

## **Report to the Warwickshire Police & Crime Panel**

### **Restorative Justice**

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According to the Restorative Justice Council UK, “Restorative justice brings those harmed by crime or conflict 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.” By bringing together those affected by a crime, the aim is to allow the victim and other affected parties a safe space to communicate the impact of the crime and for the offender to confront their actions. Rather than focusing on blame or retribution, Restorative Justice ultimately seeks to promote healing, justice and the empowerment of all participants. Restorative Justice is not only applicable in instances in crime, but can also be used to resolve incidents such as school bullying and hate incidents.

There is no set method for delivering Restorative Justice; rather, it is a bespoke service tailored to the needs of those affected by the crime, particularly the victim(s) and the offender. As such, a key part of delivering Restorative Justice is a comprehensive Needs Assessment to ensure the process is flexible and adapted to the participants. However, the underlying values of all Restorative Justice processes involve upholding the physical and emotional safety of participants and respect and dignity for all parties involved. Best practice suggests offenders and victims meet face-to-face through a facilitated Restorative Conference. Where this is not appropriate, the victim may communicate with their offender through other means, such as by letter or through ‘shuttle mediation’, where contact is entirely conducted through a facilitator. The process provides an opportunity for the victim and offender to agree on a positive way forward to the repair the harm caused and outcomes can include an apology provided to the victim.

The key principles of Restorative Justice include: -

- It is voluntary on both sides
- The offender must take responsibility (i.e. admit to the offence)
- The victim, community or other injured party must take part in the process
- The outcome must seek to put right the harm that has been caused
- The facilitator must have an insight into the case and uphold the safety of all parties

### **Restorative Justice in Warwickshire**

As stipulated in the Code of Practice for Victims of Crime issued by the Ministry of Justice and reflected in the Warwickshire Police and Crime Commissioner's Victims and Witnesses Charter, any victim of crime in Warwickshire is entitled to access Restorative Justice services if they so wish. However, the initial Needs Assessment may identify that the case is unsuitable for restorative justice approaches, whether due to an unwillingness of the affected parties to engage or due to an identified risk of re-victimisation if the offender and victim were to engage.

### **Funding**

In 2016, the Warwickshire Police and Crime Commissioner provided £16,506 to Warwickshire Police and West Mercia Police to develop a strategy and coordinated approach to Restorative Justice. As a result of this strategy development, it was decided that Restorative Justice would provide the best outcomes when delivered by an organisation with specialist capabilities.

The Restorative Justice services are currently delivered by the Warwickshire Youth Justice Service as part of their statutory duties for young offenders and by Victim Support as a referral-based service for the wider population, delivered through their Warwickshire and West Mercia Restorative Justice Service. As this service is run across both Warwickshire and West Mercia, the Police and Crime Commissioners for both areas provide funding.

In 2017-18, the Warwickshire PCC provided £60,000 in grant funding to Victim Support to deliver Restorative Justice services. In 2018-19, the Warwickshire Police and Crime Commissioner has again allocated £60,000 to Victim Support for the purpose of funding a local service delivering a range of restorative interventions for victims of crime. The Warwickshire Police and Crime Commissioner is currently exploring future options for the delivery of Restorative Justice services, including the potential for joint commissioning with West Mercia or commissioning independently through the proposed wider victims commissioned service.

### **Monitoring and Performance**

As with all grant-funded initiatives, the Police and Crime Commissioner requires Victim Support to submit quarterly reports which detail their Restorative Justice activities and outreach. These quarterly reports demonstrate not only the numbers of participants but also the impact of those involved through qualitative case studies. Through these reports, the

Police and Crime Commissioner can demonstrate the wide range of offences being referred into the service and the source of the referral, including a self-referral from an offender for an offence was homicide in January 2018 and a referral by Warwickshire Police in relation to the theft of a canal boat Police in March 2018.

In totality for 2017-18 the service achieved:

- 1,039 Adults provided with information in relation to Restorative Justice.
- 84 Victims participated.
- 64 Offenders participated.
- 49 Referrals that met the criteria for specialist Restorative Justice service.
- 35 Professionals worked with.
- 31 Restorative Justice person-to-person conferences facilitated.
- 9 Offenders participated in Rehabilitation Activity Requirements workshops.
- 8 Police officers trained to Level 2.
- 4 Volunteers recruited.
- Restorative Justice briefings delivered to all Warwickshire Police's Patrol and Safer Neighbourhood Teams.
- 100% Satisfaction levels with the service received.

According to a 2001 independent evaluation published by the Ministry of Justice, research has shown a 14% reduction in the frequency of reoffending following restorative justice taking place and an 85% victim satisfaction rate. This evidence base has been used to inform Restorative Justice services throughout the country. As the current service in Warwickshire has commenced in 2017, it is only in the beginning stages of recording reoffending rates of participants, as this is collected nine months following the meeting between offenders and their victims. Qualitative feedback from offenders who have participated in Restorative Justice processes show an increased insight into their offending behaviours: -

- *'I think more before I act'*
- *'The programme has reinforced my empathy towards victims'*
- *'I think more before I do things'*

As part of its remit, Victim Support deliver Restorative Justice training to other organisations and conducts awareness-raising workshops and seminars. These include providing training to Warwickshire Police on 'street' restorative justice to allow them to use restorative techniques to deal with low-level crime and anti-social behaviour and engaging school

communities to develop short introductions to restorative processes for teachers, governors and parents. In May 2018, Victim Support delivered two training sessions to Warwickshire Police and all police stations have been provided with materials on restorative justice.

As an additional indicator of performance, in January 2018 Victim Support Warwickshire and West Mercia Restorative Justice Service have been awarded the Restorative Service Quality Mark from the Restorative Justice Council in recognition that the service provides high quality restorative practices that comply with the six Restorative Service Standards, leadership, strategy, policies and plans, working together, people, training and support, service delivery and users and monitoring and evaluation and performance improvement.

### **Comparison**

The flexibility of Restorative Justice is reflected in the varied approaches to its delivery. For example, the West Midlands Police and Crime Commissioner provides funding to West Midlands Police and Registered Housing Providers to form a collaborative Restorative Justice service. In 2018 the West Midlands Police and Crime Commissioner has indicated that he will be seeking to provide a single point of contact through a commissioned Restorative Justice service. In Derbyshire and Leicestershire, Restorative Justice services are already commissioned by Police and Crime Commissioners as part of the contract for victim services. In Essex, a different model has been adopted whereby the Police and Crime Commissioner acts as a central coordinator and manager of Restorative Justice services for the county, with the Police and Crime Commissioner employing staff within its office structure to enact this function.

Given the high levels of satisfaction from both victims and offenders with the current service in Warwickshire and the recent awarding of the Restorative Service Quality Mark, the Warwickshire Police and Crime Commissioner will carefully consider the variety of delivery models with a view to continue to ensuring that all victims of crime are aware of their right to seek Restorative Justice services and that if they choose do so, they are provided with the best levels of support and facilitation throughout the process.

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