Written evidence from Greater Manchester Police

1.0 INTRODUCTION

1.1 The purpose of this report is to provide evidence to the Justice Committee inquiry into the use of restorative justice in Greater Manchester by:

- Providing an overview of the current use of restorative justice by Greater Manchester Police
- Providing an update on how the entitlements to restorative justice in the Victim’s Code of Practice work within Greater Manchester
- Updating the Committee on the Greater Manchester approach to victim focused restorative justice service

2.0 CURRENT USE OF RESTORATIVE JUSTICE BY GREATER MANCHESTER POLICE

2.1 BACKGROUND

The use of Restorative Justice in Greater Manchester has brought many benefits; it gives victims a voice affording them the opportunity to ask questions of the offender and explain how they were affected by their actions, it seeks to re-empower them, it saves the victims time and ensures that the process is victim focused and if used effectively, gives greater satisfaction to the victim. Evidence shows that it can be effective in reducing reoffending and in turn this will have a positive impact on crime rates and local community safety.

Restorative processes also strip costs out of the traditional system for responding to crime and anti-social behaviour. It saves time and can reduce or remove the need for interventions from partners such as schools, landlords, anti-social behaviour teams and parts of the criminal justice system including Courts, Youth Offending services and Probation Officers making it far more cost effective than traditional criminal justice routes.

During 2009 ACC Garry Shewan, who had recently joined GMP from the Cheshire Constabulary set out a vision for the use of RJ in Greater Manchester. Cheshire had successfully adopted its use and he saw how it could benefit GMP and the communities of Greater Manchester by giving officer discretion back after a decade of target chasing and by allowing them to re-engage with communities to deal with low level crime and anti-social behaviour in a more meaningful, victim focussed way.

2.2 TYPES OF RESTORATIVE JUSTICE AVAILABLE

Within Greater Manchester Police, RJ currently operates on three levels:

**Level One** is aimed at a rapid resolution to a minor problem or offence. It is intended to be dealt with “on the street” with perhaps only the offender and victim being brought together to resolve an issue. It is commonly used for minor thefts, criminal damage and minor assaults where there are no community impact factors to consider.

**Level Two** uses the same principles as Level One but is aimed at longer term issues and those issues which have a greater effect on the wellbeing of the community. It can only be used by trained officers and staff. This might be for example, ongoing neighbour disputes or trouble with youths. At this level the conference tends to be more involved and time consuming to organise with more emphasis placed on ensuring that affected members of the community are given a voice and are able to influence the outcomes of the conference for the benefit of the community. **Neighbourhood Justice**
Panels are a form of level two conferences, with the key difference being that they utilise specially trained facilitators made up from the local community, instead of police officers / staff.

Level Three is aimed at persistent and prolific offenders and is used primarily post-conviction by Offender Management teams. Again, the same principles and skills employed at Levels One and Two apply however, although the process is still victim centred, a greater emphasis is placed upon the rehabilitation of the offender by enabling them to face up to the consequences of their actions and improve their prospects of being able to re-integrate into society upon release.

2.3 Neighbourhood Justice Panels

Neighbourhood Justice Panels (NJPs) bring together victims and perpetrators with the aim of resolving the conflict between them. A trained volunteer from the local community facilitates a discussion between the parties to enable the perpetrator to understand the harm caused and agree with the victim what action can be taken to repair it. The perpetrator must admit their wrongdoing and both parties must consent to taking part in the process.

In July 2011, the Ministry of Justice invited expressions of interest from areas interested in testing NJPs and five divisional areas of GMP volunteered to take part in the pilot. Following a period of test and evaluation, the model was deemed a success and rolled out across the force, so that today all divisional areas are able to offer this service to victims and perpetrators.

A brief overview of two successful areas is as follows:

2.4 Stockport NJP Project

‘Stockport ‘SoRT-IT’ is a partnership between the Community Safety Unit (CSU) of Stockport Metropolitan Borough Council (SMBC) and the voluntary sector organisation Redeem Our Communities (ROC).

Restorative Justice (RJ) is known to be at its most powerful and effective when it involves the parties meeting face-to-face to discuss the dispute and to develop a mutually agreeable solution: this is the SoRT-IT model. Referrals can be made from all public authorities, Registered Social Landlords (RSLs) and community groups in the Borough, but in the main are received from the police, the CSU and Stockport Homes.

The SoRT-IT Co-ordinator post is commissioned by Stockport Council and is employed by ROC on a full time basis. SoRT-IT also currently benefits from the support of 16 active Volunteer Facilitators.

The SoRT-IT ‘Test phase’ took place from April 2012 to September 2013 and this phase provided a valuable opportunity to embed and develop the project locally whilst sharing the learning with a group of colleagues at National and Regional levels.

SoRT-IT ‘phase 2’ took place from October 2013 to March 2015 during which time 72 referrals were processed with 35 of these leading to successful outcome agreements. A full independent evaluation of this phase has recently been completed, which is available for further consideration.

SoRT-IT ‘phase 3’ commenced in April 2015 with funding in place up to March 2016. The project is currently looking to identify future sustainability options (beyond March 2016).

2.5 Tameside NJP Project
Since going live in October 2012, there have been almost 200 referrals to the project and over 100 cases have been successfully completed, although not all have resulted in a panel. Cases are proactively identified by the co-ordinator at the start of the project, who sits in the local police station and is visible to the staff.

Approximately 100 people across Tameside (40 local volunteers plus staff from local housing association and LA staff) are trained to deliver restorative justice. Volunteers have been recruited specifically for the project, drawn from newspaper adverts, adverts on council websites and e-mail broadcasts sent out etc.

Restorative Solutions initially delivered training courses to around 20 volunteers. Today, the lead co-ordinator and two other staff are trained to deliver, so all training is now delivered in-house. All volunteers are checked for suitability using level 1 police vetting and expenses are paid at the same rates as Victim Support volunteers.

Tameside has full-time dedicated co-ordinator, who is responsible for the recruitment, training and day to day management of volunteers. The co-ordinator has significant experience of RJ having delivered level 3 interventions as part of the Spotlight programme. She is supported by an assistant who is also trained to deliver conferences and brief police officers in appropriate referrals.

A steering group was set up which comprises of GMP, Youth Offending Services, Probation, Community Safety and New Charter Housing. All partners with the exception of GMP contributed funding towards developing NRPs (£2-3k each) which resulted in £12k. GMP contributed the dedicated resource of a full-time co-ordinator.

Tameside will consider dealing with all types of cases with the exception of domestic or sexual offences. Examples of cases include a reported firearm incident (closed as a public order following investigation), a bomb hoax call, a nuisance dog, neighbour disputes etc. Cases are, in most instances completed within 28 days from referral.

Any agency can make a referral and a simple referral form has been developed. In all instances, the co-ordinator reviews the case and carries out a risk assessment. If deemed suitable the case is allocated to two volunteers who will continue to work together on the case until completion. The volunteers make contact and arrange to meet both parties to further assess suitability, manage expectations and answer any questions so both parties know what to expect and are well prepared. The panel meeting is arranged and any other relevant parties such as the referring officer, invited to attend.

The panels take place in neutral venues such as housing offices, community buildings, libraries etc. Once the panel is over, an agreement is written up and signed by both parties. The panel finishes with refreshments and both parties are asked to complete a satisfaction questionnaire. Satisfaction rates have been extremely positive, with over 95% of harmed people recommending the process to others. To date, the reoffending rate of those taking part has been extremely low, at around 5%.

Tameside are also in the process of training local schools and looked after children in the principles of restorative justice and restorative approaches. A victim awareness pack has been produced and victim awareness sessions are taking part, along with training for staff.

2.6 Use of Restorative Justice by Greater Manchester Police

In terms of volume the use of RJ in GMP has risen consistently since 2010 to the extent that today, RJ is the most commonly used alternative to a charge/summons, accounting for 23% of all solved crime disposals in 2015 (by comparison Charge/Summons accounts for 55%).
It is clear to see that restorative justice is now fully embedded within GMP and is being widely applied by officers in appropriate circumstances, for both adults and youths. With that achieved it is now time to look at how we can better use RJ to meet the demands of victims, offenders and local communities.

GMP is currently updating its RJ policy to make a clearer distinction between community resolution and restorative justice. Restorative justice on its own is not a formal disposal and although the
differences can be subtle, it is important to make this distinction so that victims of crime can be confident in the service being offered to them. 

Our aspiration is that the use of RJ at level 2 and neighbourhood justice panels will be expanded, to ensure that communities are able to have a greater say in how justice is delivered in a way that is beneficial to them. The use of NJP’s continues to grow within Greater Manchester and has seen a 50% increase in the last 12 months and as we develop a Greater Manchester wide approach to restorative justice, our goal is that this figure will continue to rise.

3.0 PROVIDE AN UPDATE ON HOW THE ENTITLEMENTS TO RESTORATIVE JUSTICE IN THE VICTIMS CODE OF PRACTICE WORK WITHIN GREATER MANCHESTER

Through working in partnership with a number of organisations, GMP is able to offer victims of crime access to restorative justice at several stages of criminal justice proceedings. Currently this includes; as part of an out of court disposal, post sentence RJ services and up until recently, as part of a pre-sentence RJ in Crown Court.

3.1 OUT OF COURT DISPOSAL

As previously mentioned, restorative justice is the most widely used form of OOCD within Greater Manchester Police and the along with the development of NJP’s has presented GMP with a fantastic opportunity to work with partners to establish a nationally recognised service.

Tameside was the first policing area nationally to receive the Restorative Justice Council’s ‘Restorative Services Quality Mark’ and this has been replicated by Salford Youth Offending Services and Wigan Council (who currently provide RJ services across the Wigan area).

These quality marks provide reassurance to the public and in particular victims of crime that the service they are being provided with is nationally accredited and, in the case of NJP’s that volunteer facilitators are trained to the highest standards. Our future aim is to ensure that the whole of Greater Manchester receives this accreditation, along with facilitators delivering RJ.

All volunteers, after receiving suitability checks, undertake an initial 3 day training course which prepares them with the skills required to facilitate an RJ meeting. Volunteers also receive continuous professional development and are required to keep a portfolio of their work and any courses that they attend, as well as regular meetings with area coordinators.

Prior to an RJ meeting being agreed, police officers ensure that victims are provided with enough information to decide if this course of action is right for them. This is done by providing information leaflets that explain the process, having a dedicated web page on the newly developed Greater Manchester Victim Services website and through face to face discussion with victims.

Looking to the future, all frontline officers will be issued with personal tablet devices, which provides a means to provide further information to victims through information videos and dedicated applications.

3.2 POST SENTENCE SERVICES

GMP has established a very effective working relationship with both Greater Manchester and Cheshire CRC and Restorative Solutions and has supported the National Offender Management Service (NOMS).
The aim to prevent offender’s re-offending upon release from prison was further developed in the RAPPO (Restorative Approaches Persistent and Prolific Offenders) project in which the partners, in conjunction with HMP identify offenders currently serving custodial sentences who are appropriate for engaging in restorative justice, providing them with victim awareness training and in some instances this has resulted in a full victim/offender conference.

To compliment this, GMP have worked with Victim Support Services (VSS) to establish protocols for victim support in restorative work, although support is available at all levels, specifically a service level agreement has been drawn up to ensure that sufficient support is available for victims at Level Three.

3.3 Pre-Sentence Pilot

In 2014 GMP in partnership with Victim Support Services (VSS), began a pilot offering access to restorative justice to victims whose case was being heard at Manchester Crown Court. The day to day running of the pilot was managed by VSS staff and a team of facilitators drawn from volunteers, prison officers and police staff.

As GMP held all of the data on victims and crimes, a specific service level agreement was developed along with a method of sharing this data expeditiously, to ensure that any cases within the scope of the scheme were not held up.

The majority of RJ meetings were held in HMP Manchester and after a risk assessment was completed, victims were offered the chance to pre visit the facilities to remove any barriers to attendance.

The pilot had success in bringing victims and offenders together at a key stage of the criminal justice system and for serious crimes. A more detailed evaluation can be found in the recently published “Evaluation of the pre-sentence RJ pathfinder” report.

4.0 Update the Committee on the Greater Manchester Approach to Victim Focused Restorative Justice Service

4.1 Greater Manchester Vision

In 2015 Greater Manchester Police and Crime Commissioner (GMPCC), advertised for a partner to drive the delivery of an expansion in restorative approaches within Greater Manchester, from low level crime and anti-social behaviour, pre and post-sentence work with offenders and across our partner agencies outside of the criminal justice service.

In order to achieve the vision of a cross-sector coordinated approach to the development of locally based restorative justice solutions to crime and anti-social behaviour, the public sector agencies working within the criminal justice sector required a commissioned provider who could bring experience, expertise and innovation to make this vision a reality.

Once the new model for GM is implemented significant changes will support and co-ordinate the transformation of restorative service provision across all sectors. It will provide a firm foundation to deliver the vision and expansion of restorative approaches across communities in Greater Manchester, to respond to the needs of victims and deal with conflict, crime and anti-social behaviour.

This is borne from a desire to ensure that the provision of restorative justice and restorative practice across the region is available to all, is community focused, is delivered to a high standard and delivers a service which is of benefit to victims, offenders and the wider community.
4.2 REASON FOR CHANGE

Restorative Justice is a concept which can be used in many different contexts; it is not “owned” by anyone and can be used for example in the home, in the workplace, in schools or in criminal justice matters. It is crucial to the success of this work that no organisation has too heavy an influence on its use or has too much reliance placed upon it.

The use of Restorative Justice across the Greater Manchester area has grown up over a number of years in an organic fashion meaning that it is timely to review what is practiced, where and in what context.

Alongside embedding RJ at every stage and level of the criminal justice process there is an imperative to increase the use and growth of Community-Based RJ to address issues and solve problems which do not merit the involvement of other agencies, but need to be addressed and resolved before they escalate.

The Ministry of Justice has shown that it supports RJ and that the debate over restorative justice (RJ) has moved on; it is no longer about whether or not RJ is a good idea, but about ‘building capacity for restorative justice, and ensuring quality’.

4.3 RESTORATIVE SOLUTIONS

In late 2015, Restorative Solutions were chosen as the restorative justice delivery partner for Greater Manchester. Established in 2004, Restorative Solutions mission is to champion and deliver quality, innovative and effective restorative approaches as a practical and efficient way of reducing harm, resolving conflict, strengthening relationships and empowering communities.

4.4 KEY PHASES AND ACTIVITIES

Restorative Solutions have identified three key phases:
1 - Mapping and Partnerships
2 - Design and Delivery Planning
3 - Implementation and Expansion

4.5 CURRENT PHASE- Phase 1 - Mapping and Partnerships

- Define scope and plan for Mapping Study
- Agree scope and plan for Mapping Study with RJ Steering Group
- Desk Research and Identification of local stakeholder organisations
- Interviews with practitioners/service managers
- Data collation and analysis of desk research, output from interviews into draft report
- Interim report and discussion with RJ Steering Group
- Workshops with practitioners/service providers to review the output/draft report
- Present and discuss the final report with the RJ Steering Group

The findings of phase one are currently being developed with the findings due to be published shortly. These will then form the basis for future discussions on the design and implementation of a Greater Manchester RJ service.

4.6 FUTURE PHASES

Phase 2 - Design and Delivery Planning: (January 2016 to April 2016)

- Assess the Mapping Study and identify strategic themes for the RJ Framework
Workshops with RJ Steering Group, local service providers and service providers
Consider what the RJ Service model for GM will be, how partnerships will operate, lessons learned from other PCC areas
Draft RJ Framework and underpinning service model discussed with RJ Steering Group
RJ Conference to present the RJ Framework and service model
Final draft of RJ Framework with Implementation Plan published

Phase 3 - Building Capacity and Delivery (April 2016 to June 2016)

Following the agreement of the Strategic Framework and Implementation Plan we will move into the Implementation and Expansion phase. The service model for coordinating as well as delivering RJ will become operational.

- Awareness and understanding of RJ for the public and victims
- Direct access to restorative services, where appropriate
- A more simple and coordinated approach for victims accessing restorative services
- A whole-systems approach to build capability with CJS teams genuinely working together
- An agreed Scanning and Assessment system for victims
- Same quality of RJ for all, with clarity on when and how RJ should be used
- Highly trained and accredited RJ Facilitators that meet the national standards for restorative practice with Case Supervision
- Confidence that the service will gain the Restorative Service Quality Mark

5.0 LOOKING AHEAD

The concept of restorative justice is fully embedded within GMP and the focus now is to develop a Greater Manchester wide approach to restorative justice and restorative approaches.

Working in partnership with the OPCC and Restorative Solutions we will work to expand the use of RJ to meet the emerging needs of victims. We will continue to promote the use of RJ according to its principles in order to achieve victim re-empowerment, challenge offending behaviour and put justice back into the heart of the communities.

The approach to developing a Greater Manchester wide model demands responsibility and with that in mind there will be a clearer focus in GMP on ensuring that we deliver RJ in the most appropriate way, that it is dealt with at the right level and by specially trained and accredited facilitators.

GMP is promoting the use and principles of restorative justice, not just within the criminal justice system, but across many of our business areas. For example, a programme is under way to use community facilitators in the police complaints procedure. The scheme brings together complainants and police officers in a face to face meeting, to discuss the nature of a complaint and work together to agree a mutually beneficial outcome.

GMP have also recently set up an RJ Educators Network, which draws staff from across the force to support and explore the use of RJ at a local level, for the benefit of local communities. Educators promote the use of RJ and act as subject matter experts for their peers to further improve the standards of RJ delivered to victims of crime.

We are also developing a new model for engaging specifically with youth offenders through a Youth Peer Court. Where an RJ intervention has been identified as being appropriate for youth offenders, the idea is that that youth will then undergo a facilitated meeting with peers made up from our own police cadets, during which a suitable outcome will be discussed and used. Through engagement with
peers rather than existing mechanisms such as police officers, the aspiration is that this will have a much more personal impact and prevent future offending.

The next twelve months will be an exciting time for Greater Manchester as we continue to develop RJ programmes, evaluate the work currently being carried out by Restorative Solutions and develop a strategy and model for the delivery of restorative justice services, in which all victims and at any stage of the criminal justice system can access this service.

31 January 2016