

Hampshire Police and Crime Panel  
'Restorative Justice' Proactive Scrutiny - Evidence

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## **Citizens Advice Hampshire**

*1) How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy? What opportunities do you feel exist for greater engagement?*

I would say quite effective. The recent launch of the Restorative Justice Strategy was well attended. I spent some time talking to the acting Chief Executive, James Payne. Although he is new to RJ his enthusiasm and drive to use any means possible to make a difference to people's lives was plainly obvious.

*2) How are the Commissioner and his office communicating with local communities, victims groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?*

Other than the new strategy I am not so sure. The only access to the strategy at the moment is to read it online. To save a copy you have to create a issuu account. Hardly accessible and then, only for those who are IT literate. I am and just don't want another account and password to add to my existing long list.

The newly appointed providers of RJ for low risk cases; Restorative solutions are delivering training to Citizens Advice volunteers in the new year. We are working closely with them to help spread awareness and practice.

*3) What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?*

I think the notion that RJ is accessible to every victim (page7) is commendable. However, when it comes to domestic abuse it wont be. There are many pressure groups, agencies that strongly disagree with the use of RJ for victims of DA; I think the Office of the Police and Crime Commissioner should tackle this as many actually do not speak on behalf of the victim.

*4) Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?*

I set up the Domestic violence RJ *Dove Project* in 2001 with Hampshire County Council children services. The project was managed by Daybreak  
<http://www.daybreakfgc.org.uk/about-fgcs>

*5) Is there anything further that you can provide to the Panel that will assist us with our proactive scrutiny of this topic?*

I would like to add that the team at the Office of the Police and Crime Commissioner is excellent. The Hate Crime steering group, although still only in its beginnings is a really useful way of influencing policy and helping to get the best from partnership working.

## **CSP - Gosport Community Safety Partnership**

*1) How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy? What opportunities do you feel exist for greater engagement?*

The OPCC have been proactive in engaging and seeking commitment from partners in the development and delivery of the RJ and Restorative Approaches (RA) Strategy. This has been achieved through a number of mediums such as the appointment of a County-wide RJ Co-ordinator, RJ Strategy Consultation event & survey and the implementation of the RA forum.

*2) How are the Commissioner and his office communicating with local communities, victims groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?*

The Commissioner and his office implemented the RJ Capacity Development Fund to assist with raising awareness amongst communities and services of the benefits and availability of RJ and RA within Hampshire and the IOW. Recent events such as the Restorative Strategy launch in Portsmouth will also have assisted with awareness raising. There are opportunities for enhancing communication, particularly with local communities, through Hampshire Constabulary specifically through <http://www.hampshire.police.uk/internet/> and Hampshire Alert.

*3) What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?*

The priority for action to support the RJ and RA Strategy should be a complimentary engagement and marketing strategy which raises awareness of the benefits of RJ and ensures professionals are well informed and confident in conveying the benefits of RJ to victims of crime. The PCC should consider closer working with the Community Rehabilitation Company (CRC) to increase the access perpetrators have to RJ and RA. This work is embedded within the YOT but there is opportunity to replicate this good work within the CRC.

*4) Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?*

Gosport CSP is currently exploring the use of RJ and RA within established schemes to prevent ASB offending such as DIVERT and also when working with families where adolescent on parent violence (APV) is present.

## **CSP – Test Valley Borough Council Community Safety Partnership**

*1) How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy? What opportunities do you feel exist for greater engagement?*

The Commissioner has established a multi-agency Restorative Justice Programme Board and a Strategy Development Group to consider all elements of the RJ strategy and process. This board has included representatives of the countywide CSPs, Police, NPS, CRC, Victim Care, Prison Service and RJ providers to provide advice, information and feedback to the process, and to be consulted on commissioning plans as developed.

The OPCC has also completed a consultation on key issues and themes around the RJ Strategy and to help identify any concerns, gaps, and to promote positive engagement with partners.

A well attended Restorative Approaches Forum session was also held in Sept.

The OPCC has recruited a dedicated RJ co-ordinator who has worked to promote RJ to partners and to advise of the Victim Code of Practice, and in so doing will identify possible future partners for involvement in this process.

Performance reports have been drafted and circulated to partners to show progress and developments, and an information sharing agreement has been drafted and circulated to relevant agencies to facilitate reporting and data sharing.

The use of SafetyNet has been encouraged for ease of referrals to be made from a wide range of agencies.

*2) How are the Commissioner and his office communicating with local communities, victims groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?*

Please see answer 1 above. The wide range of partner agencies involved in this process has allowed access to a diverse network of communities, groups and services.

In addition the OPCC has been developing a communications and engagement plan to promote understanding of RJ and public awareness raising to encourage its usage. Further publicity material resulting is due to be made available shortly and will be welcomed to help promote this area.

RJ also forms a prominent of the OPCCs website to provide easy access to clear information, and examples from those who have undergone the process previously.

The RJ launch later this month should also help to increase the local awareness of the topic to partners and communities alike.

*3) What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?*

We are happy with the vision and priorities that the OPCC has set out in the draft RJ & Restorative Approaches Strategy document for 2017-2020

*4) Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?*

TVBC and Eastleigh BC previously undertook a joint pilot RJ programme led by Victim Support. However this pilot has since been superseded by the OPCCs current RJ plans. From engagement with Restorative Solutions we feel that they offer a potentially positive means of delivering the RJ strategy locally.

## **Hampshire Constabulary**

- 1) *How well have the OPCC worked with voluntary and statutory sector partners to date, to support the development and delivery of the Restorative Justice and Restorative Approaches Strategy?*

Hampshire Constabulary began in depth conversations with the OPCC during the end of 2014 regarding the desires around restorative justice provision in Hampshire and the IOW. Our approach was naturally regarding the type of activity that falls into Policing. The OPCC were immediately receptive and supportive, and from the outset showed a desire to make restorative justice services available to a far wider public, no matter whether criminal justice process were involved. They wanted voluntary sectors, public authorities and private individuals to be able to access the benefits of the process.

Throughout 2015 Hampshire Constabulary were consulted regularly by the OPCC over restorative justice provision, along with many other agencies and voluntary organisations. The Constabulary has felt valued, sitting on the programme board from the very beginning, visiting other force areas with the OPCC and presenting at a potential provider day. The OPCC also included the Constabulary's Criminal Justice DCI on their selection panel to recruit their RJ co-ordinator.

The Constabulary, along with others were consulted on the initial strategy and have again been consulted in relation to the recent re-write. The Constabulary have also been invited as a key partner to the launch of this new strategy in November 2016. During the development of the new strategy the Constabulary raised concerns regarding the spread of restorative justice into some sensitive areas (domestic abuse) and provided some guidance regarding consultation that should be carried out prior to considering this change. The Constabulary found the OPCC to be extremely receptive and willing to adapt their initial plans from the feedback we provided.

The Constabulary have representation on the strategic board and the practitioners forum. We also have a Police Sergeant engaged daily with their co-ordinator and their commissioned provider to ensure the service improves as it develops and the Constabulary can help and advise where appropriate. We feel a valued partner in the development and delivery of this strategy and are committed to making it work.

- 2) *How are the Commissioner and his office engaging with local communities and victims and perpetrators of crime and anti-social behaviour, to raise the profile of restorative justice and restorative approaches within Hampshire and the Isle of Wight?*

The Constabulary has worked with the OPCC to use existing channels to raise awareness of restorative justice within our communities. Each victim is provided information on restorative justice as part of a package they receive after we record a crime. We trained all frontline officers in restorative justice awareness during Jan – March 2016 so that they could have meaningful conversations with victims to explain what it meant, involved and the benefits. This input was part designed by the OPCC. Each supervising officer during 2015 and 2016 (over 700 in total) had

training regarding restorative justice, which included videos of those who had turned their lives around. During 2016 and 2017 we are supplementing this with presentations to investigation, patrol and neighbourhood teams. These presentations are co-ordinated by the OPCC, but are jointly conducted by the commissioned provider and one of our Police Sergeants.

The OPCC has used presentations and information distribution to partner agencies, the voluntary sector and created public facing information to raise the awareness and explain the different methods of self referral. Their approach has included the production of videos, involving victims which are a very powerful tool and involved a significant amount of time and effort from the OPCC to secure. During 2016 we have seen victims self referring to the service and the Constabulary are assisting with retrieving case details and contacting offenders if required.

The OPCC are also ensuring that we can comply with the changes to the victims code in 2015. We currently have actions from the board that we are delivering against. These will see us referring every victim of crime (outside of DA, which will be worked on with partners) to the commissioned provider when we solve a crime, unless they positively opt out of being contacted.

- 3) What are the key priorities which need to be considered by the PCC to support delivery of the Restorative Justice and Restorative Approaches Strategy?

Concentrate on the quality of Restorative Justice conferences being carried out. It is important that the commissioning element looks to measure the quality of work going on, not simply a quantity based approach.

Consult widely on sensitive areas, such as domestic abuse and look to put safeguards in place. If thought sensible to proceed, take the opportunity to build an evidence base that can be rigorously evaluated to see whether Restorative Justice actually works in these area.

Evaluate the impact of the mandatory referral of all victims on the RJ service in 2017 as volumes are predicted to increase significantly as systems and processes mature.

- 4) What best practice exists which could also be considered by the PCC in his approach to enhancing the restorative justice provision across Hampshire and the IOW?

The Constabulary have already worked through best practice with the OPCC and have put the county co-ordinator in touch with a University of Cambridge academic who has conducted the most research internationally in Restorative Justice.

They have employed a county co-ordinator who has a background of an experienced practitioner, they liaise closely with the Restorative Justice Council and have an experienced provider working them in the form of Restorative Solutions.

## **Hampshire Youth Offending Team**

1) *How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy? What opportunities do you feel exist for greater engagement?*

- OPCC have provided a range of opportunities for partners to engage and offer commitment to the delivery of RJ and Restorative Approaches Strategy- including appointment of a Restorative Justice County Co-Ordinator who has liaised directly with both Hampshire and IOW YOTs.
- With regards to Hampshire YOT, we have been directly involved in Restorative forums and questionnaires to look at the pathway for all Restorative Organisations and their Restorative approaches in the County and have been an active part in decision making. This has helped to ensure respective systems and processes are understood to avoid both duplication and omission.

In terms of greater engagement, it is our view that opportunities could be found in liaising with schools to support RJ delivery within school settings (thus also supporting prevention objectives with regards to youth offending). This is something that Hampshire YOT has just begun to look at. Also, to support establishment of local RJ Professional Networks in local areas to ensure training, practice learning and areas for development are shared as a collective. Potentially, funding to be available to support existing organisations to deliver such activities if this cannot be done directly by OPCC.

2) *How are the Commissioner and his office communicating with local communities, victims' groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?*

- Both Hampshire and IOW YOT have been contacted directly by the Restorative Justice County Co-Ordinator and receive updates via the OPCC where deemed relevant. The development of an RJ newsletter may provide opportunities to develop this further.

3) *What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?*

In our view, priorities could include:

- Engaging with schools to encourage delivery of RJ at the earliest opportunity (with a view to reducing offending and re-offending by children as well as supporting positive learning experiences and inclusion in education).
- Media campaign (with supporting literature) to further enhance awareness and understanding of RJ (e.g. a dedicated RJ week in 2017- or similar- whereby relevant agencies can raise the profile via their local comms etc.)
- Training on ways of adapting and improving RJ work with differing client groups (victims in families, with additional needs etc.)

4) *Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?*

- Hampshire YOT offers RJ to all identified victims of children known to the service. All staff and volunteers working with YOT are made aware of RJ approaches and required to complete relevant training as part of their Induction which ensures RJ is central to all work undertaken. This has been extended to other professionals (e.g. Police, Education, Community Safety) where possible. In Hampshire this is being extended to victims within the prevention service in 2017 further. HYOT also do some intense work with victims of sexually harmful behaviour.
- Restorative Solutions have begun to work with adult victims across Hampshire but this is fairly new in 2016 so we are not clear on the impact yet.
- Hampshire and the IOW YOT, in conjunction with Childrens Social Care, are now leading on a work strand to deliver the “Reducing Criminalisation of Looked After Children” Protocol which will include consideration of RJ approaches and training needs etc.

5) *Is there anything further that you can provide to the Panel that will assist us with our proactive scrutiny of this topic?*

Nothing further to add at this time.

### **Isle of Wight Youth Offending Team**

1) *How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy? What opportunities do you feel exist for greater engagement?*

- OPCC have provided a range of opportunities for partners to engage and offer commitment to the delivery of RJ and Restorative Approaches Strategy- including appointment of a Restorative Justice County Co-Ordinator who has liaised directly with both Hampshire and IOW YOTs.
- With regards to IOW, we have liaised directly with AgeUK, RJ Provider, to ensure respective systems and processes are understood to avoid both duplication and omission. This has included co-ordinated delivery of RJ training to volunteers and identification of opportunities for joint or joined-up working as appropriate.
- In terms of greater engagement, it is our view that opportunities could be found in liaising with schools to support RJ delivery within school settings (thus also supporting prevention objectives with regard to youth offending). Also, to support establishment of local RJ Professional Networks in local areas to ensure training, practice learning and areas for development are shared as a collective. Potentially, funding to be available to support existing organisations to deliver such activities if this cannot be done directly by OPCC.

2) *How are the Commissioner and his office communicating with local communities, victims groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?*

- Both Hampshire and IOW YOT have been contacted directly by the Restorative Justice County Co-Ordinator and receive updates via the OPCC where deemed relevant. As above, the development of local RJ Professional Networks (or RJ newsletter) may provide opportunities to develop this further.

3) *What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?*

In our view, priorities could include:

- Engaging with schools to encourage delivery of RJ at the earliest opportunity (with a view to reducing offending and re-offending by children as well as supporting positive learning experiences and inclusion in education).

- Development of a RJ Professional Network (virtual or otherwise) so support awareness, development and identification of good practice examples for wider learning.
- Media campaign (with supporting literature) to further enhance awareness and understanding of RJ (e.g. a dedicated RJ week in 2017- or similar- whereby relevant agencies can raise the profile via their local comms etc.)

4) *Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?*

- IOW YOT offers RJ to all identified victims of children known to the service. All staff and volunteers working with YOT are made aware of RJ approaches and required to complete relevant training as part of their Induction which ensures RJ is central to all work undertaken. This has been extended to other professionals (e.g. Police, Education, Community Safety) where possible.
- AgeUK have begun to develop a Restorative Practice programme at Sandown Bay Academy and are delivering Restorative Justice training on the Isle of Wight via Restorative solutions.
- IOW YOT, in conjunction with Children's Social Care, are now leading on a work strand to deliver the "Reducing Criminalisation of Looked After Children" Protocol which will include consideration of RJ approaches and training needs etc.

5) *Is there anything further that you can provide to the Panel that will assist us with our proactive scrutiny of this topic?*

- Nothing to add at this stage.

## **NFS Mediation**

- 1) How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy? What opportunities do you feel exist for greater engagement?

The initial engagement from the OPCC was quite strong and inspiring with many key players being involved with active encouragement of smaller organisations to think and bid creatively for small, innovative services. Communication, service consultation and consultation events were decent with many organisations' questions and concerns answered.

The OPCC RJ published bid specification and bid rounds was weak and heavily flawed from the outset and seemed to follow a template that was unknown and unrealistic in the field of RJ both nationally and internationally. After the initial consultation period it appeared that many voices were ignored and an RJ service specification was developed that bore little relation to reality and achievability. This had the effect of marginalising and demoralising many in the embryonic but blossoming countywide RJ partnership. The RJ specification was directed at huge volume service delivery and evaluation that made it impossible for many services to bid or find appropriate, viable partners. Ultimately this specification appeared to send many innovative RJ areas of work up a cul-de-sac.

The funding application award from the OPCC to a sole non Hampshire RJ service provider was understandable but not without a damaging impact to the developing county RJ partnership. The chosen provider was the only specialist RJ provider and so, as there is a need for service consistency and continuity in embedding and growing a new service that carries with it such a cultural change, the choice was logical in those terms. However, it can be viewed that under the OPCC spec criterion and the countywide inexperience of delivering high volume RJ cases systematically, the grant could only have been given to one provider - thus making the initial consultations and involvements an irrelevance. I believe more thought should have been given to the specification the provider was to work under. This spec should have included a stronger free RJ community training programme and stakeholder partnership growth aspect to it so as to support and value existing local partnerships and keep them fully engaged, committed and on board.

Although rounded commissioning and risk assessments is no easy task it should have been viewed as a joined up piece of work.

In short – the OPCC put all its RJ eggs in one basket and shut the lid.

This should be viewed as a missed opportunity by the OPCC and, as the funding application award, and subsequent extension, was for such a significant amount of public money, the common feeling is the OPCC has backed itself into a corner and can now only support the chosen RJ provider regardless of performance.

We all need to try and shed our own preciousness and work hard to now get the RJ strategic partnerships back on track. Much more needs to be done including:

Openly publishing, communicating and discussing current and ongoing RJ service performance

Actively involving local stakeholders and the community on improving any performance issues

Building trust and Investing in the sharing of what is and isn't working so as to move RJ forward in Hampshire and IOW for the benefit of victims, offenders and the communities in which we all live.

2) How are the Commissioner and his office communicating with local communities, victims groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?

The short answer is I don't know. I have not been made aware of any events or written materials outside of stakeholder meetings in our operating area. I have not caught sight of any awareness material targeted towards victim or offender services or the general public. This does not mean that such material isn't 'out there' just that we haven't come across it.

In a time of cutbacks and budgetary pressure the OPCC resources bring a 'soft' power and influence to the OPCC – so the placement of those resources and the promotion of RJ/RA have to reflect the published strategy and foster practical partnerships. These local partnerships need better investment and involvement as they have a large part to play in promotion of RJ/RA at grassroots level - as even the best material delivered from 'on high' will often get lost or not be seen.

3) What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?

Engagement is the king of development and the acid test of performance. Engagement should be the top priority. Strong focus on service delivery through initial high quality victim contact is essential. How best to present RJ to victims in a systematic way must be developed. The very first conversation a person has about RJ is of the utmost importance. The more opportunities individuals have to engage with RJ the more the individual, their family and friends and the community come to understand RJ, its benefits to them and the fact that they stay in control of what happens.

Consideration should be given to development of a successful system of automatic RJ/RA contact with a victim (and offender) in similar way as crime reference and victim support contacts are given.

There should be a transparent and frequent publication of:

- Contact and engagement numbers
- The sort of contact that was made
- Outcome of such contact

Successful outcomes should be measured by the interventions themselves.

Successful conferences will naturally build from these foundations.

If this is being done it needs to be better communicated – and far more ‘nuts and bolts’ meetings with stakeholders need to be held to move away from strategic principles and towards problem solving and constructive collaboration to make RJ work in Hampshire and IOW.

- 4) Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?

There are many pieces of excellent RJ/RA work being carried out locally, nationally and internationally. On a local level we were the first mediation service to develop a range of innovative mediation models that broadened its use, effectiveness and success. The key for a countywide provision is not necessarily how to integrate all services but how to integrate and apply key principles and innovations to help and support one another for the benefit of the public and our communities.

Our life president, Nicholas McGeorge, is a founding member of the Restorative Justice Council and has a significant fund of RJ research and practice that he would be happy to share with the panel.

- 5) Is there anything further that you can provide to the Panel that will assist us with our proactive scrutiny of this topic?

I have tried to answer as objectively and reasonably as possible and my answers do not only reflect those of my own organisation but also reflect the meetings and conversations I have had with other RJ/RA partners, both statutory and third sector, within the county.

NFS Mediation wants the very best for RJ/RA within Hampshire and will always seek to promote its value in helping and supporting victims, repairing harm, and crime and ASB prevention within and outside of the criminal justice system.

However, the awarding of a contract to a sole provider, with an extension of the grant award for another year, based on a specification that no other partner was privy to, or had chance to bid for, and which was seemingly awarded without adequate risk assessment – severely damaged much of the good partnership work that the OPCC had achieved with its other RJ/RA partners.

Moving forward progress continues to be made and there is much to be positive about. The new OPCC RJ/RA coordinator is working hard and doing an excellent job at holding the budding partnerships and vision together.

The long term success of the RJ strategy will be dependent on partnership collaboration and cooperation and a much stronger engagement with our communities. We believe a more transparent, nitty gritty and practical approach to RJ needs to be adopted and developed.

**Police and Crime Commissioner for Hampshire and IOW**



RESPONSE TO

Hampshire Police and Crime Panel's

**Proactive Scrutiny into Restorative Justice**

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<b>On</b>	2 <sup>nd</sup> December 2016
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**Q1) Part One - How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy?**

The Office of the Police and Crime Commissioner (OPCC) have been effective in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy. The appointment of a Restorative Justice County Coordinator (RJ Coordinator) to embed Restorative Justice (RJ) and restorative approaches across Hampshire, Isle of Wight, Portsmouth and Southampton makes a clear statement about the Police and Crime Commissioners (PCC) commitment to develop the use of restorative practices collaboratively in order to make people safer. Restorative practice is a core element of the strategic priorities within the Police and Crime Plan, one of which is partnerships.

Outlined below are some of the practical ways that the engagement with partners, and the action taken to formalise their commitment in relation to development and delivery, can be evidenced:

**a) Restorative Justice Service, grant funded until 31<sup>st</sup> March 2018:**

Due to a change in service provision for one package area earlier this year, the PCC had the opportunity to respond to feedback and approve a new hub and spokes operating model proposed by existing service providers Restorative Solutions in July 2016. During engagement with partners to promote the new RJ service, it was noted that people found the restrictions of the previous strategy and service specification confusing and limiting. The self-referrals received in the first half of 2016 were predominantly from victims of offences excluded from the previous service specification. The proposal was for a fully inclusive RJ Service that accepted both victim and offender initiated referrals regardless of the nature or location of the offence or the time that had elapsed since the offence was committed. The proposal also reflected the feedback received from partners as part of the strategy consultation work conducted by the OPCC (please see subsequent sections).

**b) Restorative Justice Programme Board:**

The aim of the Restorative Justice Programme Board is to work in partnership to oversee the implementation of the strategy. The Board is responsible for ensuring that the strategy meets its key deliverables, addresses any risks, constraints and advises on best practice.

The membership of the Board has been extended since its creation. This is to ensure that key voluntary and statutory sector partners are represented, and that they have the opportunity to inform future decision making that considers the wider implications of RJ delivery at all stages of the Criminal Justice System. The Board is chaired by the OPCC and membership includes Hampshire Constabulary; National Probation Service (NPS); Her Majesty's Prison Service (HMPS); Youth Offending Team's (YOT); Local Criminal Justice Board (LCJB); Restorative Solutions CIC; Victim Support; Community Safety Practitioners Forum and Community Rehabilitation Company (CRC). Membership could be further extended in the future to include representation from the Restorative Approaches Forum; Her Majesty's Courts and Tribunal Service; the Crown Prosecution Service; Health Service and beyond.

**c) Restorative Approaches Forum:**

The Restorative Approaches Forum is coordinated by the OPCC and its aim is to enable partners to meet on a regular basis to share local and national best practice; discuss the implications of policy/legislative updates; take part in innovative case planning sessions; explore lessons learned and identify development opportunities.

The Forum aims to build awareness and understanding of restorative approaches and build capacity amongst organisations that wish to use this approach to address crime or conflict in their work with people.

The first Forum was held in September and was attended by over 20 different organisations who either use restorative approaches in their work or who support individuals who have been harmed by crime or those who have caused that harm. The next forum is scheduled for the 9<sup>th</sup> January 2017.

**d) Strategy Consultation Event:**

The OPCC hosted a half day strategy consultation event in July 2016. The aim of this event was to give partners the opportunity to come together to scope out the vision for restorative practice across Hampshire policing area, and to understand the areas of focus needed to make the vision achievable.

Although PCC's have a responsibility to implement RJ in their areas and the Ministry of Justice has made funding available for this purpose, the OPCC recognises that partnership working is essential for consistent and safe delivery of RJ and restorative approaches. It was therefore important to involve key voluntary and statutory sector stakeholders and give them the opportunity to inform future decision making that considers the wider implications of RJ Delivery at all stages of the Criminal Justice System.

For those partners who were unable to attend the event, there was an opportunity for them to make a written submission and to view the strategy and make comments before it was published.

**e) Restorative Justice and Restorative Approaches Strategy launch event:**

The OPCC funded and hosted the launch of the strategy in International RJ Week in November 2016. This seemed an appropriate time to launch the strategy, engage partners to raise awareness and to recognise the contribution they had made and ongoing commitment they will make.

A wide number of statutory and non-statutory sector partners were invited to the event where the OPCC Chief Executive highlighted the importance of the strategy and how it was integral to the Commissioner's Police and Crime Plan. Also invited were a victim and offender who have been through the RJ process who spoke openly about their experience; the challenges they faced and what we can all collectively do to meet the needs of victims and offenders, challenging some of our own assumptions.

**f) Restorative Approaches Capacity Development Fund:**

A restorative approaches capacity development bidding round was held in February 2016 and a number of small projects were awarded funding. This included opportunities for the Youth Offending Service in Southampton to increase their Restorative Practices in Schools initiative; work with the CRC to recruit and train peer mentors; to fund Portsmouth Mediation Service to raise awareness of Restorative Approaches in Portsmouth amongst different faith communities and to support the Police with low level conflict where there is no clearly identified victim/wrongdoer.

**g) Local Criminal Justice Board (LCJB) representation:**

The RJ Coordinator represents the PCC on the two LCJB sub groups, Victim and Witness and Offender Management. Oversight of the strategy and supporting the delivery of RJ approaches is an objective for both of these groups. Both groups have wide membership and representation from key voluntary and statutory sector partners working within the Criminal Justice System.

Attendance at these meetings provides an opportunity to engage with strategic leads and to update partners regarding the progress made with the implementation of the strategy to date.

## **h) Hampshire Constabulary:**

All Police forces have a statutory duty under the Code of Practice for Victims of Crime in relation to RJ. RJ is also a prominent feature of the Community Remedy menu used for the administration of Non Charge Outcomes (also known as Out of Court Disposals). As a result, the OPCC has worked closely with Hampshire Constabulary RJ leads to embed new processes, referral pathways and to raise awareness of RJ within the force.

Hampshire Constabulary are represented on the RJ Board and at the Restorative Approaches Forum. There have been regular meetings between Hampshire Constabulary, OPCC and Restorative Solutions over the last 12 months. The following is a summary of the key activity undertaken with the Constabulary:

- Presentation delivered at the Family Liaison Officer staff development day
- The RJ Coordinator has worked closely with Hampshire Constabulary to develop internal referral mechanisms in regard to Out-of-Court disposals. The victim statement has been updated to include a consent section for individuals who wish to be referred to the RJ service. There can also be an automatic referral process for perpetrators who plead guilty at Court. As a result, the RJ Coordinator has delivered briefings regarding RJ to Witness Care Units. The literature they send to victims when the case has been referred to Court has also been updated.
- Restorative Solutions have delivered numerous briefings to response and patrol; safer neighbourhood and investigation teams across Hampshire Policing area.
- Force Champions across Hampshire policing area were identified by the force RJ lead and an event was held in partnership with the OPCC to raise awareness of RJ and to explore expectations of the role. We are now exploring the potential of a full one day training course for the champions.
- The RJ Coordinator helped to design a short training input for professional development events delivered earlier this year as part of training on non-charge outcomes.
- A meeting has been held with the training department within Hampshire Constabulary to look at a greater training input for new recruits and RJ.
- The OPCC and Restorative Solutions had a stand at Hampshire Constabulary Headquarters in Netley during one day of International RJ week in November to raise awareness and answer questions that officers may have.
- Meetings have been held with Hampshire Constabulary communication department on two occasions to discuss ways that they can help communicate the message on a wider scale. Intranet pages have been updated and internal screensavers scheduled for 6 months of the year.

- The RJ Coordinator has met with force leads for victims; integrated offender management and anti-social behaviour. As a result, the victim care pack sent to victims after they have reported an offence, has been updated with information on how they can access RJ services.
- The RJ Coordinator is scheduled to attend Hampshire Constabulary's Assault Group for officers in December 2016 to raise awareness of RJ and ensure that officers are aware that they can make a self-referral following an incident of assault.

**i) Non-Charge Outcome Scrutiny Panel:**

The RJ Coordinator represents the PCC at Hampshire Constabulary's Non-Charge Outcome Scrutiny Panel. A random sample of non-charge outcomes are selected so that a range of partners from within the Constabulary and externally can scrutinise whether these disposals are being used appropriately. The RJ Coordinator was asked to be a permanent member of the panel. Feedback is given to individual officers and their supervisors to ensure learning and professional development. This provides an opportunity to educate partners about the appropriateness of RJ and to encourage its use in the right circumstances.

**j) Youth Offending Teams across Hampshire Policing area:**

The RJ Coordinator has engaged with all four YOTs across Hampshire Policing area. They are jointly represented on the Board and all four teams have practitioners represented through the Restorative Approaches Forum. The YOT teams are key partners as they have statutory responsibility for delivering RJ for victims of youth offenders. The following engagement has taken place:

- The RJ Coordinator has represented the PCC at the YOT RJ Practitioners meeting
- Consultation regarding the multi-agency information sharing agreement for RJ services
- The RJ Coordinator gave a presentation about the vision for Hampshire Policing area at Hampshire YOTs Restorative Service Quality Mark celebration event.
- The PCC awarded Southampton YOT a grant to support their Restorative Practices in Schools project and the RJ Coordinator has been invited to attend the next Restorative Schools network meeting.
- The PCC awarded a grant to Portsmouth YOT so that three of their practitioners could apply for formal accreditation through the Restorative Justice Council.
- Restorative Solutions and the RJ Coordinator met the Portsmouth YOT RJ lead to explore the potential of sharing volunteer practitioners.

**k) HMP Winchester and HMP Isle of Wight:**

The RJ Coordinator met with the former Governor of HMP Winchester and members of his team to raise awareness of RJ and explore the contribution that they could make within their establishment in relation to the strategy. The prison are committed to working with the OPCC to create a supportive environment within the prison for any victims who wish to have a Restorative meeting there. We also discussed the prison's aspiration to use restorative approaches within their community to reduce conflict and the escalation of situations that result in adjudications. As a result of this meeting, the Governor agreed to join the RJ Board and the prison have allowed Restorative Solutions to use their video link facilities to enable them to communicate with a prisoner at HMP Channing's Wood.

The former Governor left the establishment in August 2016 and the RJ Coordinator has been working with the Head of Reducing Reoffending to try and arrange another meeting to explore the new Governors views on RJ. Offender initiated referrals can now be accepted so awareness raising for prison staff and inmates will now be offered and referral pathways established. HMP Winchester have been involved in the strategy development work and the new Governor has accepted the invitation for the January 2017 Board meeting.

With regards to HMP Isle of Wight, a meeting was held with members of their reducing reoffending team in October 2016. Two members of staff attended the three day practitioner training that Restorative Solutions ran on the Isle of Wight earlier this year. The team are keen to use restorative approaches to address conflict within the prison community and the RJ Coordinator has offered support in designing bespoke training. Restorative Solutions have offered to deliver awareness raising sessions to staff and residents within the prison.

The RJ Coordinator has also discussed the need to create a supportive environment within the prison for victims who may wish to engage in RJ. Initially the team were unsure that their cohort (predominantly perpetrators of sexual crime) would be suitable for RJ. However, they now understand that any victim can self-refer and that we have had a number of referrals for victims of sexual crime to date. The team have therefore asked if the RJ Coordinator would be willing to attend a senior management meeting to discuss the strategy.

**l) Community Rehabilitation Company (CRC):**

The PCC joint funded a pilot project with the CRC in Hampshire to recruit and train peer mentors in RJ. Both the RJ Coordinator and Restorative Solutions have met with RJ strategic leads for the CRC and we have been invited to

attend team meetings to deliver briefings to offender managers. CRC are also represented on the Board.

**m) National Probation Service (NPS):**

The OPCC and Restorative Solutions have met with the RJ lead for NPS South and South West region and the Victim Contact Unit (VCU). Referrals have already been received from the VCU, for offences of serious sexual assault and manslaughter. There are also plans for briefings to be delivered to offender managers and the NPS are represented on both the Board and Restorative Approaches Forum.

**n) Community Safety Practitioners Forum (CSPF):**

The CSPF is made up of the Community Safety Managers across Hampshire policing area; anti-social behaviour leads within Hampshire Constabulary; OPCC; NPS and CRC. The RJ Coordinator and Restorative Solutions gave an overview of the strategy and service provision at their meeting in May 2016. The CSPF is also represented on the Board. Their engagement is key as they will be able to refer victims of anti-social behaviour who request a referral to RJ services.

**o) Victim Care Service:**

The Victim Care Service is also funded by the PCC and there has been regular engagement between the OPCC, Restorative Solutions and the providers Victim Support to explore ways that the two services can support one another and make inter-agency referrals. Restorative Solutions have subsequently delivered briefings to Victim Support staff and volunteers to raise awareness of RJ and outline how victims can be referred. Victim Support are members of the Board and engaged in the strategy development work.

**p) Multi-agency information sharing agreement:**

The OPCC has worked closely with Hampshire Constabulary and other partners to draft a multi-agency information sharing (ISA) agreement. Evaluations into the implementation of RJ services frequently report that information sharing is a barrier to success. As a result, the ISA outlines the process for sharing information between RJ services (YOT and Restorative Solutions) and partners and how that information will be securely handled and managed.

**q) Mediation Services – Portsmouth, Winchester and New Forest**

The OPCC has engaged with mediation services across Hampshire policing area and they are all members of the Restorative Approaches Forum. Portsmouth and New Forest mediation services engaged with the development

of the strategy. Mediation is a model of restorative practice and a powerful tool in resolving conflict, particularly where there is no clearly identified harmer and harmed person.

The PCC funded Portsmouth Mediation Service to do a pilot in Portsmouth earlier this year with incidents of this nature. They also received a grant to raise awareness of restorative approaches amongst different faith communities. All mediation services are keen to work to support Restorative Solutions moving forward and there may be further opportunities to share volunteers.

#### **r) OPCC visits to Sussex; Dorset and Wiltshire PCC**

The RJ Coordinator has visited RJ leads in neighbouring PCC areas to explore what works in their respective areas; what challenges they have faced and overcome and to share ideas. This has been really beneficial and the RJ lead from Sussex is now interested in exploring the OPCC's online secure mediated tool.

#### **s) Portsmouth City Council – Restorative Practice agenda**

Portsmouth City Council have aspirations to launch a restorative practice agenda, exploring the use of restorative approaches in all areas of their work with young people – i.e. schools, care homes, looked after children etc. The RJ Coordinator met the lead for this area of work earlier in the year and offered any support in generating traction for the agenda. The lead attended the launch event in November 2016.

#### **t) OPCC Communications Team**

The OPCC Communications Team have worked closely with the RJ Coordinator and Restorative Solutions to develop a brand for the strategy. A suite of materials including pop up banners; leaflets aimed at both victims and perpetrators promoting the service and posters aimed at victims, perpetrators and partner agencies have been produced, all displaying the RJ logo to develop a consistent brand.

Restorative Solutions can now use these materials to further engage with partners and ensure they have the tools needed to help their discussions with service users.

#### **Part Two - What opportunities do you feel exist for greater engagement?**

The engagement and relationship building that the OPCC have worked on to date will need ongoing attention to respond to changes and needs within our partner organisations. Therefore, some of the awareness raising outlined above will need to be re-visited throughout 2017 and beyond. The following

opportunities for greater engagement have already been identified and will be a priority in 2017:

- a) The RJ Coordinator has been invited to join the partnership Hate Crime working group. At present, the Police are unable to deal with an offence of hate crime through a non-charge outcome. The national lead for out of court disposals is championing for this to change, therefore OPCC presence will be able to support this direction.
- b) The OPCC RJ and Domestic Abuse leads will be facilitating a consultation group and will invite domestic abuse support services, Hampshire Constabulary, Restorative Solutions and other partners to explore the safe application of a restorative approach in cases of intimate partner violence.
- c) The OPCC intends to approach cases of sexual crime in the same way as outlined above for domestic abuse. Consultation will take place with services working with victims of sexual crime to ensure safe application and a fully accessible RJ service.
- d) The potential engagement work mentioned above with HMP Winchester and Isle of Wight, exploring the possibility of using restorative approaches within the prison community.
- e) Training for police champions and looking at meaningful training on RJ for all members of Hampshire Constabulary.
- f) The OPCC and Restorative Solutions have arranged a public engagement planning session for January 2017. The intention is to plot opportunities to promote RJ to the public. It is anticipated that the service will be advertised in doctors surgeries in one area; Citizen's Advice Bureau's in another; in local community magazines elsewhere. We can then ascertain what tools are most effective and where referrals are coming from. Therefore a greater understanding about what may be effective countywide.
- g) Restorative Solutions have offered partner agencies the opportunity to observe a restorative process, providing the participants give their consent.

**Q2) How are the Commissioner and his office communicating with local communities, victims groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?**

The PCC launched a new website in the summer and there is a dedicated page on RJ. This outlines what RJ is, the potential benefits and how a self-referral can be made. There are also real-life case studies outlining the experience of victims and perpetrators who have previously engaged in RJ. There are also links to the Restorative Justice Council website for people to find out more information.

The new strategy was launched by the PCC in International RJ week in November 2016. A wide range of partners from victim groups and offender services were invited to attend. The event and the experiences of the guest speakers were promoted in local newspapers (Portsmouth News); on radio (Wave 105) and television (Meridian news). The OPCC Communications team have used social media outlets such as Twitter and Facebook to promote International RJ week and the strategy launch. The PCC has also issued press releases publicising his views on the recent Justice Select Committee enquiry into RJ.

Copies of the new strategy have been printed and were distributed to partners at the launch event. An electronic version of the strategy and video clips from the event have recently been uploaded to the PCC's website so that anyone can access it. As mentioned above, the OPCC Communications team have also produced a suite of materials that Restorative Solutions will be distributing across the county in order to promote the service to victims, offenders and partner agencies.

The Restorative Approaches Forum outlined in question one has a wide membership base consisting of a number of victim and offender services. The RJ Coordinator is also a representative of the LCJB sub group boards; Non-Charge Outcome Scrutiny panel and the OPCC chairs the RJ Board which all provide engagement opportunities with statutory and non-statutory sector partners. Question one outlines in detail some of the partners the OPCC has already engaged with (Victim Care Service) to raise awareness and promote the benefits and those who will be the focus for the future.

The PCC has undertaken public consultation on both his Police and Crime Plan and the features of the Community Remedy Menu for Out-of-Court Disposals. RJ is a prominent feature of the Community Remedy Menu and is directly linked to the 'Reduce Offending' and 'Championing Community Needs' priorities with

the Police and Crime Plan. This evidences how the PCC has communicated and listened to members of the public.

The OPCC in partnership with Restorative Solutions will be holding a public engagement planning event in January 2017 to look at ways that we can raise awareness of RJ and the service across Hampshire Policing area. Other opportunities for engagement include promotion of local case studies and further dialogue with partners to ensure their websites and service literature references RJ where appropriate (i.e. Hampshire Constabulary site for members of the public).

**Q3) What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?**

The four priorities set out in the PCC's new Police and Crime Plan launched in December, has RJ as a theme that runs throughout these priorities.

Further to the launch of the strategy, the RJ Coordinator will be working with partners to produce a delivery plan outlining the commitment that partners will make in relation to the key themes identified during consultation in order to make the vision achievable.

The consultation groups with domestic abuse and sexual crime support services is another key priority to ensure that RJ is accessible to all victims of crime and anti-social behaviour and that appropriate assessments of safety and risk are conducted to ensure they are not open to re-victimisation.

Through the recent Safer Communities grant application round, support the innovative use of restorative approaches to reduce conflict and prevent the escalation of situations and serious harm being caused as a result.

Start the preparation work for a new three year service specification that meets the needs of the strategy, taking into account lessons learned over the last 12 months. This will ensure that RJ provision is secured for residents of Hampshire policing area, also giving partners confidence in the use of this approach and the investment that they are being asked to make.

**Q4) Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?**

As outlined in question one, the OPCC is aware of a number of successful approaches and has engaged with organisations who are interested in using restorative approaches in their work. Applications for innovative approaches, such as restorative practice in schools; neighbourhood disputes in local communities etc will be considered under the recent Safer Communities grant round. The OPCC is keen to work with these organisations and communicate messages about what works.

The YOTs across Hampshire Policing area have been using restorative approaches in their work for a number of years and they have a number of experienced practitioners. They have a lot of skills and experience that we need to draw on to develop the service now commissioned for adults.

The OPCC has also been in touch with RJ leads for other PCC areas and it was Sussex who suggested that we consider arranging consultation groups for offences previously considered unsuitable for RJ, such as domestic abuse.

The provider commissioned by the PCC also have other services across the country and learning and experience from these can be utilised to develop best practice across Hampshire Policing area.

**Q5 Is there anything further that you can provide to the Panel that will assist us with our proactive scrutiny of this topic?**

A copy of the PCC's published strategy can be found here, along with the information on the website for individuals wishing to find out more about RJ and self-refer to the service:

<http://www.hampshire-pcc.gov.uk/restorative-justice>

Below is a link to the news items on the PCC's website regarding the launch and an example of the marketing materials produced by the OPCC Communication Team for partners is attached in a separate document.

<http://www.hampshire-pcc.gov.uk/new-restorative-strategy-launches-portsmouth>



I regret the harm that I have caused

I want the chance to make amends and apologise

I want them to know how they made me feel

I want to know why this happened to me

## Do victims or offenders that you work with say things like this?

If so, have you considered that Restorative Justice could help?

Restorative Justice gives victims the opportunity to communicate with the offender to express how they have been affected, and have questions answered.

It also provides an opportunity for the offender to take responsibility and understand the real impact of their behaviour from those who have been harmed.

**With consent, you can refer the person you are working with via:**

- ✉ email [victimrjreferrals@hampshire.pnn.police.uk](mailto:victimrjreferrals@hampshire.pnn.police.uk)
- ☎ call freephone number **0800 043 8785**
- ☐ text 'RESTORE' to **66777**
- 🖱 visit [www.hampshire-pcc.gov.uk/restorative-justice](http://www.hampshire-pcc.gov.uk/restorative-justice)



## **Southampton Youth Offending Service**

*1) How effective do you feel the OPCC have been in engaging and seeking commitment from partners in the development and delivery of the Restorative Justice and Restorative Approaches Strategy? What opportunities do you feel exist for greater engagement?*

I think the development of the OPCC Restorative Justice Strategy over the past year; governance arrangements (including key stakeholders) and a commissioning focus have all been beneficial.

Regarding further engagement, I think the Restorative Justice element of the OPCC commissioning activity going into 2017 / 18 should promote innovation which in turn could secure wider engagement across communities.

*2) How are the Commissioner and his office communicating with local communities, victims groups and offender services to raise awareness of the benefits and availability of restorative justice and restorative approaches within Hampshire and the IOW? Can you identify further examples of how the PCC might enhance this communication?*

I think communication is fair within the criminal justice sector. Elsewhere, I think that a better understanding of the benefits of restorative approaches could be developed – see below (4).

*3) What do you think should be the priorities for action to support delivery of the Restorative Justice and Restorative Approaches Strategy? Do you feel that the PCC should consider anything further for future development of the strategy to increase the access victims and perpetrators have to restorative justice and other restorative approaches?*

One priority should be the promotion of high quality restorative interventions. Southampton YOS holds the Restorative Service Quality Mark, meaning that we have had our delivery model scrutinised independently and robustly.

A second would be the development of restorative approaches in other sectors than formal criminal justice; providing opportunities within the prevention / early intervention sphere.

*4) Are there any examples of successful approaches to delivering restorative justice and other restorative approaches which you or your organisation are aware of, either within Hampshire and the Isle of Wight or in other areas?*

The Southampton Restorative Practice in Schools Project has successfully engaged with 10 schools in the City over a two year period. The evaluation, conducted by Southampton University and available on request, shows the distinct benefits of employing restorative approaches in schools for pupils that are at risk of dis-engaging from education.

*5) Is there anything further that you can provide to the Panel that will assist us with our proactive scrutiny of this topic?*

NA

## **The Survivors Trust**

### **Hampshire Restorative Justice Strategy**

The Survivors Trust welcomes the opportunity to respond to the survey about Hampshire's Restorative Justice Strategy.

### **Background to The Survivors Trust**

The Survivors Trust is an umbrella agency for 140 specialist rape and sexual abuse support services in the UK. Member agencies provide a range of specialist services including sexual violence counselling for adults and children, crisis helplines, Independent Sexual Violence Adviser services, therapy groups and social support. The Survivors Trust supports member agencies through providing a national voice, facilitating responses to consultations, providing specialist training including accredited training for Independent Sexual Violence Advisers, and through membership of a range of national groups. The CEO of The Survivors Trust is a member of a range of national groups including the National Police Chief Council's Rape Working Group, HMIC Rape Monitoring Group, Crown Prosecution Service (CPS) Violence Against Women and Girls External Stakeholder Group and the CPS Community Accountability Forum. The CEO is also a member of the Panel for the Children's Commissioner's Inquiry into Child Sexual Abuse in the Family Environment and a member of the Victims and Survivors Consultative Panel for the Independent Inquiry into Child Sexual Abuse. The Survivors Trust supports research into all aspects of victim/survivor care and is currently supporting the Making Noise research project linked to the Children's Commissioner's Inquiry and also King's College research, Lightening the shadow of abuse: supporting survivors approaching childbirth.

### **Member Agencies in Hampshire**

There are five member agencies in Hampshire providing specialist sexual violence counselling, helplines, Independent Sexual Violence Adviser services, training, therapy groups and SARC services:

Basingstoke Rape and Sexual Abuse Crisis Centre

CIS'ters (Childhood Incest Survivors)

PARCs (Portsmouth Abuse and Rape Counselling Service)

Treetops SARC

Winchester Rape and Sexual Abuse Counselling Service

Yellow Door (formerly Southampton Rape Crisis)

## Survey Responses

I have contacted our member agencies in Hampshire for their views. The Survivors Trust also comments follows:

1. Has your service been involved in developing the strategy?

Member agencies reported that they had not been involved in developing the strategy. Two agencies commented that they believed that the restorative justice strategy would not be applicable to victims and survivors of sexual violence and sexual abuse.

2. Have you been contacted by the Restorative Justice Service?

Member agencies said that they had been contacted by the Restorative Justice Service but had understood that the service did not relate to or was not to be offered to victims and survivors of sexual violence and sexual abuse.

3. Have you been approached to provide written evidence to the Scrutiny Panel in January?

Member agencies said they did not recall or had not been approached to provide written evidence to the Scrutiny Panel in January.

4. What are your views or experiences of restorative justice for victims/survivors of sexual violence and abuse?

Member agencies did not express either positive or negative views around restorative justice for victims/survivors of sexual violence and abuse.

There has been very limited reporting of involvement of specialist rape and sexual abuse services in restorative justice processes. Also, it has often been stated that restorative justice is not advised to be used with victims and survivors of sexual violence and sexual abuse due to the complexity of the relationships between the victim and the offender and the potential for either revictimisation or retraumatisation.

We have therefore reviewed research published online to inform our response to this survey. It is clear from the research papers we were able to access, that there has been little actual engagement with victims and survivors to gather their views and opinions or with specialist rape and sexual abuse support services to gather their views. This survey is therefore a very welcome opportunity to comment.

- The practice guide, Doing restorative justice in cases of sexual violence: a practice guide, Vince Mercer and Karin Sten Madsen (edited by Marie Keenan and Estelle Zinsstag), 2011, Daphne III, Just, 2011, DAP, AG, 3350, acknowledges that although there may be potential benefits for victims and survivors, there is also the risk of meetings retriggering traumatic responses. The power imbalance that exists between victim and perpetrator and lack of specialist support following restorative justice processes are also identified as risks. Mercer and Madsen also comment that there has been

little to no research into the benefits for sex offenders of participating in restorative justice processes.

- There are compelling arguments for developing restorative justice processes for victims/survivors of sexual violence and sexual abuse arising out of the failure of the British adversarial justice system to adequately meet the needs of victims/survivors. The UK continues to have one of the lowest conviction rates for sexual offences in Europe (Burman, 2009; MoJ, HO and ONS, 2013).
- Criminal justice processes themselves are often experienced as retraumatising by victims/survivors (Koss, 2006). A study which looked at how rape cases are handled at trial, Temkin and Gray 2016, concluded that victims/survivors were still subjected to judgemental attitudes and rape myths, including from barristers. The lived experience of criminal justice processes has been compared to being raped for a second time (Adler, 1987; Temkin, 2005). Such experiences result in poor psychological health outcomes for victims/survivors and also often act as a barrier to seeking further help (Campbell and Raja, 2005). However, in reality the vast majority of victims/survivors do not report the offences against them and therefore do not engage in criminal justice processes at all.
- It has been proposed that restorative justice could offer either an alternative or an additional form of justice in particular for those who choose not to make a formal report of the offence/s against them. It is argued that restorative justice might offer a more procedurally just approach that is flexible, provides care and support, creates dialogue and increases victim satisfaction (van Camp and Wemmers, 2013) and the active participation of victims (Doak, 2011). These factors could be particularly relevant where the abuser is a family member of the victim/survivor such as a sibling or where the offender is under the age of 18.
- We were able to find only one larger scale web-based survey of 121 community members, 40 of whom identified themselves as survivors of sexual violence. The findings indicated that both survivors and non-survivors of sexual violence express positive attitudes towards the use of restorative justice in cases involving sexual violence. (Restorative justice in cases of sexual violence: Exploring the views of the public and survivors Francesca Marsh and Nadia M. Wager University of Bedfordshire, United Kingdom Abstract (Wager, 2013). However, Marsh and Wager note there is a significant gap in the evidence base in relation to restorative justice and victims/survivors of sexual violence and sexual abuse in that there has been no structured engagement with victims and survivors to explore their views and the voice of survivors is largely missing. Marsh and Wager comment: "The debate has largely occurred in an 'empirical vacuum' (McGlynn et al., 2012) and without the necessary consultation."

- Many concerns have been raised that restorative justice may not best serve the needs of victims and survivors. There are fears that diverting cases of sexual violence away from the court system could act to diminish the seriousness of the crime by offering what might be seen to be a 'soft option' compared to the punishment of offenders (McGlynn et al, 2012) (Roberts, 2002). There has been a long battle, led by the feminist movement and rape and sexual abuse centres, to raise the position of sexual violence on the political and public agendas (Schroeder, 2005, cited in Pali and Madsen, 2011) and there are concerns that this progress could be undermined.
- It would be anticipated that cases of sexual assault may require even more extensive preparation and follow-up support of the victim, offender and their families, more specialist training of the facilitators and the fees for the services of experts in both sexual offending and sexual victimisation. Marsh and Wager argue that this might result in either the development of a system which is inadequately resourced to serve both the victims' and the offenders' needs, or that valuable and scarce resources will be diverted away from established victim services in order to support restorative justice initiatives.
- Concerns have also been highlighted that the restorative justice process itself, aimed at promoting positive change in both parties through the telling of the harm that has been done and aimed at provoking empathy for the victim, may not work in the same way in the case of sexual assaults. It has been argued that rather than promoting feelings of empathy and remorse some sex offenders may experience inappropriate excitement on hearing their victim tell of their distress and the harm they have suffered (Rubin, 2003).
- Julich and Buttle, 2010, noted that the potential for imbalance in power between the survivor and offender seems to be most likely to exert an impact when the conference facilitator approaches their role from a position of neutrality and impartiality. The complexities of cases involving sexual violence and sexual abuse have led some researchers to propose that experts in sex offending and victimisation should be involved in the conference process so that both victim and offender can be adequately prepared and to challenge any attempts to blame or manipulate the victim.
- Koss and Achilles, 2008, also recommend that sexual violence service providers should be involved in developing restorative justice processes.

"There is a credible argument that sexual assault service providers, advocates, and policy-makers can take leadership in the development of restorative options both in parallel with and independent from the conventional justice system. Meeting survivor/victims' justice needs and fostering accountability is preventative in itself and bolsters the primary prevention messages that are central elements of rape prevention education. Innovation from both inside and outside the justice system would benefit all parties."

Restorative Justice Responses to Sexual Assault, Mary P Koss and  
and Mary Achilles, February 2008.

[http://vawnet.org/material/restorative-justice-responses-sexual-  
assault](http://vawnet.org/material/restorative-justice-responses-sexual-assault)

Hampshire is well served by the specialist rape and sexual abuse voluntary sector and Treetops SARC, alongside Independent Sexual Violence Adviser Services. All services are well connected and regularly network with each other. Hampshire is therefore in an ideal position to work with specialist sexual violence services to engage directly with victims and survivors to elicit their views and opinions about the use of restorative justice so that the missing element of the victims/survivors' voice can be heard and taken into account in developing the restorative justice strategy and services. We would be very happy to support this process. We would also advocate for specialist services to be directly involved in the development and delivery of the restorative justice strategy and services offered to victims and survivors. This would ensure victims/survivors were adequately supported and prepared prior to the process and also had access to further support if needed once the conference has been held.