1. Executive summary

- Introduction to DLNR CRC Restorative Justice Service
- The impact and effectiveness of participation in National Offender Management Service’s restorative justice programme to promote the development of victim-offender conferencing on the then Leicestershire & Rutland Probation Trust (LRPT) to the newly formed DLNR CRC
- The effectiveness of delivery of Restorative Justice (RJ) across LRPT pre CRC and post CRC through DLNR CRC including feedback from participating victims and offenders
- Author’s Recommendations

2. Introduction

2.1 Pre CRC formation LRPT were successful in their application to participate in the NOMS RJ capacity building programme

I was tasked with setting up and managing the Trust’s own Restorative Justice Service using the ‘Wait til Eight’ guidance provided. The RJ Service post CRC formation then became part of the DLNR CRC and continued to deliver this service within the Leicestershire and Rutland area.

Our RJ Facilitators were recruited from Probation Officer and Probation Service Officer grades from across the organisation to work one day a week in this role.

The key strategic aims of our Restorative Justice Service:
- To give victims a better service and enable them to have a voice.
- To give offenders the opportunity to take responsibility for the harm they have caused.
- To reduce CJS costs by reducing reoffending.

We arrange RJ conferences whenever this is feasible and appropriate according to the request of the victim and ensure that post-conference support arrangements are in place, and agreements are followed up.

Other RJ options we offer are:
- Indirect shuttle mediation
- One to one RJ workbook resulting in preparation of a letter of apology to the victim
- RJ interactive workshop

Each case is risk assessment at all stages of the process and consideration is made of the emotional and physical well-being of all parties.

We monitor data, collate evidence and use feedback to continuously improve our service.

2.2 Post CRC formation and coming under the lease ownership of Reducing Reoffending Partnership impacted on our RJ service reducing the team from 8 RJ Facilitators to only two with some becoming NPS staff and others leaving for external posts.

However we have been able to continue delivering a reduced RJ Service to NPS and CRC cases with the two remaining RJ Facilitators in the Leicestershire and Rutland area.

3. The impact and effectiveness of participation in National Offender Management Service’s restorative justice programme to promote the development of victim-offender conferencing on the then Leicestershire & Rutland Probation Trust (LRPT) to the newly formed DLNR CRC

3.1 The NOMS RJ Capacity building programme at the time provided the then LRPT the opportunity to finally become involved with RJ in a formal way something that the Trust had wanted to do for many years. Although the programme provided access to free RJ Facilitator training and time limited support from Restorative Solutions and Thames Valley Partnership, the Trust still had to finance the setting up of its own RJ Service out of existing resources at a time of ongoing budget cuts. However the passion LRPT management had for RJ led them to prioritise participation in the programme.

3.2 The main RJ national target set was centred round the number of RJ face to face conferences held which contradicted the victim led approach RJ is based on and we believed was not set under the ‘SMART’ structure and being unrealistic to achieve. LRPT found that the victims contacted and offered the RJ face to face conference with their
offenders were in the main not willing or ready to take up this option preferring the less confrontational option of ‘Shuttle
Mediation’ to get their questions answered and find some resolution and peace of mind as an outcome therefore we fed
this back and the target was renegotiated to a more realistic and achievable one

3.3 LRPT’s RJ Service was set up to be offered on both a voluntary basis for offenders in prison or in the community as
well as a sentencing option through the then Specified Activity Requirement (SAR). Negotiations with the Courts and the
Police’s Witness Care Service were lengthy and drawn out but resulted in a Memorandum of Understanding Information
Sharing Agreements and led to RJ being offered as an RJ SAR for new cases sentenced from the 18th March 2013 also
agreement on providing victim details on historic cases sentenced pre-18th March 2013 was obtained

3.4 The RJ Service was offered on first contact with the victim by the Witness Care Officers when they informed them of
the outcome of the court case and the sentence the offender received. Referrals were also taken from Offender
Managers, Victim Liaison Officers, and the offenders themselves. An RJ Service logo was designed and leaflets for
Victims, Offenders, Pre Sentence Report Writers and Sentencers were created and distributed alongside a programme
of RJ awareness training rolled out to LRPT staff and stakeholders which demonstrated that the service was a separate
entity. A separate contact number was also set up for RJ referrals

3.5 Negotiations were also held with local prison Governors who also wanted to participate in offering a RJ option to
their prisoners and agreements on referral pathways were drawn up. The first RJ face to face conference held by LRPT
was within Leicester prison jointly supported by Prison and LRPT staff

3.6 The build up of referrals was slow but did increase as the RJ option became known however the implementation of
the national agenda for Transforming Rehabilitation, changes to the prison estate, and to Sentencing Law, together with
the formation of Police and Crime Commissioners (PCCS) holding the budgets for RJ and Victim services had a
detrimental effect on the positive development of LRPT’s RJ Service as previously mentioned in 2.2.
RJ was considered as an intervention so was assigned to the CRC rather than the NPS side which in the split had
retained the Victim Liaison Service, the team whose members had been RJ trained and worked alongside the newly
formed RJ Team
Probation staff trained as RJ Facilitators assigned to the NPS were very disappointed to not be allowed to continue in
their RJ role. The RJ SAR sentence option ceased to exist and the new Rehabilitation Activity Requirement (RAR) was
implemented.
Previous streams of funding became unavailable now the CRCs were deemed to be in the private sector.
With the reducing reoffending payment by result targets taking priority for the newly formed DLNR CRC designing an
RAR took a back seat until recently but now the design of this RAR is planned to start. In addition the strenuous
demands of the CRC’s reorganisation and streamlining has had an impact on the reduced RJ team’s ability to continue
to deliver the service and take on new referrals however the long term plan is for all CRC staff to be RJ trained and
deliver RJ interventions with a number of semi specialist staff trained to deliver RJ options of Shuttle Mediation and
Conferencing.

4. The effectiveness of delivery of Restorative Justice (RJ) across LRPT pre CRC and post CRC through DLNR
CRC including feedback from participating victims and offenders

4.1 Overall considering the aforementioned challenges and limited resources the RJ Team have achieved the following
in terms of delivery since the earliest case referred in February 2013 to end of March 2016
- Total of RJ closed cases including RJ SARs: 38
- Total number of current cases: 4
- Total number RJ conferences held: 6
- Total number of shuttle mediations: 14
- Total number of RJ workbooks completed: 36
- Total number of RJ Interactive workshops for groups of offenders: 2
- Total number of apology letters received by victims on request: 17

4.2 As a team, facilitators work in pairs, and the average caseload over the past year has been 6 current cases,
however there is flexibility in this as the process is victim led and as such cases may take longer than anticipated.
Examples of RJ case outcomes below demonstrate in real terms the effectiveness of the RJ service offered to our
victims and offenders
Participant’s feedback from two of the RJ Conferences
1st example - RJ Conference, resulting from shuttle mediation
(Dwelling House Burglary one of 58 offences committed by offender)
Offender - Meeting her I was surprised that she was concerned about my well-being
Afterwards I felt relieved and as though a burden had been lifted off my back. I feel better in myself and can now look ahead.
I would recommend others to take part
Female Victim, - I was shocked at how well I portrayed myself and how organised it was, how safe I felt. I did not feel under threat.
Afterwards I felt on a high, at ease and settled. Also I felt disappointed that it was over because I care and want to know his progress
I am hoping he will stick to the post conference agreement
NB: After this conference the offender agreed to write to the victim with updates on his progress and she agreed to reply and encourage him. They have since exchanged several letters
RJ Facilitator – The lengthy preparation with both beforehand really paid off resulting in a successful safe face to face RJ conference.

2nd Example - RJ Conference
(Street Robbery)
Offender - I said how sorry I was and ashamed at what I had done to her and I that I won’t do anything like that again. I don’t ever want to hurt anyone ever again. I don’t want to come back to prison
A powerful moment for me was when she explained that only weeks after I had robbed and hurt her she got my name put on her church’s weekly prayer board to pray for me.
Victim, 78 year old woman – I had a lot of questions to ask him about why me? and what made him do it? which he answered openly and honestly. I told him how it had affected me both physically and psychologically. How shocked and afraid I was then annoyed with myself for being a victim and how it had affected my life afterwards.
Meeting him has helped to deconstruct him in my mind
We have agreed to write to each other through the facilitator to see how he gets on
We had coffee and biscuits together afterwards and found we had things in common like reading Terry Prachett novels and he told me what prison food was like and how he liked playing the drums
Victim’s supporter – I told him how angry I was at him for offending against a much valued friend but after hearing what he said to her, how he had reflected upon his decisions and how he is now working hard in prison at finding his own self worth to stop offending, I felt encouraged
RJ Facilitator – This has genuinely been one of the most satisfying and effective pieces of work I have been involved in my twelve years of being a Probation Officer
Independent RJ researcher observer – It was powerful and amazing

4.3 Participant’s feedback from Shuttle Mediation.
(Offender stole blank cheques from Victim’s home. In the past he used to do odd jobs for her)
Offender – ‘It has been nice as you don’t always have a chance to talk to the victim, to the person. I have done some things in the past and been put inside for it and I didn’t get the opportunity to do this sort of thing. For me, the victim was able to ask me questions through the RJ person and in my letter I explained why I did it and she had some answers to her questions. I got my points across and she got her points across and told me how she feels. There has been nothing bad about it. It made me feel better in myself, especially when I had a reply from her. I reckon they should do this more often for people. I think it is the right thing to do. I think it has helped me and the victim.’

Female Victim, 88 years old - ‘When the facilitators came to see me, it put my mind at rest; I was very pleased to see them. They were nice people to talk to and I could trust them with whatever I had to say and that took a load off my mind. After I received the letters from J, it stopped me worrying; I felt I could look at people and think “I can trust you now.” It did something for me. I can forgive, but I won’t forget. If they [the RJ facilitators] had not been to see me, I would not have been able to ask J questions and find things out. When I wrote to him, that was a big thing; they helped me to do it. If I had not done this, then I would still be worried and not want to trust people. I would recommend anyone to do this.
I feel whole again.’
RJ Facilitator - ‘Initially, J was resisted and suspicious about Restorative Justice. His first letter to M was not comprehensive, although when this was directly challenged by her his subsequent letters appeared to be more sincere. Both have expressed that they found RJ a positive, albeit difficult experience, it has developed their understanding of one another and appear more able to draw a line under the offence, whilst also informing their future decisions.’

5. Author’s Recommendations
• More clarity is needed regarding how the PCCs and those agencies they have commissioned to deliver RJ services are expected to work with the CRCs in their areas in line with the Government issued Transforming Rehabilitation Target Operating Model recommendations. Thereby ensuring that there is consistency in the RJ services offered and provided to victims across the range of CRCs who are tasked with providing a range of interventions including RJ for both CRC and NPS cases
• The Government need to provide clear and concise RJ targets to the CRCs Lease Owners regarding their payment by results thus clarifying what RJ services the CRCs should provide and what RJ services the PCCs should provide to avoid any overlap and confusion to victims, offenders and those managing the RJ services.

12 April 2016