



**POLICE & CRIME
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RESPONSE TO

Hampshire Police and Crime Panel's

Restorative Justice Scrutiny Recommendations

From

Mr Michael Lane

Police and Crime Commissioner

Prepared On

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Police and Crime Commissioner's response to Police and Crime Panel recommendations:

a) That the Commissioner, in addition to those measures outlined, should encourage and seek opportunities for greater public awareness raising and understanding, with a view to increasing the level of self-referrals to restorative services. Whilst the review noted that Restorative Justice featured prominently on the Commissioner's website, the Commissioner should ensure that the strategy and information on Restorative Justice is accessible to those without, or with limited access to online mediums, to encourage wider awareness and understanding of the Commissioner's restorative justice agenda.

The Restorative Justice (RJ) Coordinator has already started to consider and explore the best way of achieving this. The Commissioner's Communications Team has identified a lead individual, who is responsible for supporting the development of this area, and a draft communications strategy/action plan has been created.

The RJ Programme Board have also identified Communications and Engagement as one of the key priorities for the delivery/action plan that will underpin the strategy. As a result, this will be monitored closely and ensure the involvement of wider partners.

A small project team at the Commissioner's Office are also working on the production of a short film in relation to meeting victim's needs and Restorative Justice. The film will have two elements, one is designed to raise awareness and understanding of Restorative Justice – the target audience is people that have been harmed and affected by crime. The second element will be a training resource for new Police recruits; statutory partners; specialist support services and an information source for victims and perpetrators of crime who have questions. The film features the victim who spoke at the Commissioner's launch event, as well as RJ providers; Police Officers and the force victim lead from Hampshire Constabulary. Over time, we hope to build in local case studies and a perpetrators perspective.

We also want to develop plans to take forward some of the options that came out of the planning event in January. For example, the promotion of pan Hampshire case examples as they become available, using a variety of media outlets; advertising the service at doctors surgeries/dentists and A&E; RJ stands at local shopping centres to take questions and self referrals from members of the public etc.

We will continue to work closely with specialist support services (i.e. Victim Support) and statutory partners (i.e. Victim Care Unit, National Probation Service) to raise awareness amongst professionals who work directly with victims and perpetrators of crime. A recent research report titled 'Improving victim take up of Restorative Justice' states the following:-

'Awareness of restorative justice is also identified by some as a barrier to victims taking part, but whether increasing awareness among the general population will positively increase take-up rates is still unknown. Criminal justice agencies are essential to the delivery of restorative justice, however, and as a result it may instead be more beneficial to focus resources on increasing awareness areas among their staff.'

However, it is recognised that awareness raising amongst statutory and non-statutory partners will need to be ongoing because individuals change roles or move organisations altogether.

b) That the Commissioner should, where possible, ensure within his Commissioning Strategy that funds are made available to encourage innovation in the field of restorative practice and the upskilling of local partners.

Restorative Practice is a theme in the Commissioning Strategy and organisations were invited to submit applications as part of the recent Safer Communities Grant Funding round. Providing the proposal did not duplicate any elements of the existing RJ specification, innovative bids in the field were welcomed. As a result, the Commissioner funded 5 projects totalling £54,750. Predominantly the funding will support neighbourhoods in dispute and early intervention is given to prevent the escalation of situations. These are often cases where there is no clearly identified victim/perpetrator, however harm is being caused and resources such as Police time on unnecessary call outs could be utilised elsewhere.

Restorative Solutions continue to train volunteers and offer partner agencies spaces on training courses when available. In March, three members of the Violence Reduction Team at HMP Winchester were trained in RJ facilitation. The Prison hopes to use restorative approaches to reduce conflict with the establishment.

The RJ Programme Board have also considered the development of a particular area of restorative practice as one of their priorities. While wider Board members still need to be consulted, one suggestion was trying to reduce the criminalisation of children in care through the use of restorative approaches. The proposal is that one member of the Board will lead on this and engage with other partners as appropriate to establish what is already happening in this area; how the Board can support and what can be developed elsewhere across Hampshire.

c) Through liaison with partners including HMP, CRC and National Probation Service, opportunities should be sought to increase the access to, and awareness perpetrators have of restorative justice, including identification of when and how it would be appropriate for offenders to initiate a restorative approach.

Following a successful meeting with the Governor and Head of Reducing Reoffending at HMP Winchester, the RJ County Coordinator and Restorative Solutions have been invited to deliver a two hour awareness raising session for the Key Workers as part of the new offender management model. It is hoped that this will start in July and that as a result, the Key Workers will be able to support any residents who might be going through the restorative process or recognise when someone may benefit from a referral.

Further to the above meeting, Restorative Solutions have also started to attend the Sycamore Tree victim awareness programme that is held at the prison. They explain what Restorative Justice is in session one and are available again on graduation day to answer any questions. The last session resulted in 8 self-referrals.

There are also plans for the RJ Coordinator and Restorative Solutions to meet the new Head of Reducing Reoffending at HMP IOW. While self-referrals will not be accepted from perpetrators of sexual crime, we still want to raise awareness within the Prison and support their desire to use restorative approaches within the Prison. Two members of their Programmes team attended the facilitators training ran by Restorative Solutions on the Isle of Wight.

Restorative Solutions and the RJ Coordinator attended the CRC managers meeting in February 2017. The various managers will now link in with lead practitioners from Restorative Solutions to raise awareness in their areas. We have seen two referrals from CRC managers already. The RJ Coordinator also met with the new Head of Hampshire LDU for the National Probation Service. Nationally the NPS have not always been supportive of offender led referrals, however their statement of intent around RJ published in October 2016 suggests this view may be changing. As a result the RJ Coordinator is waiting for team manager contacts from the Head of LDU so that awareness raising for NPS offender managers can also be arranged.

d) In partnership with Youth Offending Teams and other appropriate partners, that the Commissioner considers how restorative approaches could be used within schools, as a tool for reducing offending and supporting young people to remain engaged in education. In assessing the benefits of such a scheme, consideration should be given to the evaluation and outcomes of a pilot project undertaken by Southampton Youth Offending Team.

The RJ Coordinator attended the Restorative Practice Network meeting for RJ in Schools in March 2017. The meeting is chaired by Southampton YOS. The purpose what to find out how the practice network operates and to offer support moving forward. The schools in attendance were made aware of the Restorative Approaches Forum and invited to attend so that they could share best practice, case examples and engage in case planning discussions.

Southampton YOS were unsuccessful in their recent funding application, however I understand from the lead practitioner that the project is continuing and will explore other funding options. The lead practitioner also offered to send the evaluation to the RJ Coordinator.

As mentioned in section b, the RJ Board also want to identify an area of restorative practice as one of the priorities to develop this year. While this has not been decided, education was one of the areas mentioned and there will be future opportunities for organisations to bid for funding in this area as part of the Safer Communities Fund.

The head of service for Southampton YOS is also a member of the RJ Board so their work is represented here.

e) That the Commissioner should seek to increase engagement with partners specialising in domestic and sexual abuse to ensure that they understand the availability and process involved for accessing restorative justice for victims of these crime types, including through the planned introduction of the OPCC's consultation group. In considering the use of restorative justice for victims of sensitive crime types, the Commissioner should ensure that the process is robustly risk assessed to ensure that appropriate safeguards are in place to prevent further harm or re-victimisation, and that an adequate evidence base is built to measure the success in the use of restorative justice for these victims.

A workshop was held on 3rd April 2017 at the Commissioner's Office where over 25 people from various statutory and non-statutory partners attended to discuss Restorative Justice in cases of harmful sexual behaviour and domestic abuse. A further 10 partners sent their apologies. The workshop looked at partners concerns around RJ and domestic violence/sexual crime; what people thought the potential benefits could be and what needed to be done to ensure it is safe. The group heard from a victim of a serious sexual assault who had been through a restorative process and had the opportunity to ask questions.

A number of suggestions were made by the group in terms of the most appropriate way forward – these included, the development of a joint working protocol; enhanced training for both RJ practitioners and specialist support services. RJ Practitioners need training to be able to recognise coercive and controlling behaviour; manipulation and to understand the key considerations when working with victims of sexual crime and domestic abuse. However, it was also recognised that specialist support services also needed training to truly understand RJ as a lot of their concerns and questions were about the general RJ process and facilitation that would be applicable to any offence and not unique in these situations. I.e. a victim's right to opt out at any time.

The RJ Coordinator will now liaise with all of the partners that attended or sent apologies to confirm who is willing to work with the PCC and RJ Partners to move the above forward.

The RJ Board also have the development of this area as one of their priorities. Developing an evidence base was mentioned at the workshop and Board meeting in April. The issue is that there has not been enough cases to develop this and as a result, a lot of what is known is anecdotal. Nevertheless, it is something that we will explore. A member of Hampshire Constabulary is due to start a degree at Cambridge University in the near future and the Police RJ Board representative is going to speak to him about this area of work. We also have a lecturer from Portsmouth University on the distribution list for the workshop, however she was unable to attend.

f) The Panel would encourage the Commissioner to outline measurable outcomes, under the Restorative Justice and Restorative Approaches Strategy, ensuring good quality quantitative and qualitative measures are used, and requests that the Commissioner provides updates to the Panel on the positive outcomes these restorative approaches have delivered.

The RJ Coordinator will be drafting the service specification late summer for the RJ Service to be commissioned from April 2018. One of the key considerations to the new specification will be how performance is measured.

However, it is important to remember that engagement in RJ is completely voluntary for all parties. What is important is that victims are able to make an informed choice. The RJ Coordinator and RJ Board would like to see public perception and awareness around RJ grow and the number of victims offered RJ increase. However, a lot of this is dependent on partner agencies and not the service provider. We will want to set targets around the quality of service the victim receives from the provider – i.e. from receipt of a complete referral, they need to make contact with the victim in X number of days.

The RJ Board felt that any performance indicators around number of outcomes, often pushes in the wrong direction. This can result in obscure counting and questionable RJ practices/recording. *Victim contact within time scales, follow up, support, etc., within timescales are realistic, this simply means the service is a quality service rather than chasing referrals or outputs.*

In terms of positive outcomes and measures of success, the RJ Board felt that:

- Success is if both the harmed and the harmer are given the opportunity to participate, and the opportunity to have their wishes fulfilled.
- Service provider's measure both victim and harmer satisfaction and are also looking at the impact of RJ on health and wellbeing.
- Victim Satisfaction is the biggest indicator of success – specifically what was it that they found satisfactory about the RJ process and what difference has this made to their lives.
- Success is also about ensuring that no victim is denied a service and that the postcode lottery raised nationally is not an issue across Hampshire Policing area.
- PNC checks to measure re-offending rates
- Raised public awareness

The RJ Board receives performance monitoring information currently from Restorative Solutions and the YOTs have agreed to provide this information moving forward.

g) In due course, that the Commissioner provides a public update on the benefits delivered through the use of restorative justice and on progress made against the Restorative Justice and Restorative Approaches strategy.

Restorative Justice Week in November 2017 could provide an ideal opportunity for the Commissioner to update the public on the progress made against the strategy – one year on from its launch. This may also coincide with the re-tendering of the RJ service. We could also plan to use local case studies as real examples of the benefits of RJ to residents across Hampshire, Isle of Wight, Portsmouth and Southampton.