Written evidence from Merseyside Police & Crime Commissioner’s Office

1. Executive Summary

1.1 Merseyside’s Police and Crime Commissioner has identified the following areas in her response to the Home Affairs Justice Committee inquiry into restorative justice:

- On Merseyside the PCC has successfully commissioned a victim led restorative justice service to ensure victims can access services at all stages of the criminal justice system.

- Agencies involved in the delivery of restorative justice have actively promoted the service via leaflets and publishing details of how to gain access to the process on a dedicated website page.

- To ensure ‘good quality’ restorative justice the PCC has appointed an experienced partner to deliver this service to victims.

- Delivery of the Victims’ Code is a requirement for the PCC’s restorative justice delivery partner.

- With regards to NOMS Restorative Justice Programme, the PCC has also been approached by a number of partners working with offenders to fund restorative justice – indicating a lack of awareness of NOMS programme.

- On Merseyside, the PCC’s office conducted a local mapping exercise to help better inform commissioning decisions around restorative justice and has a dedicated meeting of criminal justice partners who review restorative justice.

1.2 The PCC has provided a response to this inquiry in relation to her statutory duties as defined in the Anti-Social Behaviour, Crime and Policing Act 2014. Section 143 of the Act states that Police and Crime Commissioner have a statutory duty to provide services that are intended to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour, this includes restorative justice.

2. Inquiry Response

A. Progress Against Restorative Justice Action Plan 2014

2.1 The Ministry of Justice’s national restorative justice action plan highlights 3 key areas of focus – equal access, awareness and understanding and good quality restorative justice.

2.2 Equal Access – On Merseyside the PCC has successfully commissioned a victim led restorative justice service to ensure victims can access services at all stages of the criminal justice system. This service is very much a pilot to help the PCC’s office establish levels of demand for restorative justice. Restorative Solutions and the Merseyside Community Rehabilitation
Company (CRC), both with considerable experience in delivering restorative justice and working with victims of crime, were successful in their application to deliver this service. The service was launched in July 2015 with referrals accepted from a variety of sources including self referrals and the police. Restorative Solutions and Merseyside CRC were appointed partly as a result of their approach to delivering accessible restorative justice and their experience in delivering services to victims from a range of crime types including most serious offences. The PCC’s office is monitoring access to the service to identify any areas of improvement. Further to this, during the appointment process, the PCC required evidence from interested parties demonstrating how they comply with your statutory obligations under the Equality Act, 2010.

2.3 Awareness and Understanding – On accepting the PCC’s contract to deliver victim led restorative justice Restorative Solutions and Merseyside CRC agreed to promote and improve victim awareness of restorative justice and its benefits by monitoring effectiveness of its promotion. Since undertaking the responsibility to deliver victim led restorative justice, the CRC has actively promoted the service via leaflets and publishing details of how to gain access to the process on a dedicated website page. Further to this the CRC worked closely with the PCC’s office to take part in a week-long nationwide exercise to promote and increase awareness of restorative justice.

2.4 Separate to the appointment of a restorative justice delivery partner, in 2015 the PCC also commissioned specialist training for Police Community Support Officers to help build greater understanding of restorative justice within the service.

2.5 The PCC’s office has also created a dedicated website for victims of crime which features details of how to access restorative justice and other victim services – www.victimcaremerseyside.org

2.6 In terms of national awareness raising, it would be useful if the government took action to help raise the profile with a consistent nationwide message. The PCC’s office appreciate the Justice Committee’s prioritisation of restorative justice and look forward to reviewing responses to the inquiry with regards to identifying any national best practice for effectively promoting awareness and understanding of restorative justice. The appointment of a National Policing Manager for Restorative Justice (Ellie Acton) has helped to raise awareness and build confidence around restorative justice for PCCs. However, it is to our understanding that this position will soon be removed.

2.7 Good Quality – Merseyside’s PCC has endeavoured to ensure the victim led restorative justice service is of a high quality through a number of approaches. The first approach was to ensure the appointment process for establishing a delivery partner involved schemes with nationally recognised Restorative Justice Council Accreditation. Further to this, the level of experience in delivering good quality restorative justice was also a key deliverable in the appointment process with Restorative Solutions and the CRC demonstrating impressive knowledge and experience of delivering safe restorative justice.
conferences. During the appointment process all applicants were mandatorily required to provide evidence on how they would ensure victims have access to safe and competent restorative justice services as well as providing details on health and safety strategies and training for their staff.

2.8 Merseyside’s PCC appointment of an experienced and established restorative justice provider (the Merseyside Community Rehabilitation Company) will hopefully create good quality restorative justice outcomes. These in turn can be used to help promote awareness and understanding of restorative justice and encourage more victims to access the service.

B. The Victims’ Code

2.9 Merseyside’s PCC has emphasised the importance in delivering the themes captured within the Victims’ Code throughout the appointment process, with content from the Code forming part of the original specification.

C. The National Offender Management Service’s Restorative Justice Programme

2.10 On Merseyside there is a multi-agency restorative justice meeting that sits under the local criminal justice board. This meeting is attended by representatives from victims’ services, the police, youth offending teams, prisons, the CRC, the National Probation Service and the PCC’s office.

2.11 At previous meetings the group has discussed the National Offender Management Service’s restorative justice programme. The programme looked to equip a range of practitioners with the skills to identify people with potential to engage in restorative justice as well as deliver restorative justice conferences. Unfortunately, as recognised in the NOMS Restorative Justice Capacity Building Programme Interim Report (October 2013), the Government’s reforms to the probation service appear to have had a negative impact on this programme.

2.12 In relation to this programme, the PCC has also been approached by a number of partners working with offenders to fund restorative justice, this is despite the victim led funding criteria placed on PCC’s funds by the Ministry of Justice. It appears there has been a lack of communication between NOMS and those agencies working on offender led restorative justice on how to access funding. Clarity of which agencies are responsible for ‘offender led restorative justice’ would be useful, as would details of funding related to this.

D. Delivery of Restorative Justice Across the Range of Service Providers & Funding Arrangements

2.13 As discussed above, the PCC has experience of working with and alongside a range of partners to deliver restorative justice. This experience has provided some testing issues – not least identifying partner’s statutory duties in relation to restorative justice, where their funding derives from and the requirements and limitations of said funding. Without a clear steer from the Ministry of
Justice this has made the task of avoiding duplication in funding and services difficult. A delay to publishing results from a nationwide restorative justice mapping exercise conducted by the Restorative Justice Council, as appointed by the MoJ, also had a negative impact on PCCs. This delay meant PCCs were left in a difficult position of having responsibility for commissioning restorative justice, but not having an accurate picture of where there was appropriate levels of service or indeed gaps in service. On Merseyside, the PCC’s office conducted a local mapping exercise to help better inform commissioning decisions around restorative justice. This exercise involved surveying local councils, youth offending teams, prisons (including those prisons out of the PCC’s area but who held detainees from Merseyside), police and the voluntary sector.

2.14 Positive examples of Merseyside’s local partnership work to deliver restorative justice links to the PCC’s commissioned service. The service providers have been tasked with linking with the police, the National Probation Service and prisons to identify victims and offenders. To date these partners have successfully demonstrated effective partnership working to help ensure the delivery of victim led restorative justice.

2.15 The Commissioner has also funded the CRC to create an innovative digital application to help prepare offenders for restorative justice. The application, the first of its kind in the country, will serve as a pilot and poses restorative questions to offenders to help them to identify the impact of their crimes on victims. The application assess offender’s responses to questions and scores them as part of assessing their rehabilitation.

2.16 Finally, partners have recently discussed hosting a Merseyside wide restorative justice event in February to help promote their work and the benefits of restorative justice to victims and the public.

January 2016