

**Restorative justice  
in community  
rehabilitation  
companies and  
the National  
Probation Service**  
Information pack

March 2015

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## About the Restorative Justice Council

The Restorative Justice Council (RJC) is the independent third sector membership body for the field of restorative practice. It provides quality assurance and a national voice advocating the widespread use of all forms of restorative practice, including restorative justice. The RJC’s vision is of a restorative society where everyone has access to safe, high quality restorative practice wherever and whenever it is needed.

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# Introduction

This information pack has been commissioned by the Restorative Justice Council (RJC), to provide Community Rehabilitation Companies (CRCs) and National Probation Service (NPS) divisions with guidance and information on quality restorative justice delivery.



The RJC is the independent third sector membership body for restorative justice. Our role, with the support of the Ministry of Justice, is to promote access to high quality restorative justice for all victims of crime in England and Wales. The information contained in this pack is intended to help CRCs and the NPS to maintain and develop quality restorative justice within the new probation landscape.

Restorative justice is a victim-focused resolution to crime that holds offenders to account for what they have done. It helps offenders take responsibility and make amends for the damage they have caused, providing them with an opportunity to learn from their actions and reintegrate into the society that they have harmed. It also empowers victims and communities by giving them a chance to communicate with their offender(s) to explain the real impact of the crime. It is not, as it can sometimes be portrayed, a soft option, and it can be used at all stages of the criminal justice system from out of court disposals, through community sentencing to resettlement Through the Prison Gate.

In recent years, there has been growth in political and public support for restorative justice. With the post-Transforming Rehabilitation infrastructure in place, there is now further opportunity to strengthen the restorative justice landscape. New legislation under the Offender Rehabilitation Act (2014) clears the path for restorative justice to form an activity under the new Rehabilitation Activity Requirement (RAR), as well as enabling restorative justice to play a part in Through the Prison Gate resettlement.

In order for CRCs and the NPS to take advantage of these legislative changes, it is essential they understand their unique local models of restorative justice delivery. Working closely with services commissioned by the local Police and Crime Commissioner (PCC) and other local providers will be vital.

As restorative justice continues to expand across the criminal justice arena, we would like to work closely with all the CRCs and the NPS to ensure the benefits of restorative justice are realised by all parties involved in crime.

**Jon Collins**  
**Chief Executive Officer**  
**Restorative Justice Council**

# Cost savings

Ministry of Justice research has shown that for every **£1** spent on delivering restorative justice, **£8** was saved through a reduction in reoffending.

## Victims say:

“For me, restorative justice turned the tables and I don’t feel like I’m a victim any more. I’m in control now.”

“It gives you closure. People are never the way you imagine them to be, and it really is worthwhile looking them in the eye and telling them the hurt and the upset they’ve caused you.”

“It was so liberating to have a voice, and to know he’d have to listen to what I was saying.”

“That [restorative justice] was my turning point. When I realised what effect my crimes had on other people, I felt ashamed and embarrassed.”

“I was always scared stiff before every meeting. But then after every meeting, I came out as happy as anything. I felt like I’d got a chance to explain my situation.”

“My personal resolve was not enough to prevent me from returning to prison last time. I knew I needed to fully engage my emotions by meeting my victims and I knew that hearing directly from them would be a powerful experience.”

## Offenders say:

## Offenders

**14%**      **74%**

14% reduction in the frequency of reoffending after restorative justice.

74% of offenders would recommend restorative justice to others.

## Victims

**85%**      **78%**

85% of crime victims who have been through restorative justice were satisfied with the process.

78% of victims would recommend restorative justice to others.

# Restorative justice – the facts

## What is restorative justice?

Restorative justice is a victim-focused resolution to crime. It empowers victims by giving them a chance to meet or communicate with their offender to explain the real impact the offence had on them and potentially receive an explanation and an apology. It holds offenders to account for what they have done and helps them to understand the impact of their actions, take responsibility and make amends.

Restorative justice ultimately aims to:

- repair the harm caused by crime
- encourage offenders to take responsibility for their offence and take action to change
- reduce crime
- empower victims by giving them a voice
- reassure the community through participation

## Which offences are appropriate for restorative justice?

The RJC supports the use of restorative justice for any offence, provided that it is facilitated by a practitioner with appropriate training and experience. Although some categories of crime can pose particular issues for practitioners, such as domestic violence and sexual offences, we believe there is no category of crime where restorative justice cannot be applied if the circumstances are right. It is important to look at the specific circumstances of an offence and the views of the victim and offender rather than the category of crime itself.

**“The concept of restorative justice is always applicable, that is we ask: What are the harms that have happened? What are the needs that have resulted? Whose obligations are they? How do we engage people in the process? To what extent can we engage people in the process? Those questions are always valid.” Howard Zehr, professor of restorative justice, Eastern Mennonite University**

## In terms of reoffending, how does restorative justice compare to other criminal justice interventions?

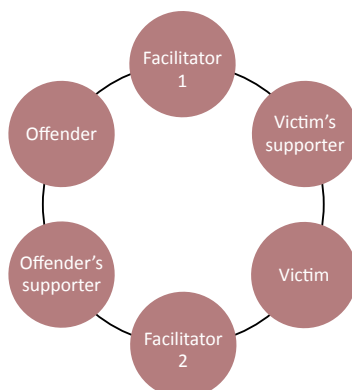
Restorative justice outperforms traditional criminal justice processes alone across a range of offence categories of varying types and seriousness. No other intervention tested in the same way as restorative justice has demonstrated such a substantial impact on reoffending.

## What types of activities could restorative justice involve?

Restorative justice activities can take many forms. These include:

- **A victim offender conference.** This involves a face to face meeting between victim and offender led by a trained facilitator. Supporters for both parties can attend, usually family members.
- **A community conference.** This is similar to a victim offender conference but involves members of the community who have been affected by a crime.
- **Indirect communication.** Sometimes referred to as ‘shuttle’ restorative justice, this involves messages being passed between victim and offender by a trained facilitator. The participants do not meet and messages can be passed via letter, video or audio.

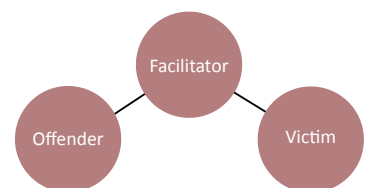
### Victim offender conference



### Community conference



### Indirect communication



### At what stages of the criminal justice process can restorative justice take place?

Restorative justice is now available at all stages of the criminal justice system in England and Wales. Restorative justice can be used 'on the street' by police, as part of an out of court disposal, at pre-sentence stage, at the post-sentence stage as part of the RAR, alongside a custodial sentence and at resettlement stage Through the Prison Gate.

The Crime and Courts Act came into effect in December 2013, giving crown court judges, district judges and magistrates the power to defer passing a sentence in order for restorative justice to take place

in cases where both victim and offender are willing to participate. The court can also adjourn the case and, in some cases may deem it more appropriate to do so, to facilitate a period of pre-sentence restorative justice activity.

The Offender Rehabilitation Act 2014 amended the Criminal Justice Act 2003, repealing the Specified Activity Requirement (SAR) and replacing it with a single new Rehabilitation Activity Requirement. The RAR gives greater flexibility for providers of probation services to determine the rehabilitative interventions delivered to offenders. This new legislation allows for restorative justice to form one of the rehabilitative interventions in the RAR, when appropriate.



## Dan's story

Regardless of age, meeting their victims through restorative justice can be a tough experience for offenders. Dan\* was sent to a young offender's institute after being convicted for burglary. Here he tells us about the impact restorative justice had on him and how it helped him to turn his life around.

While I was in prison I took part in a programme called Jets, which is a bit like restorative justice. They made us see how our actions affect everyone around us, and that's when I first met Alan, my probation worker.

Alan talked to me about writing letters to victims, and possibly going on day release from prison to meet them. I said I'd be happy to write a letter, but I didn't want to meet the victims while I was inside. It would have looked like I was only doing it to get my early release. I spent a month writing a letter to my victims. I did it about five different times before I felt it was finally good enough to send off.

I was released after seven months, and the first thing I had to do was go to my YOT [Youth Offending Team] office. Alan mentioned restorative justice to me and I thought it sounded good. Quite a few victims wanted to come forward.

Nothing prepared me for it. I think the main fear was looking into the eyes of people that I'd stolen from, the people that I'd made feel unsafe and brought pain to. I even had nightmares over it, I was that worried. I wanted to prove to myself that I could actually get through this, and do it. That I wasn't just going to run away and hide from it like I used to run away and hide from everything else.

The first meeting came. I remember it was a couple. When they first walked in, I literally felt like cracking in half and disappearing. I didn't want to be there. Paul, the restorative justice facilitator, did the introduction part, and they asked me why I did it, and if they were a specific target. The more the meeting went on, the more I felt comfortable being there, and I opened up more.

When it was over, I felt on top of the world. The main thing they were worried about was that they were specifically targeted, and that we were going to come back for them again because they'd called the police. I felt really good that I'd taken a bit of the weight off their shoulders, and that I'd done something right.

I was always scared stiff before every meeting. But then after every meeting, I came out as happy as

anything. I felt like I'd got a chance to explain my situation, and they'd got a chance to explain their feelings towards me, which helped me to understand how wrong it was. All in all, that was brilliant.

Going to prison, that's just running away and getting away from it all. But to actually go into a room and sit down knowing that they're going to walk through that door in a few minutes' time and want to know why you stole from them – that's scary for me. Every time, it kind of broke me, but it made me as well. I was looking in their eyes and thinking I don't know these people, they don't know me, they've never done anything wrong in life, as far as I can tell, and I've taken their things. A lot of people would have said, 'No, I'm not doing that', but I tried to give them the best explanation I could, and apologise for what I'd done.

I had a lot of friends who supported me. They were ringing me up the moment I came out, saying, 'Well done, Dan!' It really put me on top of the world, and made me think, 'If I can do this, what can't I do?'

At the moment, I'm being a full time dad to my four-month-old daughter. She's been the main turning point for me, her and my partner. I want to do the best I can now. I'd like to work with kids like me, trying to stop them getting into the life I had. I want to get myself involved in as much as possible and do some good things for the community, to try and give something back. I want to make a difference.

\* Dan's name has been changed.



## Restorative justice in context

Restorative justice disposals have been available in adult probation contexts for a long time. Before 2010, their use was not widespread in adult (community) sentencing contexts. Pilot schemes did exist in some areas, in both prison and probation – with occasional projects being continued post-pilot – but only one or two probation areas used restorative justice as a regular intervention.

However by early 2013, before the commencement of the Transforming Rehabilitation agenda, restorative interventions were developing at a pace in some probation areas. A political consensus started to build and the evidence in support of restorative justice became more widely acknowledged. Restorative justice in adult sentencing tended to be delivered as SARs under the 2003 Criminal Justice Act but initiatives also included some prison-based and prolific offender-focused work.

The National Offender Management Service (NOMS) 'championed' a number of restorative justice-focused initiatives under its Capacity Building programme. The programme provided implementation and training opportunities, enabling some probation areas to engage in restorative justice for the first time and others to expand on their existing restorative work. In Thames Valley, for example, victim offender face to face conferencing for priority and prolific offenders became an additional intervention. Areas who were engaged in this NOMS initiative received guidance on enabling effective victim offender conferencing.<sup>1</sup>

At the inception of the Transforming Rehabilitation agenda in 2014, NOMS continued to influence the development of restorative justice and they funded three pilot areas (Kent, South Yorkshire and Thames Valley) to develop pre-sentence restorative justice work in the Magistrates' Courts. A review was conducted by Sheffield Hallam University and a toolkit will be published. The current pre-sentence provision in Kent is described further on in this pack.

### Victim-led restorative justice

PCCs play a vital role in the local restorative justice landscape. The government's allocation of responsibility for victims' services to PCCs has led to many Commissioners funding restorative services from their victim budgets with an emphasis on victim-focused delivery.

Provision has ranged from 'street restorative justice' through to face to face conferencing. Providers of restorative justice services commissioned by PCCs include CRCs, the NPS, police, youth services and private and voluntary sector organisations as well as emerging multi-agency partnerships.

1. Wait 'Til Eight – An Essential Start-Up Guide to NOMS Restorative Justice Scheme Implementation (NOMS, 2013). This was 'start-up guidance on the minimum foundation that needed to be in place to enable effective and sustainable victim offender conferencing'. [www.rjc.org.uk/wait\\_til\\_eight](http://www.rjc.org.uk/wait_til_eight)





# Transforming Rehabilitation and restorative justice – the role of the NPS

With the introduction of Transforming Rehabilitation, both CRCs and the NPS retain a commitment to be lead agencies in the provision of quality offender services including restorative justice. The roles they play in the restorative justice process are, however, distinct and these are explored below.

There is recognition in both CRCs and the NPS that restorative justice has a role to play in ensuring public protection and a reduction in reoffending. In the new landscape, the six NPS divisions risk assess all offenders in their areas, following which they determine whether the offender will be managed by the CRC or the NPS.

All higher risk of harm offenders will be managed by the NPS. The NPS also provides court services including pre-sentence reports, breaches, and enforcement. CRCs are responsible for the management and supervision of medium and lower risk of harm offenders, as well as most under 12 month prisoners on release.

## NPS in the courts – Rehabilitation Activity Requirement

The Offender Rehabilitation Act (2014) specifically mentions that restorative justice can form an element of a RAR. The NPS court staff play a role in assisting sentencers to identify cases suitable for a RAR. The CRC provider ultimately determines whether restorative justice forms a part of this requirement.

NOMS probation instructions state that “the RAR is designed to allow providers of probation services flexibility to deliver innovative rehabilitative interventions and thus advice to the court should not be overly prescriptive”.

This means sentencers are not required to determine whether or not the restorative justice forms a part of a RAR but it is, nevertheless, fundamental that the NPS court staff assist sentencers in their understanding of the possible interventions and that restorative justice may be implemented as part of sentence.

## NPS in the courts – pre-sentence restorative justice

NPS court staff have a contributory role to play in helping identify cases that might be suitable for pre-sentence restorative justice. The Crime and Courts Act (2013) gave courts the explicit opportunity to defer proceedings post-conviction and pre-sentence to allow a restorative justice activity to take place. The NPS’s role, particularly in Magistrates’ Court settings, is to assist other providers, often from a victim or witness service background, in identifying potentially suitable cases.

Pre-sentence restorative justice is a valuable intervention in its own right, providing the opportunity for victim and offender to engage at an early stage in the criminal justice process. It also introduces the concept to victims who might not be ready to engage pre-sentence but who might wish to return to address issues at a later stage.

It is imperative for NPS court staff in particular to understand the workings of the restorative justice process and the requirements for identifying potentially suitable cases at pre-sentence stage.

### National Probation Service, Kent – an example of pre-sentence restorative justice

#### Tracey Kadir, assistant director, NPS, South East and Eastern Division (Kent Local Delivery Unit)

In Kent we ensured that magistrates were well briefed regarding the post-conviction pre-sentence model. We gave presentations at Bench AGMs, involving Peter Woolf, a well-known supporter of restorative justice, who was able to speak movingly of his own personal experience and about how hard it is for an offender to face their victim – certainly no soft option.

The delivery model was rolled out in all Magistrates' Courts in Kent to avoid a postcode lottery for victims. We use facilitators trained to RJC standards and our court probation officers are all trained to ensure appropriate identification of potentially suitable cases. We do not currently have the resources to make this available to all victims and so we focus on the offences of domestic burglary, assault and criminal damage.

Once identified as being appropriate by offence and a guilty plea, the court probation officer (NPS) speaks with the offender to see if they would be interested in being involved in a restorative justice process. It is made clear that there is no promise that participating will have any impact on sentencing, although courts are rightfully able to consider remorse when sentencing. If the offender is willing, a two to four week adjournment is requested to enable the mediation services to objectively assess both victim and offender for readiness and suitability. On receipt of their report, the court probation officer (NPS) either requests a deferred sentence of three months to facilitate the restorative justice activity or makes an alternative proposal for sentencing.

It is essential that both victim and offender are willing to take part and that they understand they have a choice. At the end of the deferment, it is hoped that a restorative justice activity – preferably a face to face conference – will have taken place, although sometimes the preparation needed takes longer. In such cases it is possible to sentence to a RAR to enable the process to be completed, or indeed for the restorative justice process to continue alongside another sentence – even custody if that is what is deemed appropriate.

Kent has taken a multi-agency approach to restorative justice through its Criminal Justice Board, involving probation, police, prisons, Her Majesty's Courts and Tribunals Service and the voluntary sector. We have a shared vision that restorative justice should be available at every point in the criminal justice process, not just pre-sentence, but whenever the time is right for those involved. We have jointly commissioned the provision of conference facilitation and are able to offer this as part of a sentence for virtually all offence types, whether the offender is in the community, in custody, or even on licence. We all share a strong belief that restorative justice gives victims a voice, an opportunity to have their questions answered and a chance to move on. We believe that it holds offenders to account in a very challenging and meaningful way, and has a real impact on their future behaviour. I only have to hear a victim's account of how healing they found the process to be, or read an offender's heartfelt letter of apology, to understand the true impact of the process.

Restorative justice is powerful and that is why we will continue to make it as widely available as possible in Kent.

### The role of the NPS in high risk of harm cases

The NPS is responsible for the management and supervision of high risk of harm offenders. Although probation practice in England and Wales has not widely embraced engagement in restorative justice for extreme, high risk of harm offences, attitudes have changed in recent years. In Manchester, for example, the following rules apply: 'No offence is specifically

excluded from the use of restorative justice, although its use for some offences, including sexual offenders, hate crimes and domestic violence, is subject to special consideration and approval.'

Pilot schemes are taking place in other parts of the country with victims of sexual harm, violence and murder.

### Thames Valley – an example of restorative justice with high risk of harm cases

**Becci Seaborne, the restorative justice manager at Thames Valley Restorative Justice Service (TVRJS).**

With regard to restorative justice with cases of sexual and domestic violence (including historic child sexual abuse), TVRJS has been undertaking a number of such cases within the European-funded victim-initiated project.

TVRJS is also involved in an innovative consortium project delivering Therapeutic Interventions and Restorative Approaches for victims of serious crime who are experiencing trauma symptoms. This work is funded by a Ministry of Justice fund,

via Thames Valley PCC. The consortium works with surviving loved ones of homicide or road death, victim survivors of sexual violence or other serious physical violence and with victims from the refugee sector. It also includes those from black and ethnic minority communities who are particularly vulnerable due to language or other factors. Chaired by TVRJS, other agencies involved are Refugee Resource, Victim Support, Circles South East and Escaping Victimhood.

TVRJS is also involved in European collaborative bids to the EU for Daphne funding in relation to restorative justice with domestic violence.

TVRJS has been awarded the RJC's Restorative Service Quality Mark. To find out more visit [www.rsqm.org.uk](http://www.rsqm.org.uk)



# Transforming Rehabilitation and restorative justice – the role of the CRC

## CRC in the courts – Rehabilitation Activity Requirements and restorative justice

From a CRC perspective, the old SAR for restorative justice delivery is easy to reconfigure as a RAR.

Restorative justice currently works in different ways within CRCs across the country. In the Thames Valley model, SARs with restorative

justice are readily adaptable to the RAR. In areas where restorative justice has been delivered as an element of supervision, adaptation to a RAR is also straightforward.

Here local restorative justice leaders discuss the effect of the Transforming Rehabilitation landscape in their areas.

### Thames Valley CRC

Restorative justice is currently delivered as a SAR.

This is being rebranded as a RAR.

Thames Valley CRC is working with the new management organisation (MTCnovo) to review and maximise delivery of restorative justice as part of RARs.

### Andrew Hillas, assistant chief officer, London CRC

London CRC currently delivers restorative justice as a post-sentence community penalty SAR or on request by prisoners or victims either during the prisoners' time in custody or after their release.

NPS London region does not currently deliver restorative justice services but the CRC is dependent on NPS staff to recommend the restorative justice SAR to sentencers.

At the time of writing London CRC and the new owners (MTCnovo) are defining the implementation model for the new legislation.



**Avril Montgomery, contract relationship manager, South Yorkshire CRC**

Prior to the introduction of Transforming Rehabilitation, considerable effort had been made to develop restorative justice in the adult criminal justice system in South Yorkshire. This was limited by poor take-up from both sentencers and report writers in some areas. More recently, South Yorkshire was one of three pilot areas involved in developing pre-sentence restorative justice. Take-up of this was again limited.

The PCC's office has been a 'champion' of restorative development, ranging from adult conferencing and mentoring, to the identification of victim cases that might benefit from restorative justice approaches (including some high risk of harm cases).

The PCC has also supported the development of local Community Justice Panels applying restorative solutions to neighbourhood disputes. A partnership-based model has developed in South Yorkshire through the Local Criminal Justice Board including the police, Witness Service and Victim Support as identifiers, and the use of a partnership agency, Remedi. Remedi is used as the deliverer of SAR interventions and this, as in other models, is configurable as a RAR.

We are currently focusing on establishing how the new management company in South Yorkshire (Sodexo) will want to develop restorative justice options in the contract area.

**Stuart Tasker, assistant chief executive, Greater Manchester and Cheshire CRC**

Restorative justice has, historically, proven very popular particularly in the areas of Bolton and Rochdale.

Previously, the delivery of restorative justice has been probation-led and the focus has been on Intensive Community Orders (18- to 25-year-olds at risk of custody) and Integrated Offender Management cases with prolific and priority offenders. Further expansion of delivery took place as part of the NOMS Capacity Building exercise to increase restorative justice in prisons and probation. Exclusions included domestic violence, sex offenders and long-enduring mental health cases. The intervention was delivered as a component of supervision and not as a SAR.

As a result of Transforming Rehabilitation, restorative justice take-up has slowed down considerably. Prior to these developments, there were 96 facilitators in the Manchester Probation Trust providing restorative facilitation. The vast majority of these individuals were redeployed to work in the NPS. Only 17 facilitators remain in the Manchester part of the CRC.

The need to revive restorative justice has recently been established across the CRC and to that end local CRC champions are in place. The engagement of the new management company (Purple Futures) in restorative justice and a decision about the delivery model design is a vital next step.

The PCC is commissioning new restorative work and the need to tap into that agenda is also considered to be vital to both the CRC and NPS.



**Geraldine Martin, restorative justice manager,  
Cumbria and Lancashire CRC**

As with Manchester and Cheshire, one of the key management changes in the last year has been assimilating practice in two previously distinct areas. Prior to the Transforming Rehabilitation changes Lancashire Trust had a more established model and work is being done to address this imbalance.

The CRC is working to ensure that robust financial payment mechanisms are in place, ranging from financial engagement with PCCs (charging the PCC for CRC delivery of victim-led cases), through to securing payment from the NPS for delivery of work for higher risk of harm NPS cases. Payment for prison cases is also being reviewed.

The new owner (Sodexo) will need these reassurances if they are to commit to mainstreaming and developing delivery further. Importantly for Sodexo, delivering restorative justice as a RAR offer will enable it to be captured in the payment by result mechanism.

Of particular interest to the Lancashire practice model is the existence of a hub partnership model which includes the CRC, youth offending teams, police and specialist support such as housing. Restorative Solutions play a role in facilitating this communication and information exchange. The hub model is also being extended to wider restorative arenas – for example Neighbourhood Justice Panels – and is being incorporated into the business development of restorative justice in the Cumbria locality.

The funding required to deliver an effective hub is up for consideration and will be of interest to Sodexo. The ongoing financial commitment of the PCC is pertinent.

### The role of CRCs with restorative justice and Integrated Offender Management

Restorative justice was introduced in Integrated Offender Management to enable prolific offenders to gain an insight in to the impact of their actions on their victims.

Restorative justice with these offenders continues to take place but take-up is generally limited and the need to revive partnership engagement with police and other community partners is a priority if restorative justice is to continue to make a difference in this area.

### The role of CRCs with restorative justice in prison

Restorative justice takes place in a number of prisons. In order for it to become embedded, however, it requires buy-in from the governor, prison officers and outside partners, including CRCs and partner agencies.

With the introduction of the Offender Rehabilitation Act (2014), the engagement of CRCs in the Through the Prison Gate resettlement model is an opportunity to broaden the use of restorative justice in prisons. The inclusion of under 12 month prisoners on release in scope for statutory supervision demands that this group are assessed for restorative justice suitability.

By understanding the benefits of restorative justice in terms of reduction in reoffending and medium- to long-term cost savings, CRCs and their owners can justify widening the restorative net to include these offenders.



# The hub model

The Transforming Rehabilitation landscape has consequences for restorative justice delivery. An increasing number of areas are adopting the multi-agency approach to tackle the potential challenges ahead. This model is explored below.

The relationship between CRCs, the local divisions of the NPS, the PCCs and voluntary sector organisations is crucial for effective restorative justice delivery.

## Potential challenges

An absence of clear communication between parties has potential to cause a duplication of restorative justice services. The victim and offender could be approached by more than one organisation, potentially causing great distress to victims. Ineffective communication also has the potential to lead to gaps in restorative justice service delivery. With a lack of information sharing, expressions of interest in restorative justice at one stage may not be followed up later. There is the potential challenge for CRCs, the NPS, PCCs and other providers not to accept financial responsibility for delivery.

## A solution to these obstacles is a multi-agency 'hub' restorative justice model

Multi-agency forums are often seen to be the key to effective communication in local criminal justice

provision and there is enormous value in developing this shared restorative resource in each geographical area. This model requires financial investment from CRCs, the NPS, PCCs and other interested parties.

The NPS needs to be made aware of all restorative justice interventions available in their area so that they can inform sentencers, make general reference to available disposals in its reports and consider the suitability of restorative intervention for NPS cases.

An efficient hub will ensure that duplicate referrals do not take place, that gaps in service are removed, that specialist support is available to particularly vulnerable victims and that infrastructure difficulties – for example release of victim data – are addressed. Linked restorative justice providers and interested parties all benefit from hub involvement.

In Kent, this approach has been developed through its Criminal Justice Board where probation, police, prisons, Her Majesty's Courts and Tribunals Service and the voluntary sector have jointly commissioned the provision of restorative justice conferencing and are able to offer it at all stages of the criminal justice system.



# An illustrative example of a hub in Thames Valley



## Ensuring quality restorative justice

Restorative justice only works if it is done well in a safe and controlled environment. Practitioner Accreditation and an organisational quality mark have been developed by the RJC so that victims and offenders can be reassured that the process will meet their needs.

Backed by the Ministry of Justice, the RJC launched the Restorative Service Quality Mark (RSQM) in 2014. Developed in consultation with experts in the restorative field, the RSQM is a quality mark for organisations providing a restorative service. Only those organisations who can demonstrate they meet the minimum standards needed to provide quality provision will achieve this mark. Each CRC, NPS division and local provider should work towards achieving this mark.

When an organisation has been awarded the RSQM, commissioners, referrers and participants can be confident that they provide a safe, high quality service.

The case study below explores the benefits of achieving the RSQM and you can find out more about the RSQM by visiting [www.rsqm.org.uk](http://www.rsqm.org.uk)

### London CRC's Restorative Justice Unit – achieving the RSQM

The Restorative Justice Unit at London Probation has held the RSQM for over one year. Their restorative justice facilitators meet with sentenced offenders as part of a structured, 12-session programme. The sessions lead towards restorative conferences and then involve reviews of the offenders' subsequent progress. The London-wide roll out of restorative justice has had considerable success with high take-up, positive support from sentencers and high levels of satisfaction from both victims and offenders.

Liz Dixon, the restorative justice co-ordinator at London CRC's Restorative Justice Unit, says: "Having the RSQM is akin to having a professional status



that you want to honour and live up to. It has helped us to get all of our processes and practices in order, assisted the unit's development and encouraged us to concentrate on the quality of our overall product.

"We feel we have renewed legitimacy with our service users and are reassured that we're on the right track. An important factor is that the award has bolstered the confidence of our facilitators when approaching the 'harmers' and the 'harmed'."

She continues: "It helps you to develop all of the necessary processes to carry out safe and effective restorative justice – it encourages professionalism and builds expertise. It also helps focus on service delivery so that you can attend to the harm caused by an offence and prevent further harm. And the help and support you get from the RJC's assessors during the process is a real asset." Liz concludes: "When you get the RSQM you feel empowered and more professional – it's a real achievement."

In addition to the RSQM, individual Practitioner Accreditation with the RJC ensures the individual restorative practitioners are assessed against national standards. The RJC Practitioner Register was set up to recognise the quality of practitioners' work as well as offering the public and commissioners reassurance that restorative practice is delivered to evidence-based national standards. Being listed on the register is a sign of commitment to quality.

Membership of the Practitioner Register is available to all restorative practitioners – volunteers and paid staff. PCCs, CRCs and the NPS should encourage all practitioners delivering restorative justice to achieve accreditation. For more information please visit <http://practitioners.rjc.org.uk>



## David and Jane's story

**Jane\*:** Our son Mark was involved in a car accident where one of his friends was driving and the other was killed. As a result of the accident Mark suffered brain damage.

**David\*:** Me and some mates were coming back from a night out and I was the designated driver. I was speeding as I came down a hill and overtook a car on double white lines. As I turned my head to tell one of my friends to put his belt on, the car span out of control and hit a barrier. As the car rolled into an underpass, my friend who wasn't wearing his seatbelt was thrown out. He died at the scene.

I lost a lot of friends and my mental health deteriorated. I became depressed, and started to drink and smoke.

**Jane:** We first heard about restorative justice when we got a telephone call from a volunteer, Paul. Initially I said no. The incident was too raw, and our son was still in and out of hospital. Our family was falling to pieces and the last thing we wanted was to let outsiders in.

But then Paul called again; he highlighted that the process was completely voluntary and we could withdraw at any time. I did a bit more research about restorative justice and was keen to see how it could help with our case.

I didn't feel any anger towards David as he was a friend of my son, but I needed him to know what he had done to our family. That's why I wanted to progress with a conference. The first meeting with the volunteers, Paul and Charlotte, was fantastic – it was the best thing we've ever done, even if nothing else came out of it and it didn't progress to a conference. As a family, we hadn't spoken much about the incident, and during the meeting we all just talked and talked. Paul and Charlotte put a lot of work into making sure the conference went ahead and was safe.

The conference day was very nerve-wracking. It was the most frightening thing I've done. I was very nervous about meeting the person who had caused the last 15 months of hell, but when we walked into the room [the families of both the victims attended the meeting] he was a shadow of his former self; he looked pale and had lost a lot of weight. I felt sadness and pity – he looked so ill. It reminded us that he was human too.

**David:** My experience of taking part in the restorative justice conference was good, but don't misunderstand me – it was the hardest thing I have ever had to do in my life. But I'm glad that I did it, as it gave me a chance to get my side of the story across to both families instead of them just having the scientific evidence. It also gave me the opportunity to apologise to them.

**Jane:** We were able to ask what we needed to ask. We all live together in a small town and we needed to know what would happen if we were to see each other in the street. This was so important because it was inevitably going to happen. It was decided that our son wanted no further contact with David.

**David:** I would recommend restorative justice to other people but they would need to be strong enough mentally, as it was an extremely hard thing to do, not just during the meeting but afterwards as well. I think it would help to show people with less remorse what they have done to their victims and maybe help to prevent them reoffending.

Being sent to jail was a bad thing but I turned it into a positive by gaining qualifications and sorting my life out. I am now back at college and have solid plans for my future.

**Jane:** Until you have participated in restorative justice you can't explain how powerful it is. You see the offender in a different light. It has had such an impact on our lives. It really was a fabulous thing – it has made such a difference. We have come out of it so much stronger. We are able to move on with our lives. It's the best thing we ever did. I support it 100% and I think it should be available throughout the country.

\*David and Jane's names have been changed.

David and Jane's case was facilitated by Paul Mukasa and Charlotte Calkin at Restorative Gloucestershire.

Restorative Gloucestershire is a group of statutory and voluntary sector partners that have joined with the aim of offering all people who come into contact with the criminal justice system or who come into conflict in the community an opportunity to participate in a restorative intervention. For more information on their work, visit [www.restorativegloucestershire.co.uk](http://www.restorativegloucestershire.co.uk)



## Summary

- The post-Transforming Rehabilitation infrastructure is an opportunity to strengthen the restorative justice landscape in the future.
- The benefits of high quality restorative justice are clear – reductions in reoffending, increased victim satisfaction and significant cost savings.
- There is a challenge for all those involved in restorative justice to ensure effective delivery, avoiding gaps and duplication in provision. Those in key probation positions, ranging from strategic leads to deliverers, must ‘champion’ the potential of restorative justice.
- A multi-agency model ensures effective communication and information sharing across agencies.
- As the CRCs and the NPS find their footing in the new probation landscape, it is essential that restorative justice takes a prominent position in the offender rehabilitation process.

# Biography and contributions

## Biographical details

This guide was collated, edited and written by Stephen Czajewski, on behalf of the RJC.

**Stephen Czajewski** is the head of Thames Valley Community Rehabilitation Company (North) with operational responsibility for Oxfordshire, Buckinghamshire and Milton Keynes. He is strategic lead for a range of interventions, including Accredited Programmes, Specified Activities and Unpaid Work. He has recently taken over the chair of the Thames Valley Local Criminal Justice Board Restorative Justice group and is a member of Thames Valley Restorative Justice Service Steering Group.

He was previously a director for Thames Valley Probation and his strategic leads included Oxfordshire, Buckinghamshire, Interventions and Approved Premises.

Stephen has worked in probation in London, South Yorkshire and Vancouver and has been in the Thames Valley since 1996. He has also delivered risk training in the Czech Republic.

He has been strategic probation lead for restorative justice in Thames Valley for several years, has represented the service at ministerial level and in the media and has spoken at national conferences. Stephen has also represented Thames Valley Probation at restorative justice conferences in Europe.

Stephen was the Probation Chiefs Association (PCA) portfolio lead for restorative justice, spoke at the PCA conference and worked closely with NOMS regarding restorative justice development.

## Other contributors

Stephen would particularly like to thank the following for their contributions:

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**Andrew Hillas**, assistant chief officer, London CRC

**Tracey Kadir**, assistant director, NPS, South East and Eastern Division

**Geraldine Martin**, restorative justice manager, Cumbria and Lancashire CRC

**Avril Montgomery**, contract relationship manager, South Yorkshire CRC

**Becci Seaborne**, restorative justice manager, Thames Valley CRC

**Stuart Tasker**, assistant chief executive, Greater Manchester and Cheshire CRC

**Patsy Townsend**, director, Thames Valley Partnership

## Further reading on restorative justice

**For more case studies demonstrating restorative justice in action:**

[www.rjc.org.uk/rj-in-action](http://www.rjc.org.uk/rj-in-action)

**For Best Practice Guidance on Restorative Practice:**

[www.rjc.org.uk/best\\_practice\\_2011](http://www.rjc.org.uk/best_practice_2011)

**For more information on training and accreditation:**

[www.rjc.org.uk/training](http://www.rjc.org.uk/training)

**For more information on observing a restorative justice conference:**

[www.why-me.org](http://www.why-me.org)

