readiness among police officers, namely: *cautious*, *in-the-box*, and *balanced* respondents. Furthermore, our analyses allowed us to explore how and why officers hold varied perceptions of restorative policing.

Research on restorative policing in other countries identify multiple reasons why some police officers decided to go “out of the way” and used discretion to make referrals to RJ programs and other forms of diversions when handling a case (Green et al., 2020; Pearce, 2019; Stewart and Smith, 2004; Zhang, 2020). Some of the findings of these studies have shown similarities to our data. For example, Zhang (2020) findings identified reasons such as the heavy workload and seriousness of a case where the police would switch to a watchman-style to maintain order. At this juncture, the responsibility for RJ is transferred as the police become vigilant enforcers of social order. This pattern is also observed in this study.

However, there are findings in previous research that are not observed in the current study. Green et al. (2020), for example, demonstrated that the discretion of police officers in using diversion programs (such as RJ interventions) may be influenced by their weak faith in the criminal justice system to rehabilitate individuals. Hence, some of the police officers in Green and colleagues’ (2020) sample may hesitate to use the criminal justice system as a platform for providing rehabilitative services to offenders. Interestingly, none of the Malaysian police officers identified flaws in the current system as it relates to rehabilitation. Instead, a majority of police officers in all patterns of readiness have a high level of deference to the law and current system of policing with *in-the-box* respondents showing the highest level of deference. We argue that this inconsistency may be due to the high level of power distance in Malaysian cultures (Hofstede Insights, n.d.). Malaysia has a high score of power distance, meaning the people of the lower rank are more likely to defer to those in a higher rank.

5.1. Implications for restorative policing

The existence of the three categories of readiness emphasize the importance of developing common roles, responsibilities, and goals as it pertains to restorative policing. Findings from past studies suggest that the exposure to RJ philosophy may contribute to police acceptance to use discretion to implement restorative policing behaviours in their daily tasks (Pearce, 2019; Stewart and Smith, 2004). However, respondents’ beliefs that restorative policing may hurt police branding highlights a key challenge in restorative policing – namely, the difficulty in balancing the needs of victims, communities, and the police. We expect adopting restorative policing to be particularly difficult in cultures that value a punitive criminal justice system. This key challenge, at first, seems to be consistent with past findings that show the propensity of the police to use the victims to achieve police-defined goals (Marder, 2020). This may explain why the police in this study hesitated from implementing RJ due to the assumptions that the offenders need to be punished, rendering the negligence of the victims’ wellbeing. However, the difference between policing in the Malaysian setting to policing in the Western setting is that the policing style in the West is influenced by the perception that victims are “customers” of the system (Marder, 2020). In Malaysia, victims are not seen as an important stakeholder of the system, which provides an important context to how the police views RJ in the first place.

McAlinden (2011) argued that allying with the position of retribution may enhance the perception of police legitimacy among the community members. In many parts of the world, punitive values is still an important part of a culture, especially cultures with a punitive State (Mohammad et al., 2019). Knowledge of the crime and criminal justice system can reduce punitive attitudes (Kääriäinen, 2019). However, third-parties, such as community members, typically hold stronger punitive attitudes than the victim when enacting punishments (Heffner and FeldmanHall, 2019).

Based on these findings, implementation policies may be of value where these policies aimed at facilitating restorative policing should be fostering shared attitudes among stakeholders in terms of the goals, needs, and responsibilities of victims, communities and the police as it relates to responding to crime. Though previous research suggests that it important to develop shared values across stakeholder groups, our findings suggest that it is also necessary to develop shared values within police departments as well, especially using a top-down approach of interventions. Our findings indicate that emphasizing the values of restorative policing such as a strong relationship with the community and a victim-oriented focus of services from those in the higher ranks represents a significant paradigm shift among Malaysian police.

Two of our categorizations – *in-the-box* and *balanced* readiness – are consistent with two of Wilson (1978) three styles of policing procedures, which are *legalistic* and *service* styles, respectively. In-the-box respondents adhered to Wilson’s descriptions of a legalistic style where the respondents prioritize the law above anything else. These police officers show deference to punishments enacted by the criminal justice system. On the other hand, balanced respondents are consistent with Wilson’s service style where the respondents believed that victim satisfaction is as important as upholding the law. The language of balanced police officers were more open to

diversion, treatment, and RJ interventions outside of the criminal justice system as well.

Our third categorization of pattern of readiness – *cautious* readiness, seems to be unique to the Malaysian experience. This finding may be due to the high level of power distance in Malaysian cultures. Though previous work highlights a need for bottom-up structural change where the desire for restorative policing is expressed (Glowatski et al., 2017; Paterson and Clamp, 2012), a lack of endorsement from those in power may elicit higher resistance from police officers. This phenomenon can be seen from the resistance displayed by *in-the-box* respondents, as well as the hesitance of *cautious* respondents to practice restorative policing. The emergence of the cautious pattern of readiness in our data highlight the need for structural changes in Malaysian policing alongside the bottom-up changes for a more comprehensive intervention that facilitates restorative policing.

Police officers who displayed cautious and in-the-box readiness also demonstrate the importance of bottom-up feedback in creating the structural changes that facilitate restorative policing emphasized by Clamp and Paterson (2016). Officers in our sample who demonstrated cautious readiness were not explicitly opposed to restorative policing. On the contrary, these officers were still willing to participate in trainings that focus on restorative policing. Based on their responses, it can be seen that these respondents value restorative policing, though they are unable to see the capacity to implement restorative policing given the various responsibilities that officers have.

It is worth noting that the respondents who displayed cautious readiness typically focused on the capacity of police departments alone to implement restorative policing, citing the existence of other departments or agencies more capable in carrying out the tasks. This finding highlights a key limitation in the restorative policing literature – namely, how “community” is defined. “Community” in the context of restorative policing typically refers individuals and groups of individuals in the community (Glowatski et al., 2017). As a result, restorative policing focuses on building relationships between the police and community members.

Therefore, both top-down and bottom-up approaches of implementation policies may be useful to initiate changes in terms of the implementation of RJ in the police departments. Though relationships between police and community members are important, organizations are key stakeholders in communities (Sampson, 2012). Our findings highlight the need for a more strategic focus on relationships between police and organizations in the context of restorative policing. Doing so can identify structural changes that can increase the capacity of police departments and community members to implement restorative policing.

Our findings also contribute to the debate in the literature of whether RJ initiatives should be located within or outside of the criminal justice system (e.g., Mohammad et al., 2020; Shapland et al., 2011). In-the-box police are more likely to be resistant to individual-level changes due to their support of the current system of policing. However, structural changes to the criminal justice system may increase the readiness of in-the-box officers given their deference to superior officers. This debate echoes the argument of Mohammad et al. (2020) who noted that a criminal justice system may be a valuable platform for implementing RJ inside the criminal justice system if the latter has a punitive legal norm. Doing so may address resistance from certain parties, such as the police in this study. Future research may explore these questions alongside the patterns of readiness as theorized in the current study and how it may affect implementation.

5.2. Limitations

This is a preliminary study on the readiness of police officers on the implementation of RJ in their department. This study illuminated the ways the police officers expressed their willingness or reluctance to practice restorative policing. These findings can inform policymakers in terms of how the need to account for officer readiness when attempting to facilitate restorative policing. However, there are limitations worth noting. Our study sought to understand the *general* readiness of police officers using a qualitative approach. While the current study identified different levels of readiness among police officers, the sample size prevented us from making meaningful comparisons between these groups.

We are also unable to determine how the different patterns of readiness can influence the way the police officers are educated and trained in restorative policing. For example, officers who demonstrate an in-the-box readiness for restorative policing prioritize the law over justice for the victim. However, does it mean that more training may need to be dedicated to reframing the goal of law enforcement among this segment of the police population to ensure that the training programmes achieve their desired objectives? While past studies on police and RJ commonly recommended that training is important to facilitate the implementation of RJ in the police department (e.g., Gavin and MacVean, 2018) which we echo here, this study raises the questions of *how* the trainings are designed to suit the contextual factors of the readiness. It is a given that these patterns of readiness impact the forms of training, but future research can test officers' readiness to change as a predictor of the success of restorative policing trainings.

Our sample also precluded the study of administration among police. The primary goal of this study was to obtain bottom-up feedback in terms of officers' perceptions of restorative policing. Because of this, we recruited a sample of participants who are most responsible for implementing restorative policing in the community – police officers. However, our findings emphasize the importance of both bottom-up and top-down input as it relates to restorative policing – particularly in contexts such as Malaysia where there is a high power distance.

6. Conclusion

We identified three distinct patterns of police readiness to implement restorative policing: cautious, in-the-box, and balanced. These groups have unique perspectives on the roles and responsibilities of police officers that shape their perspectives on restorative policing. It is worth noting that respondents indicated a desire to participate in restorative policing trainings regardless of their pattern of readiness – highlighting that officers at each level of readiness saw some value in restorative policing. However, our findings

identified key challenges to implementing restorative policing trainings and suggest that these different patterns may implicate the ways the training programmes are designed.

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Availability of data and material

Not applicable.

Ethical considerations

All procedures performed in studies involving human participants were in accordance with the ethical standards of the institutional and/or national research committee and with the 1964 Helsinki declaration and its later amendments or comparable ethical standards.

Informed consent

“Informed consent was obtained from all individual participants included in the study.

Declaration of competing interest

All authors report no conflict of interest.

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