Sussex Restorative Justice Partnership - Submission Document

Declaration of Interest: None identified

1. How have the entitlements to restorative justice in the Victims’ Code affected your work?

1. In September 2014 the Sussex Restorative Justice Partnership (SRJP) was formed to pull together all of the agencies in Sussex with a distinct interest and commitment to Restorative Justice to work in collaboration with one another. The partnership was created in response to the funding provided to Police and Crime Commissioners (PCCs) by the Ministry of Justice (MoJ) and the revised codes of practice in the Victim’s Code.

2. As part of the Sussex delivery model, Victim Support was commissioned to provide information as part of the early needs assessment to victims, and dedicated resources, including a number of trained and available facilitators ready for deployment. Victim Support managers and facilitators (both paid and voluntary) work alongside Sussex Police in the three Restorative Justice Hubs, which also contain a Sussex Restorative Justice Coordinator and a Restorative Justice Delivery Officer (RJDO). The service has been recalibrated to ensure victims are offered RJ services at various points in the Criminal Justice system.

3. The SRJP is keen for all victims of crime to be offered Restorative Justice if it is right for them. It is appreciated that in the early stages, RJ may not be a viable option, and consequently victims are routinely followed up 14 days later to re-visit this, and assess whether their needs have changed. When victims indicate they are interested in RJ – yet no offender has been caught yet – a marker is placed on their crime file should this change as the in investigation unfolds. For charged cases and those that go to court, the Criminal Justice Units (CIU’s) support victims and witnesses during the judicial process and again re-visit the prospect of RJ with victims and those affected by the crime. For cases that are delivered at court – RJ is also followed up through work of the Victim Liaison Officers (VLO) and Family Liaison Officers (FLO’s). The National Probation Service (NPS) and Community Rehabilitation Companies (CRC’s) are working in court as part of the Sussex RJ Partnership.

4. Direct victim referrals are increasing but remain statistically low compared to offender generated referrals. In 850 prisoners given information, Sussex Pathways generated 73 referrals. During the same nine month period around 15,396 victims were given information about RJ, Victim Support and the Police combined generated 316 substantiated referrals. Whilst offender generated referrals are quite high, when referrals become substantiated cases, they are victim-focused and victim-lead in their delivery.

5. Police and Crime Commissioners (PCC) have a legislative duty to consult with the public in relation to their views on offences and low-level crime and how they should be dealt with by the police. The PCC is then responsible to agree a ‘Community Remedy’ list of options with the Chief Constable which can then be chosen by the victim when the police decide that a case is going to be dealt with out of court by way of Community Resolution. The Community Remedy options within Community Resolutions in Sussex now include the opportunity for victims to participate in Restorative Justice. There were 1,183 Community Remedy RJ outcomes in Sussex in 2015.

6. RJ within the Victim Code has provided great opportunities to offer services to victims and an opportunity to approach historic victims of crime. In appropriate circumstances, managers and coordinators within the SRJP will review needs of the victim/s and potentially provide options to include Restorative Justice.
7. Adjustments to the Victim Code has made RJ a recognised credible option for victims, and has helped increase the national support for RJ as a way of addressing crime and consequently driving up confidence in RJ as a service for both wrongdoers and harmed persons.

2. Has the National Offender Management Service’s (NOMS) capacity building project had any implications on your restorative justice service and, if so, how?

1. The NOMS capacity building project enabled Sussex, through the coordination of the Sussex Criminal Justice Board (SCJB) to initially increase momentum and gather agencies together for a common cause. The training was of a mixed quality from the provider, and the cases generated as a result were low due to the limited dedicated staff provided by criminal justice agencies. The subsequent funding to PCC’s in 2014 has allowed the NOMS RJ Capacity Building Project outcomes to be taken to the next stage and allow PCC’s to commission dedicated services to focus on operational delivery.

2. This focus on operational delivery came to fruition in Sussex through the introduction of the Restorative Justice Hubs, Coordinators, and Delivery Officers. The Hub Coordinators are employed by Sussex Police, and Restorative Justice Delivery Officers are funded by the Police and Crime Commissioner’s Office to work exclusively on RJ cases. The introduction of the Hubs has resulted in 2015, with 125 Restorative Outcomes and 100% victim satisfaction. Restorative outcomes within Community Remedy are separately accounted for.

3. Which statutory agencies do you effectively work with in order to deliver a restorative justice service for e.g. National Probation Service, community rehabilitation companies, police and crime commissioners, prisons?

1. The Sussex Restorative Justice Partnership (SRJP) works with a number of different partners, including statutory, charitable, and third sector agencies, please see the full list below:

2. Affinity Sutton; Arun District Council; Brighton & Hove City Council; Brighton & Hove Independent Mediation Service; Brighton Crime Reduction Partnership; Confidential and Local Mediation (CALM); Crown Prosecution Service; East Sussex County Council; Her Majesty’s Courts & Tribunal Service; HMP Bronzefield; HMP Ford; HMP Lewes; HMP Rochester; Kent; Surrey & Sussex Community Rehabilitation Company; Legal Aid Agency; National Health Service England (NHS); National Probation Service; Office of the Sussex Police & Crime Commissioner; Prisoners and Communities Together (PACT); Sussex Partnership National Health Service Foundation Trust; Sussex Pathways; Sussex Police; Victim Support; West Sussex County Council; Youth Offending Service Brighton & Hove; Youth Offending Service East Sussex; Youth Offending Service West Sussex.

4. How does the relationship with these agencies work in practice?

1. The Sussex Criminal Justice Board (SCJB) is a partnership comprising of the following agencies:

2. Surrey and Sussex Criminal Justice Partnership (SSCJP); The (SCJB) is a partnership comprising Sussex Police, Crown Prosecution Service (CPS), Her Majesty’s Courts and Tribunals Service (HMCTS), Surrey and Sussex Probation Trust (SSPT), Her Majesty’s Prison Service (HMPS), Youth Offending Teams (YOTs), Criminal Defence Service (CDS); National Probation Service (NPS); Seetec Group KSS CRC; Victim Support (VS); Legal Aid Agency; NHS Commissioning Board; Office of the Sussex police and Crime Commissioner (OSPCC); East Sussex County Council (ESCC); Brighton and Hove City Council (BHCC); West Sussex County Council (WSCC); Rodney Warren & Co; WMC Legal LLP; Sussex Partnership NHS Foundation Trust.
3. The SRJP works under the governance of the SCJB which allows reporting and accountability to a mixed and diverse range of criminal justice partners.

4. The Ministry of Justice (MOJ) action plan published in 2014 outlines the government’s aspiration to promote and extend the use of RJ nationally. The vision is for every victim to be offered the opportunity to engage in RJ if they wish to do so, at a time which is right for them, assuming local resources allow.

5. Local authorities in Sussex (West Sussex, East Sussex and Brighton and Hove) have standing invitations to attend SCJB meetings, as does the Regional Director for Victim Support. All other agencies that have an interest and responsibility to assist in the delivery of RJ are engaged.

6. The SCJB meets four times a year with delivery groups involving senior managers driving the priority work-streams, which include RJ. Local authority representatives are present at the SRJP meetings and have direct links to the three Youth Offending Service (YOS) Boards in East and West Sussex and Brighton and Hove.

7. Within the SCJB is the Crime Reduction Group, which also meets quarterly. The aims of this group is to: provide a coordinated pan Sussex approach to, and facilitate the sharing of best practice from, Integrated Offender Management (IOM), Restorative Justice (RJ) and Out of Court Disposals (OoCD) work programmes and initiatives; and to take account of the work of, and liaise with, national and local CJS agencies and partners, local authorities, and the Police and Crime Commissioner for Sussex as appropriate.

8. The Sussex Restorative Justice Partnership (SRJP) reports directly to the Crime Reduction Group (CRG) which feeds into the Sussex Criminal Justice Board (SCJB) on a quarterly basis.

9. There is a large and inclusive Sussex Restorative Justice Partnership (SRJP) group meeting bimonthly throughout the year as a consortium within the auspices of the Sussex Criminal Justice Board (SCJB). The purpose of this is so that relevant agencies can be appropriately represented at the right level empowered to drive through change in their own agency when necessary.

10. The Sussex Restorative Justice Partnership (SRJP) is overseen by the SCJB and is chaired by the RJ Strategic lead located within the Office of the Sussex Police and Crime Commissioner.

11. There is a Strategic RJ Manager, who works in the PCCs office, is also a member of the Crime Reduction Group (CRG) reporting to the main SCJB. Members will be tasked with actions during the SRJP meetings by the OSPCC Strategic RJ Manager who will have responsibility to ensure the vision and outcomes of the SRJP are delivered.

12. Performance is a standing agenda item, with additional quarterly accountability meetings for funded service providers. Separate Service Level Agreements (SLA) have been developed with providers detailing minimum service requirements and breach conditions. Other agenda items often include funding, strategies and work streams. The two main providers are Victim Support and Sussex Pathways.

13. Decisions are generally made by consensus, or by the chair with any high risk issues and decisions being escalated to the Crime Reduction Group (CRG) for consideration. The SRJP feeds into the three Reducing Offending Boards and RJ Operational Meetings.

14. The SRJP has an ongoing commitment to RJ following the principles set out in the MoJ 2014 RJ Action Plan. This sets out three overarching objectives: 1) **Access and Assessment**: to ensure RJ is
available to victims at all stages of the CJ system, whether the offender is an adult or a young person, and incorporating multi-agency case management, assessment, and decision making. 2) **Case Extraction, Awareness and Understanding**: to raise awareness of RJ and its potential benefits and ensure a consistent understanding of what RJ entails and its place in the CJ system, and to recognise that RJ managers and practitioners must proactively seek out potential cases. 3) **Good Quality**: to ensure RJ is safe, competent and focused on the needs of the victim. RJ is delivered by a facilitator trained to recognise standards to ensure positive outcomes are achieved.

15. In 2014, the SRJP initially met on a monthly basis from September to December to ensure the preliminary work was completed. The SRJP employs ‘Agile Working Methodologies’ to ensure work packages are completed in sprints. The main difference between agile and traditional iterative development is that agile methods complete small portions of work in each delivery cycle (iteration) while iterative methods evolve the entire set of deliverables over time, completing them near the end of the project.

16. Notes and actions from meetings are recorded and circulated within 10 working days to ensure momentum is retained, and member organisations will ensure representation is maintained at meetings and suitably briefed delegates are fielded.

17. Each division of Sussex has an RJ Hub located in Bexhill (East Sussex), Bognor Regis (West Sussex) and Brighton (Brighton & Hove). Each Hub consists of an RJ and CR Coordinator from Sussex Police, an RJ Delivery Office funded by the PCC’s Office and a Victim Support RJ Service Delivery Manager. There is a monthly meeting with RJ/CR Managers which develops priority areas of business in relation to the RJ model in Sussex. Every other month, this meeting is extended for external partners including Victim Support, Prisoners and Communities Together (PACT) and Sussex Pathways. Oversight and maintaining strategic governance of these meetings is maintained by the OSPCC Strategic RJ Manager.

18. The three RJ Divisional Hubs also have individual case supervision and allocation meetings in East, West, and Brighton and Hove every month, which are generally attended by the managers, local agencies and representatives, practicing facilitators, and chaired by the police RJ/CR coordinator. These meetings discuss cases more closely, and offer advice, supervision, and support to attendees. It is through these mechanisms that cases are monitored, facilitators supported and a quality service is delivered in line with the Restorative Justice Council (RJC) Best Practice Guidance 2011.

19. The SRJP is keen to maintain quality, and achieved 94% of the RSQM in 2015, with the remaining evidence is currently being collected. A Quality Assurance Framework document is maintained, and by having compulsory ‘Best Practice’ training for facilitators, who are all issued with a Best Practice Guide ensures standards are highlighted from the outset. All facilitators are required to attend divisional meetings and supervision sessions to ensure quality monitoring. Partner agencies such as Victim Support, Sussex Pathways, and Prisoners and Communities Together (PACT), all have their own structures to support their staff and volunteers. These include meetings, peer support, and training sessions.

20. National engagement is a strong aspect in Sussex, through the RJC and additionally a Memorandum of Understanding (MOU) is in place between the SRJP and CALM Mediation services in London. Furthermore, the RJ Strategic Lead in Sussex is a member of the RJ Experts Group at the MoJ. These links outside of Sussex allow the SRJP to be a part of national strategy and so the partnership can remain up-to-date with national development, as well as have its own influence. For example, the Performance Framework presented at the January 2016 Experts Group was met with unanimous praise. Having links such as these are a catalyst for sustainability as it removes boundaries and geographical barriers often associated with RJ.
5. What are the barriers to effective restorative justice delivery in your area?

1. There are various barriers affecting effective RJ in Sussex. These include: RJ being sometimes considered as non-essential, which results in austerity measures and budget cuts with participating CJ agencies; a lack of proper awareness and understanding of RJ which has lead to a small percentage of victim referrals; geographical challenges which are increased by the regular movement of offenders in the area and around the prison estate; middle managers being often unsupportive of RJ as a premise and therefore not fully supporting the practice; the RJC’s RSQM which is a worthwhile process but it also time consuming and frequently overly bureaucratic.

2. The transfer of personal data from agencies, in some cases, is often a blockage and a challenge to restorative justice delivery. In Sussex this is overcome with a dedicated Information Sharing Agreement (ISA) which is signed by participating agencies to allow the free flow of information to successfully bring cases to fruition. A tool to help this is the Empowering Communities Inclusion and Neighbourhood Management System (E-CINs), which is a secure network available for staff and volunteers to access in the public domain, allowing confidential information to be shared securely with those working on RJ in Sussex.

6. What developments/changes would you like to see implemented in order to ensure the effective delivery of restorative justice in your area?

1. More direct central control and influence exerted by the Home Office and MoJ on Criminal Justice agencies to build RJ into their service. To date, more effort and energy has been directed into the Police and PCC’s, but community Rehabilitation Companies, National Offender Management (NOMS), National Probation Service (NPS), Crown Prosecution Service (CPS) and the Courts (HMCTS) could be encouraged to take more responsibility nationally & locally to help delivery.

2. Victim Code amendments should be encouraged to simplify the provision to make RJ mandatory – not just the requirement to inform victims of the service ‘when it is available’. The caveat of ‘when it is available’ allows areas to disengage and not build an RJ service if they choose; this in turn has led, to some extent, to a post code lottery for victims of crime.

3. The Ministry of Justice Victim Services grant, RJ funding element should be ring-fenced to Restorative Justice rather than just be ‘indicative’. This would prevent a ‘postcode lottery’ system of quality and/or RJ services.

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