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 society where high quality restorative practice is available to all. The RJC’s role is to set and champion clear standards for restorative practice. It ensures quality and supports those in the field to build on their capacity and accessibility. At the same time, the RJC raises public awareness and confidence in restorative processes. The ultimate aim of the RJC is to drive takeup and to enable safe, high quality restorative practice to develop and thrive.

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Foreword from Graham Robb
Chair, Restorative Justice Council

I’m thrilled to introduce the report of our regional restorative justice workshops for police and crime commissioners. Over the course of two months in the spring of 2018, our team spoke to over 200 commissioners, criminal justice agencies and service providers across England and Wales about the learning, challenges and innovative practice taking place in restorative justice services across the country.

The attendance and enthusiasm of those taking part in the discussions at these events is a testament to the hard work and commitment of local agencies and commissioners to develop and embed restorative justice services in their areas. It was clear from the variety of approaches implemented by commissioners that we have lots to share and learn from each other. Since funding for restorative justice services was devolved from the Ministry of Justice to police and crime commissioners, there has been the opportunity to design local services to truly meet the needs of local communities. The workshops provided a vital opportunity to share notes on what’s working well and how challenges are being met with innovation in different areas.

Devolution inevitably leads to some inconsistency and this is true also for restorative justice services. The Restorative Justice Council (RJC) has always advocated for restorative justice services to meet our national standards. We’re pleased to hear that a requirement for the RJC’s service provider quality mark is being incorporated into some commissioning contracts and hope this practice will become commonplace so that those affected by crime can be confident in a high quality restorative justice service, wherever they live.

We heard some common challenges across areas, including around low referral rates and how to effectively measure success. Our next steps include representing these issues at a national level in our conversations with the Ministry of Justice and the Association of Police and Crime Commissioners and developing solutions to support restorative justice commissioners and service providers as they continue to help those affected by crime to move on and make positive change in their lives.

We promote restorative justice because the evidence of impact for victims, witnesses and on perpetrators is compelling. Thank you for helping more people experience the real long-term benefits of restorative justice.
Foreword from Dame Vera Baird

Victims Portfolio Lead, Association of Police and Crime Commissioners

Restorative justice does work and I was delighted that the regional workshops were able to stop in my force area, Northumbria. This reinforced the passion and commitment to those in the North East, highlighting our partnership work and ensuring that victims remain at the heart of everything we do. Police and crime commissioners (PCCs) have devised innovative schemes across England and Wales which has resulted in the delivery of programmes that meet the needs of local communities.

In Northumbria, I established an independent victim referral service – Victims First Northumbria, who were an important part of the Newcastle roadshow. Restorative justice is only part of the victim’s recovery journey. The process of bringing together victims and offenders has to be handled very carefully, and everyone affected by a particular incident has to play a part in repairing the harm and finding a positive way forward. Let me be absolutely clear, PCCs get it, we want to ensure restorative justice is a success and that is why we are committed to ensuring local services strive to deliver the very best service. This is evidenced by VFN’s success in being awarded the RJC’s Restorative Service Quality Mark in November 2017.

Time will see restorative justice fully evolve and I am delighted that the restorative practices in Victims First Northumbria are recognised as a model of good practice. However, PCCs recognise that they cannot be complacent; we want to see the satisfaction rate for victims increase and are working with partners to ensure the process reduces the frequency of re-offending. PCCs will ensure that restorative justice continues to be victim-focused and that it helps them cope and recover. We also want to see it reduce crime by ensuring offenders appreciate the impact of their actions on others.

Of course, this won’t happen overnight but we are on the right path. PCCs share the government’s commitment for restorative justice to be an important part of the criminal justice system, increasing the numbers of those partaking. The regional workshops helped attendees gain a clearer understanding of the challenges faced and allowed participants to share ideas and best practice to increase the take up.
Executive summary

This report summarises findings from five regional workshops for commissioners of restorative justice that took place in the spring of 2018. The workshops were run by the RJC, in partnership with the APCC and funded by the Ministry of Justice.

The workshops aimed to support PCCs in the commissioning and delivery of safe and effective restorative justice services and facilitate collaboration and knowledge-sharing between and across PCC areas. Over 200 people attended the workshops, including representatives from 20 PCC offices and 25 PCC areas. This report summarises what we heard in the workshops.

We heard directly from several commissioners about the process for commissioning restorative justice services. PCCs increasingly recognise the important role restorative justice can play in meeting the needs of local communities. Service design varies, understandably, and partnerships and contracts develop and adapt as lessons are learned. The RJC would be delighted to support PCCs on the commissioning journey as it already has in some areas.

Attendees were clear that strong relationships between justice agencies are key if restorative justice is to thrive. What’s more, restorative justice provides a unique opportunity to bring victim- and offender-focused agencies together under shared aims.

We heard that building partnerships takes time a resource. In some areas, investment in partnership working has made a positive difference to restorative justice service provision, through increased referral and conversion rates. We also heard innovative examples of restorative work in other sectors such as housing, education and business. PCCs are increasingly recognising the positive contribution this work can make towards their police and crime plan objectives.

We were pleased to hear that more areas are providing a restorative justice service for serious crime types such as violent crime, sexual harm and domestic abuse. Our standards and guidance are clear that such cases require full risk assessment by trained and experienced practitioners, working in partnership with other specialist support services. We want to strengthen our guidance in this area to reflect the growing role that restorative justice is playing in these complex cases.

We also want to build on some of the good practice we heard in this area, for example collaboration between local services and researchers to ensure service design is informed by evidence and that new services are informed by robust evaluation.

We heard some common challenges across workshops. For example, some areas are finding it difficult to fund a service which accommodates offender-initiated cases given that Ministry of Justice funding is part of the wider victims’ services funding. Some PCC areas have made arrangements to channel funding from other pots to ensure restorative justice services provide a truly area-wide service.

Designing and implementing effective evaluation of restorative justice services is also proving tricky in some areas, and referral rates are still low. The workshops provided an opportunity to discuss these challenges, share good practice in addressing them, and highlight areas where the RJC and the restorative sector can continue to work with PCCs, the Ministry of Justice and national stakeholders to ensure high quality restorative justice is available for all.
Recommendations for commissioners

• Require restorative justice service providers or partnerships to secure the RJC’s Restorative Service Quality Mark as a condition of contract award.

• Draw on support from the RJC during the commissioning process for restorative justice services.

• Draw on existing RJC guidance during restorative justice service design and commissioning, for example our ‘Making multi-agency partnerships work’ guidance for PCCs.

• Give a three-year commissioning period to give enough time to build strong partnerships and raise awareness. Strong partnerships are a key element of a flourishing restorative justice service.

• Follow up on the conversations and case studies summarised in this report to continue shared learning and service improvement.

Recommendations for the Ministry of Justice

• Support the RJC to expand and strengthen guidance for serious crimes such as sexual harm and domestic abuse.

• Work with the RJC and commissioners to develop guidance for evaluating restorative justice service impact and outcomes.

• Work with the RJC and commissioners to improve mechanisms for funding restorative justice services which can accept offender-led cases where appropriate.

Next steps for the RJC

• Continue to advocate for RJC accreditation to be a requirement for PCC-commissioned restorative justice services.

• Engage with the Ministry of Justice to secure updated guidance and standards for serious crime types such as sexual harm and domestic abuse.

• Continue engaging with the NPS to develop guidance for probation officers on the role and process for restorative justice.

• Support collaborations between researchers and practitioners of restorative justice, beginning with a researcher and practitioner conference in September 2018.

• Work with the Ministry of Justice and commissioners to develop guidance for measuring the success of a restorative justice service.

• Continue to facilitate the sharing of good practice between commissioners, criminal justice agencies and service providers through our communications and events work.

• Seek support for direct and targeted engagement with areas where restorative justice services are in their infancy.
Introduction

Restorative justice works. It is a major driver of victim satisfaction and engagement. It helps to reduce reoffending and cut crime, and has the potential to be cost effective. It has significant public support, with 80% of people agreeing that victims should have the right to meet their offender.

The Code of Practice for Victims of Crime entitles victims of adult offenders to receive high quality information on restorative justice, including information on how victims can take part. Victims of young offenders are entitled to be offered the opportunity to participate in restorative justice where appropriate and available.

The Ministry of Justice allocates funds to PCCs to provide victims’ services, of which restorative justice can form an important part.

In March and April 2018, the RJC ran a series of regional workshops for PCCs and relevant agencies to support the commissioning of safe and effective restorative justice services. The events were planned and delivered by the RJC, in partnership with the Association of Police and Crime Commissioners, and funded by the Ministry of Justice.

The aims of the workshops were to:

• raise awareness and understanding of the case for restorative justice

• support PCCs in the design, commissioning and delivery of safe and effective restorative justice services

• facilitate more effective collaboration around restorative justice delivery between and across PCC areas

• establish peer-to-peer knowledge-sharing networks to further the delivery of high quality restorative justice

The workshops were attended by 204 people, including PCCs and their representatives, victim services, police, prison staff and restorative justice service providers. The map opposite shows the workshop locations and the geographical spread of attendees.
Each workshop followed a similar structure, including a video message from the justice minister responsible for restorative justice, Dr Phillip Lee, a welcome from the host PCC, presentations from 2-3 areas showcasing good practice and learning, and small group discussions on topics brought forward by attendees. An example agenda for the workshops is included in the appendix of this report.

This report shares what we heard in five regional workshops which brought commissioners, service providers and key agencies from across England and Wales together to collaboratively improve the restorative justice services provided across the country.

- On page 11, we summarise some of the discussions around commissioning models and processes.
- On page 12, we share findings from the workshops related to partnership working.
- Page 16 discusses the scope of restorative justice services
- Page 17 shares how commissioners are ensuring a high quality service.
- Pages 18 to 22 discuss the common challenges of how to effectively evaluate a restorative justice service and how to increase its reach.
- On page 23 we summarise good practice and learning from across the workshops on delivering a restorative justice service for serious and violent crime.
- In the final section, we draw out some conclusions from the workshops, including particular areas and issues we would like to investigate further.

Each area is different and has approached the implementation of restorative justice services in different ways to accommodate local need and reflect current policing structure. This report aims to share good practice and facilitate service and guidance development so that those affected by crime have access to good quality restorative justice services and can move forward with their lives.

The report is peppered with examples of good and innovative practice going on across England and Wales, as well as links to further guidance from the RJC and other organisations. We hope this document will help restorative services and commissioners continue to expand the conversations that started at the workshops in spring 2018.

RJC would like to thank Sussex, Northumbria, Lancashire, Gwent and Derbyshire PCCs for hosting the workshops and opening discussions. Our thanks also to the APCC for support with the design and marketing for the workshops. Finally, our thanks to all presenters and everyone who attended and contributed to the lively and informative workshop discussions.
Commissioning restorative justice services

Restorative justice has an important role to play

We were delighted to hear directly from PCCs, deputies and commissioning managers about the importance of restorative justice as part of the menu of options for communities.

“Restorative justice is a necessary part of the locker of support facilities to improve life opportunities.”
(Michael Lane, PCC for Hampshire and the Isle of Wight)

“Restorative justice has a critical role in helping us deliver Gwent’s police and crime plan.”
(Eleri Thomas, deputy PCC for Gwent)

Service design varies

While we have a lot to learn from each other, it’s clear that one size does not fit all when it comes to an effective restorative justice service. What works well in one area may not be appropriate for another. Devolved commissioning of police and crime provision provides a valuable opportunity to design services to meet local needs.

There is a great deal of variation in service delivery models across England and Wales. Some PCCs commission to a specialist restorative justice organisation or to services for victims. Others host an in-house service as a new team within the office of the PCC, often as part of a multi-agency partnership. A useful map of lead organisations for each PCC-funded restorative justice service is available on Why me?’s website here.*

Commissioned or in-house

The workshops presented an array of opinions which supported different models and areas for development. For example, a commissioned service can bring specialist expertise and provides a service which the public see as independent of other justice agencies such as the police. This can be beneficial for maintaining impartiality and in building positive links with the community. On the other hand, some service providers felt that short commissioning contracts impacted on their ability to build effective partnerships in short periods of time.

* https://why-me.org/campaigns/valuing-victims/?doing_wp_cron=1531923880.8862121105194091796875
Seek guidance and build in flexibility

Hampshire and Isle of Wight office of the police and crime commissioner (OPCC) consulted with the RJC during the development of their specification to inform their commissioning process, which among other things led them to commission a three-year contract rather than a shorter-term contract, to give the service provider time to embed.

It was clear from experienced commissioners of restorative justice services that the commissioning process won’t be perfect first time. They reflected on the need to be flexible within the contract to better respond to service need and bring about positive focus and change for the future of restorative work.

“The original specification doesn’t look like what’s being delivered now. The expectations when the contract was advertised have changed a lot – it’s been a bit of a learning journey.” (Newcastle workshop)

“We learned a lot from the initial commissioning process of restorative justice. There’s a long journey to go on.” (Cwmbran workshop)

Working in partnership

Strong partnerships are essential

Different agencies have different priorities: restorative justice provides a valuable opportunity to bring these agencies together. Partnerships facilitate a shared understanding of restorative justice and its contribution to the wider aims of the criminal justice system. They also prevent duplication across agencies and ensure a collective ownership of risk.

A common theme from the workshops was how strong relationships between agencies, and between areas, are essential for restorative justice take-up and case progression. Effective partnerships help information to be shared and clear referral pathways to be developed.

However, making multi-agency partnerships work takes time, commitment and senior buy-in.
“You need a deliberate decision to do it. It doesn’t happen by chance.” (Cwmbran workshop)

“Partnerships should exist. But are they well supported? They need investment, protected time and identified leads.” (Brighton workshop)

Good practice in partnership working

Through the workshops, we heard some good examples of multi-agency working across England and Wales.

Representatives from Devon and Cornwall police, the PCC office and the commissioned service Make Amends shared how an alliance commissioning approach has helped gain senior leadership investment across key agencies to create momentum behind restorative justice services. This alliance approach focused on strengthening partnership working to increase access to restorative justice in Devon and Cornwall. See the case study for more detail.

Devon and Cornwall case study below also highlighted the importance of implementing local service-level agreements to manage how information was going to be shared between agencies to support multi-agency working to increase referral uptake and to ultimately ensure restorative interventions remain safe. In Gloucestershire, switching to a partnership delivery model has led to an increase in referral and conversion rates. Read more in the case studies below.

Case study: An alliance approach to commissioning in Devon and Cornwall

Devon and Cornwall adopted an alliance commissioning approach last year. This partnership approach aimed to address the risk of a lack of ownership within key agencies, which can have a negative impact on how restorative justice is offered and how cases are referred. The approach includes having senior strategic leads within the PCC’s office and the police force, a restorative justice coordinator located within the police force, and a joint restorative justice action plan. The restorative justice coordinator is placed within the police’s victim care unit, to promote understanding within the force of restorative justice as a victim-focused process rather than solely an offender-focused ‘disposal’ approach. The location within the victim care unit makes it easier to link up with wider support offered to victims, placing restorative justice within a continuum of care. The coordinator also acts as a bridge between the police and the restorative justice service provider for regular communication, driving understanding, awareness and referrals. It makes it easier to communicate and operate with a shared language and common purpose.
Case study: Multi-agency restorative interventions in Gloucestershire

Restorative Gloucestershire is a group of statutory, non-statutory and voluntary sector partners. This PCC-funded restorative justice service holds the RJC’s Restorative Service Quality Mark and is governed by the Restorative Gloucestershire partnership board. Their aim is to offer all 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. The partnership provides a diverse range of restorative approaches, including work in schools and housing associations, neighbourhood and family group conferencing and intensive interventions such as victim and offender conferencing. The partnership approach has seen referral rates double since 2012, and conversions from referrals to interventions have increased from 2% to 44%. The team credit this increase to the introduction of tailored awareness sessions to partner agencies so they know what a suitable referral is, as well as an increased amount of training for facilitators, funded by the PCC. Training provision for complex and sensitive cases, community mediation, restorative family meetings and harmful sexual behaviour training means facilitators can work with any case they receive.

Connecting with existing partnerships

Workshop participants pointed to existing partnerships and multi-agency meetings which were useful to connect with, such as local criminal justice board and community safety partnerships.

“We took it to our community safety partnership, as an umbrella organisation. We felt in our organisation that restorative justice was a bolt on. When we took it to the community safety partnership, then all the health, housing, councils etc took more responsibility for it.” (Blackburn workshop)

“The local criminal justice board was a key mechanism to ensure information cascaded both ways and make sure all relevant agencies were represented.” (Brighton workshop)

Making multi-agency partnerships work

The RJC believes that multi-agency partnerships can play a vital role in reducing duplication across agencies and providing a joined-up restorative justice service for victims and offenders.
The RJC’s guidance document, Delivering restorative justice – making multi-agency partnerships work, provides advice and practical considerations for those setting up and maintaining a partnership for a restorative justice service. This covers stakeholder buy-in, setting up governance structures, information-sharing procedures and capturing impact.

**Working across sectors**

We know that crime does not occur in isolation – it interlinks with schools, housing, residential homes, health and other sectors.

“Is there a way to use restorative approaches at an earlier stage? That might help people avoid the criminal justice system – otherwise we’re just working after the horse has bolted.” (Newcastle workshop)

We heard innovative examples of how commissioners are working in partnership across sectors to meet their police and crime plan objectives.

In Northumbria, Dame Vera Baird spoke about new partnerships with schools including restorative justice interventions, restorative justice awareness sessions and the potential introduction of peer mentoring schemes. The restorative justice service has also facilitated 70 corporate agreements with businesses, where stores are interested in restorative justice rather than involving the police. Michael Lane, Hampshire PCC, highlighted how prevention and pre-emption is factored into service design through the involvement of local partners facilitating a restorative approach in cases of neighbourhood dispute and non-crime incidents, thus reducing the demand on frontline policing.

“At that first hint of dispute, there is the opportunity for mediation to remove the triggers and resolve things before they become high risk.” (Michael Lane, PCC for Hampshire and Isle of Wight)

In Cwmbran, we heard how Cadwyn Housing Association has introduced restorative approaches to change how staff and residents work together in family hostels. The approach has led to a reduction in police call-outs and improved relationships – see the case study below.
Case study: Cadwyn Housing Association staff were trained in restorative approaches by Wales Restorative Approaches Partnership

The training focused mainly on restorative approaches as a prevention method for dealing with antisocial behaviour. Since the training, staff now focus on the root causes of issues such as antisocial behaviour, rather than creating a revolving door with the justice system. It has meant a move away from punitive approaches, letting go of power, and ultimately better outcomes. It has also improved the housing association’s relationship with the police and changes within the police force as well, leading to a relationship based on supportive challenge. While there is still work to do to improve this relationship, around information sharing and continuing the onus on prevention, adopting restorative approaches has led to a reduction in police call-outs and in some cases enabled families to remain living there rather than being rehomed following an issue.

The scope of a restorative justice service

More areas are offering a service for serious crime types

The workshops provided an opportunity to hear about the scope of restorative justice services in different areas.

We’re pleased to see that many areas now provide a restorative justice service for all crime types, including complex and sensitive cases such as sexual harm and violent crime. We discuss findings on this topic later in the report.

Offender-led restorative justice

More varied was the approach to dealing with cases which are not victim-led.

Several participants spoke about how limiting a service to victim-led restorative justice can act as a barrier to case progression. Some commissioners have taken action to get round this. North Yorkshire and Northumbria both shared how their thinking had shifted from having a ‘victim-initiated service’ to a ‘victim-focused service’.

We also heard that some commissioners, such as in Derbyshire and Hampshire (see the case study below), have committed funding from elsewhere in their budgets to enable the restorative justice service to take offender-initiated cases.
“Because the funding is from victim surcharge, the Ministry of Justice has said that it can only be made available if it’s victim-led. That causes a problem if a service identifies an offender – they can’t progress it. That’s a handicap rather than an enabler in terms of spreading the benefits of the service.” (Derbyshire workshop)

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**Case study: Hampshire’s restorative justice service for both victims and offenders**

Hampshire’s restorative justice service takes cases with any connection to Hampshire. For example, any crimes which took place in Hampshire, or where the offender or victim is resident in the area. In addition to the Ministry of Justice funding through the victim services grant, the commissioner has invested funding from the police Home Office grant in order to support offender-initiated cases.

Offender-initiated restorative justice is not always appropriate. However, we heard that focusing only on victim-initiated cases is inhibiting some restorative justice services from maximising their reach and positive impact for all those involved in conflict. Providing a truly area-wide restorative justice service for all communities, and facilitating the increased take-up of restorative justice services, means addressing silos where they arise. We will work with commissioners and the Ministry of Justice to identify how restorative justice services can continue to support and empower victims while providing all those impacted by crime with the opportunity to benefit from a restorative process.

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**Ensuring a high quality service**

**A high quality service is essential**

We were pleased to hear commissioners talking about the importance of quality in a restorative justice service.

“It’s so reassuring to victims that the restorative justice service they’re offered is of a high standard” (Katy Bourne, Sussex PCC)
The RJC has accreditation quality marks for services, trainers and practitioners and we recommend that any commissioned service holds, or is working towards, the Restorative Service Quality Mark. This instils public confidence and ensures participants are offered a safe and effective service.

**Building quality into commissioning**

We saw examples of commissioners building this requirement into their commissioning process. For example, in Devon and Cornwall, the commissioning contract required the service provider to be working towards RJC accreditation within the first year of the contract. Northumbria’s commitment to high quality restorative justice services is demonstrated in the case study below.

The Restorative Service Quality Mark (RSQM) was developed by the RJC, working with the Ministry of Justice and partners, and provides organisations and partnerships delivering restorative services with external, independent validation that they are meeting the six Restorative Service Standards. The RSQM reassures participants in restorative processes that they will received a safe, effective service. It also supports the development of restorative justice provision by enabling commissioners to identify high quality service providers. For more information on RJC standards and accreditation, visit www.restorativejustice.org.uk/standards-and-quality

**Case study: RSQMs for Northumbria criminal justice agencies**

*In Northumbria, the PCC Dame Vera Baird pledged in 2015 to deliver high quality restorative justice services to local people, by supporting and funding criminal justice agencies across the area to achieve the Restorative Service Quality Mark. Accredited organisations now include Victim First Northumbria, HMP Durham, Northumbria Community Rehabilitation Company and several youth offending services. Dame Vera Baird, who also chairs the APCC’s Standing Group on Supporting Victims and Reducing Harm, said, “Research shows that when restorative justice is victim-focused it can help them move on with their lives, and can reduce crime by getting offenders to appreciate the impact of their actions on others. I have made a pledge to deliver excellent restorative justice services to local people, helping everyone find a positive way forward. In having nine agencies across our region awarded with the national quality mark, people harmed by crime and conflict in the North East can feel assured that should they choose to use restorative justice services, they can be confident they’ll receive a safe, effective service that meets their needs.”*
What does good look like?
Evaluating the impact of a restorative justice service

Defining and measuring success is a challenge

The challenge of how to effectively evaluate a restorative justice service was raised at every workshop.

The number of restorative interventions – including face-to-face conferences, indirect interventions and initial engagements – are usually recorded as a matter of course. But several commissioners acknowledged that this is not a sufficient measure of success.

“We started with a tight focus on the number of victim-offender conferences as an outcome. We put the target way too high. Now our thinking is: conferences are good, but positive experiences for victim and offender is what’s important.”
(Newcastle workshop)

There was a feeling from participants that many of the positive outcomes of a restorative intervention are not being captured, so the impact of services are underestimated. Participants were keen to improve understanding of what counts as a ‘good’ outcome of a restorative justice intervention.

Needs vary for each participant

We heard that outcomes are not always easy to measure systematically because what counts as a good outcome depends on the individual participants.

“Success is going to look different to each service user, each provider and commissioner. Engaging with a service at all can be seen as positive.”
(Cwmbran workshop)

At the Newcastle workshop, we heard how the North Yorkshire service conducts a victim needs assessment at the start and end of engagement, involving all the agencies that work with victims. This helps the service understand how restorative justice can help participants move forward.
Evaluation guidance needed

It’s clear that a narrow definition of a positive outcome of restorative justice can limit understanding of its benefits. What’s more, good quality data capture and evaluation takes time and resource, especially when cooperation from a range of partners is required. Proper evaluation will require commitment in terms of funding.

“Getting it right requires a wider framework than what is used at the moment. It’s back to commissioners to see if they’re prepared to put their money where their mouth is to fund proper evaluation.” (Cwmbran workshop)

The workshops identified a need for further guidance and support on how to evaluate restorative justice services within a wider framework of outcomes. This is not an easy task – and it’s true that good evaluation requires time, commitment and funding. We will investigate how we can support this through conversations with commissioners, the APCC and through future events.

Increasing the reach and take-up of restorative justice services

Referrals and numbers of interventions still low

The number of restorative interventions across areas varied. We often heard how time spent engaging partners and raising awareness does not always translate into increased restorative justice referrals. Of the cases that are referred, we heard that a low percentage of suitable cases progressed to a conversation about restorative justice, and the number going forward to a restorative intervention such as a face-to-face conference was even lower. We know from last year’s Crime Survey for England and Wales that victim take-up of restorative justice is still low – less than 5%, despite 75% of people saying that victims should be offered the opportunity to meet their offender.

Raising public and professional awareness is a significant task. Staff turnover in the police and other key agencies can be high, meaning training sessions need repeating regularly.

“You can deliver awareness but you do have to keep going back over it as staffing changes, as partners change.” (Newcastle workshop)
We also heard that there are still misconceptions about the purpose and process of restorative justice – with professionals sometimes confusing it with community resolutions, and victims and victims’ agencies concerned that it amounts to a ‘soft option’.

Short commissioning contracts can also impact on referral uptake as it takes time to build effective partnerships and lay the groundwork to raise awareness.

**Good practice in raising awareness and increasing referral rate**

We heard good examples of work taking place across England and Wales to address some of these challenges.

A single point of contact for referrals is working well in many areas. Without it, victims and professionals can be confused about who to contact. We also heard how having simplified referral pathways allows a service to improve its quality assurance processes.

In Derby, Hardyal Dhindsa, the PCC for Derbyshire, talked about his priority that the commissioned service takes responsibility for raising public awareness of the restorative justice service.

> “Any service I commission, they must promote self-referral. We want the public to know that they can access services.” (Hardyal Dhindsa, Derbyshire PCC)

Derbyshire also ran an awareness campaign last year called Step Up Beat Hate, which successfully increased the number of referrals from victims of hate crime.

In Northumbria, the PCC commissioned the production of an aide memoire and two video messages. The first one is an information video for police officers and explains restorative justice practice, how it should be explained to a victim and the role of Victims First Northumbria within the process. The second video message is used when the police officer completes an assessment of a victim’s needs. It explains the support available from Victims First Northumbria and introduces the victim needs assessment where the police officer discusses restorative justice with the victim. Interested participants are then connected with a practitioner who can explain it in more detail.

The Hampshire PCC commissioned four films available on its YouTube channel, explaining restorative justice and providing case studies and is working with statutory, non-statutory and voluntary sector partners to develop a policy in relation to restorative justice in cases of sexual crime and domestic abuse/violence.

The resources page on the RJC website hosts a range of promotional and explanatory videos and written case studies which are free to use as long as the RJC is credited.
Timing of approach

The appropriate timing of approach was an issue several areas were still trying to resolve.

In the workshops, we heard how some areas have managed to reduce the time spent on conversations which do not lead to any positive outcome. For example, Devon and Cornwall has introduced a process for checking that there is an identified offender before approaching the victim to discuss restorative justice. This means that they no longer receive referrals which have no opportunity for conversion into a positive outcome. It also means police officer and victim time is not wasted discussing a restorative justice offer that cannot be progressed.

Prison referrals and participation

Participants discussed the challenges of working with prisons. Restorative justice can be a low priority for a prison. Each prison has its own way of working, which can be hard to navigate when working with offenders who have moved around the country. Establishing contacts, building trust and gaining access all takes time and resource. During this time, the victim can lose interest in moving forward with the case. Even when restorative justice services gain access and progress cases, we heard that there are still issues around competition over cases between PCC-funded teams and prison-based restorative justice teams.

Attendees shared examples of how they are overcoming some of these challenges.

In several places, restorative justice services are using awareness courses as an effective way to raise awareness among prisoners and build relationships with staff.

“Even if an offender has been told they can’t do restorative justice for whatever reason, having something else for them to focus their time on such as a restorative justice awareness programme, means their enthusiasm isn’t wasted.” (Derby workshop)

“We have the added bonus of offering them a free victim awareness course – free courses make you more appealing. Through ‘Sorry’ courses, we know a few people at different prisons.” (Blackburn workshop)

In Northumbria, the REFORM project – a partnership between HMP Northumberland and Victims First Northumbria – works with prisoners to assist their engagement in restorative justice interventions. You can find out more here.*

*https://victimsfirstnorthumbria.org.uk/our-projects/
The RJC’s website also hosts information packs for a range of professional stakeholders including prisons, which may be useful when liaising with professionals.

**Improving victim take-up of restorative justice**

Our 2017 report on victim take-up of restorative justice provides an overview of existing evidence as well as recommendations for how to improve victim take-up through service design, case flow and several other areas.

**Providing a restorative justice service for serious crimes**

The use of restorative justice in complex and sensitive cases such as sexual harm, domestic abuse and hate crime was discussed at every workshop.

**Scope of service varies**

A survey commissioned by the RJC in 2016 found that approximately one quarter of restorative justice service providers excluded some offence types from their service. For most, this was either domestic violence, serious sexual offending, or serious violent offending (or a combination of all three).

We’re pleased to see that many areas now provide a restorative justice service for all crime types, including complex and sensitive cases such as sexual harm and violent crime.

The service is not always the same. For example, in some areas, services for complex and sensitive cases are proactively offered. Elsewhere, a process is in place for those affected by these crime types, but referrals are not actively sought.

**There is demand for restorative justice in complex and sensitive cases**

However, we did hear from some services that a high percentage of self-referrals to restorative justice services are for serious crimes such as sexual harm and serious violent offending. This indicates that there is demand for restorative justice from victims of serious crime.

In Brighton, Thames Valley shared some common motivations of people affected by sexual offences to participate in restorative justice, including closure and reducing self-blame.
Attendees discussed challenges in offering and providing restorative justice in complex and sensitive cases. These include the increased risk for participants, risk-aversion within partner agencies, the longer time required to sufficiently prepare for complex and sensitive cases (which makes pre-sentence restorative justice unsuitable), and professionals making decisions on behalf of the victim/offender.

**RJC current guidance and requirements**

The RJC states in its practitioner handbook that complex and sensitive cases should be undertaken by experienced facilitators, with supervision support. Higher risk must be acknowledged and managed through co-facilitation, close multi-agency working and specialist case supervision.

Where these conditions are met, restorative justice can play an important role in helping victims get answers and in helping offenders understand the impact of their actions.

We heard from attendees across workshops that one size does not fit all for restorative justice, particularly for complex and sensitive cases. Instead, the focus must be on restorative values rather than a particular process. A solid risk assessment process must be applied on a case by case basis, and services must work collaboratively with other agencies and recognise the value of their insights. Ultimately, the choice is given to victims so that they feel in control of the journey.

We heard some good examples of innovative practice being delivered across England and Wales:

**Collaborating with researchers**

Several restorative justice services are collaborating with local researchers and universities, to provide an external perspective or conduct research and evaluation around the service. For example, Thames Valley Restorative Justice Partnership collaborates with a researcher from the University of Oxford – see the case study below. Durham involved an academic from Durham University when developing the process for their multi-agency risk meetings. In Sussex, Brighton and Hove RJC Hub and the Community Safety Partnership are working with an academic on research into how restorative practices can repair the harm caused by hate crime on university campuses.

**Case study: Researcher collaboration in Thames Valley**

_Thames Valley Restorative Justice Partnership is a charity delivering the PCC-funded service in Thames Valley. The partnership collaborates with an independent researcher from the University of Oxford who interviews victims before and after a restorative justice process and feeds back learning to inform service delivery and development. The collaboration has proven beneficial for both the service and the researcher’s work. Areas of focus so far have been on victim benefits when restorative justice doesn’t go to plan, and what happens when the offender is in denial._
The RJC recognises the mutual value that can be gained through researchers and practitioners working more closely together. If restorative justice is to thrive and if services are to meet the needs of victims, service design should be based on evidence and build in mechanisms for evaluation and improvement. In some areas, researchers are already playing an important part in this. At a conference in September 2018 we will bring together practitioners, service providers and researchers to jointly problem-solve some key restorative justice issues and look at how we can support local connections between universities and restorative justice services.

**Multi-agency working**

At the Newcastle workshop, Durham Restorative Hub described their use of multi-agency risk management meetings for complex and sensitive cases. This acknowledges the importance of consent and communication with partner agencies, as well as the different and valuable perspectives of the range of agencies involved in a complex and sensitive case. It aims to bring other people on board and listen to their perspectives early on. You can read more about this approach in the Spring 2018 issue of Resolution, available here.*

The National Probation Service (NPS) was seen as a key agency in identifying and progressing restorative justice processes for complex and sensitive cases. We heard that some areas’ services had experienced a de-prioritisation of restorative justice by probation officers. The RJC is currently engaged with the NPS to produce guidance for probation officers around restorative justice. This will be released during 2018.

**Engagement with other support organisations**

Engagement with other support organisations is essential for complex and sensitive cases. Restorative justice is not delivered in a vacuum, and facilitators should be working in partnership with, and signposting to, other support mechanisms such as therapy and specialist victim support organisations. We heard some positive examples of collaboration with other agencies, including a forensic psychologist in Thames Valley who provides clinical supervision to restorative justice facilitators of sexual harm cases. In Devon and Cornwall, a local service agreement was drawn up by the restorative justice service in consultation with local charities and support organisations, which sets out how they will work together on domestic abuse cases.

**Hate crime and restorative justice**

We’re pleased to see that there are specific projects looking at how to improve victim access to restorative justice for hate crime. Lancashire Constabulary presented an outline of its work with the charity Why me?, looking at how to improve victims’ access to restorative justice for hate crime, how to address the needs of specific groups and the development of a clear process model that can be applied with different groups and areas. You can find out more about Why Me?’s hate crime project here.**

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* https://restorativejustice.org.uk/resources/resolution-62-spring-2018
** https://why-me.org/campaigns/hate-crime-restorative-justice/?doing_wp_cron=1532419784.9693050384521484375000
We also heard about the wide range of restorative approaches taken within Brighton and Hove to repair the harm caused by hate crime. For example, their Restore DiverCity project provides bespoke restorative interventions for people involved in hate crime. Facilitators work with people responsible for hate crime to share the impact with them, through proxy victims and the sharing of victim impact statements. The area has also introduced restorative circles which bring together people affected by trans and non-binary hate crime and discrimination.

Conclusions and recommendations

We spoke to over 200 people over the course of two months and heard from several PCCs about their commitment to restorative justice. It’s clear from the turn-out and input into the workshops that there is enthusiasm and commitment from commissioners and services across England and Wales to share good practice and learn from each other. We were pleased to hear that the scope of service in many areas now includes serious and violent crime types. This is particularly important given that several areas reported high demand for restorative justice for these crime types.

There are some common challenges across areas, particularly around low referral or conversion rates, silos in funding and the challenge of evaluating the effectiveness of a restorative justice service. We hope that the recommendations set out below are the next step to addressing these challenges, and that the conversations that took place over spring 2018 are the start of more dialogue within and between PCC areas.

Recommendations for commissioners

- Require restorative justice service providers or partnerships to secure the RJC’s Restorative Service Quality Mark as a condition of contract award.

- Draw on support from the RJC during the commissioning process for restorative justice services.

- Draw on existing RJC guidance during restorative justice service design and commissioning, for example our ‘Making multi-agency partnerships work’ guidance for PCCs.

- Give a three-year commissioning period to give enough time to build strong partnerships and raise awareness. Strong partnerships are a key element of a flourishing restorative justice service.

- Follow up on the conversations and case studies summarised in this report to continue shared learning and service improvement.
Recommendations for the Ministry of Justice

- Support the RJC to expand and strengthen guidance for serious crimes such as sexual harm and domestic abuse.

- Work with the RJC and commissioners to develop guidance for evaluating restorative justice service impact and outcomes, to facilitate continued improvement and learning.

- Work with the RJC and commissioners to improve mechanisms for funding restorative justice services which can accept offender-led cases where appropriate.

Next steps for the RJC

- Continue to advocate for RJC accreditation to be a requirement for PCC-commissioned restorative justice services. This is important to ensure services are safe and effective and to instil public and stakeholder confidence in restorative justice.

- Engage with the Ministry of Justice to secure guidance and standards for serious crime types such as sexual harm and domestic abuse, in light of the changing restorative justice landscape since our last guidance update in 2016.

- Continue our engagement with the NPS to develop guidance for probation officers on the role and process for restorative justice.

- Support collaborations between researchers and practitioners of restorative justice, particularly as a way of evaluating and improving services and developing new services for serious and violent crime types. We begin with a researcher and practitioner conference in September 2018, in collaboration with researchers.

- Work with the Ministry of Justice and commissioners to develop guidance for measuring the success of a restorative justice service, to facilitate continued improvement and demonstrate impact.

- Continue to facilitate the sharing of good practice between commissioners, criminal justice agencies and service providers through our communications and events work.

- Seek support for direct and targeted engagement with areas where restorative justice services are in their infancy.
Appendix

Workshop agenda

Commissioning safe and effective restorative justice services

10.00am  Registration, tea and coffee
10.30am  Video message from the minister
10.35am  Welcome from host PCC
10.55am  National overview – Chris Straker, Restorative Justice Council
11.30am  Tea and coffee
11.45am  Presentations from local areas – sharing good practice and learning in restorative justice service delivery
12.30pm  Lunch
13.15pm  Problem-solving workshops
14.15pm  Closing remarks
14.30pm  Close

NB: The agenda order for the Brighton workshop varied from the above to accommodate a visit from the justice minister in the afternoon.
## List of attending organisations

### Brighton workshop
- BGSW CRC
- Brighton & Hove Business Crime Reduction Partnership
- Brighton & Hove City Council
- Brighton & Hove Youth Offending Service
- Brighton and Hove Independent Mediation Service
- Brighton YMCA
- Cardinal Newman Catholic School
- Forensic Healthcare NHS
- Hampshire and Isle of Wight PCC
- HMP Lewes Chaplaincy, Sussex Pathways
- Kent, Surrey and Sussex CRC
- Leap Confronting Conflict
- Mankind
- Ministry of Justice
- Penal Reform International
- Peter F Woolf Consultancy
- Phase One – BHT
- Public Health
- Rescue Restore Release
- Restorative Justice Council
- Restorative Solutions CIC
- RISE
- Safe in Sussex
- Surrey OPC
- Survivors’ Network
- Sussex Pathways
- Sussex PCC Office
- Sussex Police
- Sussex Police and Crime Commissioner
- Sussex Restorative Justice Partnership
- Thames Valley Restorative Justice Service
- University of Portsmouth
- University of Sussex
- Victim Support
- West Sussex Youth Offending Service
- Why me? Victims for Restorative Justice
- WMC LEGAL LLP
- YMCA DLG

### Cwmbran workshop
- Blaenau Gwent & Caerphilly Youth Offending Service
- Cadw Wyn Housing Association
- Cwmbran Centre
- Cyfannol Women’s Aid
- Devon and Cornwall OPCC
- Devon and Cornwall Police
- Dyfed-Powys OPCC
- G4S Care & Justice Services
- Gwent Deputy Police and Crime Commissioner
- Gwent OPCC
- Gwent Police
- Gwent Violence Against Women, Domestic Abuse, Sexual Violence Team
- HMP Usk & Prescoed
- Make Amends
- Monmouthshire and Torfaen Youth Offending Service
- National Probation Service
- Newport City Council
- Newport Youth Offending Service
- Office of the Police and Crime Commissioner for Gwent
- Restorative Gloucestershire
- Restorative Justice Council
- South Wales Fire and Rescue Service
- The Survivors Trust Cymru
- Victim Support
- Wales Community Rehabilitation Company
- Wales Restorative Approaches Partnership
- Why me? Victims for Restorative Justice

### Derby workshop
- Bedfordshire Police
- Cambridgeshire Police
- Catch 22 – Notts Victim Care
- Derbyshire Police and Crime Commissioner
- Nottinghamshire Office of the Police and Crime Commissioner
- Office of the Avon and Somerset Police and Crime Commissioner
- Remedi
- Restorative Justice Council
- Serco
- Sodexo Justice Services HMP Peterborough
- South Yorkshire Police and Crime Commissioner
- Staffordshire Restorative Justice Hub
- The Police and Crime Commissioner for Lincolnshire
- University of Leeds
- West Midlands Police
- Why me? Victims for Restorative Justice

### Newcastle workshop
- Cumbria Constabulary
- Cumbria Office of the Police and Crime Commissioner
- Durham Agency Against Crime
- Durham Restorative Hub
- Northumbria Community Rehabilitation Company
- Northumbria Police
- Northumbria Police and Crime Commissioner
- Office of the Police and Crime Commissioner for Cleveland
- Office of the Police and Crime Commissioner for North Yorkshire
- OPCC Cleveland/Restorative Cleveland
- Prison Fellowship
- REFORM Project
- Remedi – Restorative Services
- Restorative Justice Council
- Safe in Tees Valley
- South Tyneside Youth Justice Service
- Space2Face
- Sunderland Youth Offending Service
- Victims First Northumbria
- Victims for Restorative Justice
- Why Me?

### Blackburn workshop
- Chrysalis Transsexual Support Groups
- Greater Manchester Combined Authority
- Greater Manchester Police
- HMPPS
- Lancashire Constabulary
- Lancashire Constabulary RJ panel – Colne
- Lancashire Constabulary: Restorative Justice Team
- Lancashire OPCC
- Lancashire Youth Offending Team
- Office for the PCC, Merseyside
- Police and Crime Commissioner for Lancashire
- Positive Steps Oldham
- Redeeming Our Communities
- Restorative Justice Council
- Restorative Solutions
- Restorative Thinking
- Run For Your Life CIC
- University of Bolton
- Victim Support
- Wakefield Council
- Wakefield Youth Offending Team
- West Yorkshire Police
- Why me? Victims for Restorative Justice
- Wigan Council – Targeted Services
List of presentations and speeches by workshop

**Brighton**

- Welcome and overview of restorative justice in Sussex – Katy Bourne, Sussex PCC
- Restorative responses to hate: community, diversity, and empathy – Tim Read, Brighton and Hove City Council
- Commissioning and restorative justice service – Lisa Allam, Hampshire and Isle of Wight OPCC
- Speech from Justice Minister Dr Phillip Lee
- Restorative justice and sexual harm cases – Diana Batchelor, Thames Valley Restorative Justice Services

**Newcastle workshop**

- Welcome and overview of restorative justice in Northumbria – Dame Vera Baird, Northumbria PCC
- Post-sentence restorative justice and the Supporting Victims agenda – Wendy Green, North Yorkshire OPCC and Chris Hickin, Remedi
- Managing risk in complex and sensitive cases – Derek Robson, Durham Restorative Justice Hub

**Blackburn workshop**

- Welcome and overview of the Lancashire approach – Robert Ruston, Victims and Vulnerable People Lead, PCC for Lancashire
- Wigan’s restorative journey – Victoria Finnegan-Lord and Graham Doubleday, Wigan Council
- Developing restorative justice into an all-age service – Debra Parr and Kelly Connolly, Wakefield Youth Offending Team and Richard Craig and Sarah Fyfe, West Yorkshire Police

**Cwmbran workshop**

- Welcome and overview of restorative justice in Gwent – Eleri Thomas, deputy PCC for Gwent
- Restorative progress across Gwent Youth Offending Services – Julie James, Newport Youth Offending Service and Christopher Hill, Monmouthshire and Torfaen Youth Offending Service
- Commissioning restorative justice in Devon and Cornwall: an alliance approach – Emily Owen, Devon and Cornwall OPCC; Mark Myer, Devon and Cornwall Police; Dr Davina Cull, Make Amends
- Multi-agency restorative interventions – Becky Beard, Restorative Gloucestershire
- Restorative justice and housing – Julia Houlston Clark, Wales Restorative Approaches Partnership and Phil Richardson, Cadwyn Housing

**Derby workshop**

- Welcome and overview of the Derbyshire approach – Hardyal Dhindsa, Derbyshire PCC
- Restorative justice services in Nottinghamshire – Victoria Willis and Peter Horton, Catch 22 and Nottinghamshire Victim Care
- South Yorkshire restorative justice services – Gareth Jones, Remedi