1. **Purpose of Report**

To provide an overview of how Cumbria and Lancashire Community Rehabilitation Company (CLCRC) have contributed to the implementation of the Restorative Justice Action Plan 2014 and the effectiveness of this. Also to show how the entitlements in the Victims Code are working and evidence the development of victim-offender conferencing.

2. **Background**

Since 2014, the CLCRC has undertaken a dual role in the area it covers with regard to the delivery of Restorative Justice (RJ) services. In Cumbria, funded by the Cumbria PCC, CLCRC bid for and have had lead responsibility for the setting up of a multi agency Restorative Justice Hub, whereas in Lancashire, we have worked in partnership with the Police and Prison Service to deliver RJ. The contract to deliver RJ for the Cumbria PCC ended on 31st March 2016 and CLCRC did not bid again for this contract However, CLCRC still continues to contribute to the delivery of RJ in Cumbria as a partner agency. Below, we will outline the work undertaken by CLCRC in both these areas to promote, develop overall understanding of, and deliver Restorative Justice Services in Cumbria and Lancashire. At the end of this document are a couple of case studies which will demonstrate the positive impact RJ has had in these areas.

3. **Promoting RJ in Cumbria and Lancashire**

A branded approach to RJ delivery with a shared multi-agency communication strategy was agreed. CLCRC developed a campaign to promote RJ across both Cumbria and Lancashire. Posters and leaflets (see below) were distributed across both counties in community centres, hospitals, police stations, courts, surgeries, shopping centres etc.

In addition to this, our facilitators gave presentations on Restorative Justice to various groups in the community, which were met with a very positive response. RJ Week also provided the opportunity to further promote RJ, via radio broadcasts, internal communications and presentations to staff. One facilitator also spent a day in the local town centre, promoting RJ with the help of banners and leaflets. Whilst a significant number of leaflets were distributed, the facilitator felt that this style of promotion
wasn’t particularly successful and further consideration may be useful in terms of how RJ is promoted. We have promoted the use of RJ across both areas utilising various forms of media and awareness raising days, publicising the service across a diverse range of outlets, ensuring equality of access to anyone wishing to use the service.

4. **Lancashire**

In Lancashire, adult restorative processes are delivered by a core group of staff from three key criminal justice agencies, the CLCRC, The Police and the Prison Service. In addition to this, Victim Support and The National Probation Service support the multi-agency model by making referrals and supporting participants whist engaged in the restorative process and after its completion. All of the agencies are committed to the principles of restorative practice as outlined by the Restorative Justice Council.

As of 31 March 2016, CLCRC have been involved with 144 referrals for RJ, 126 of these have been offender led, and 18 have been victim led. These referrals have resulted in 10 face to face conferences and 5 letters of apology. 45 referrals are ongoing and 84 have been closed with no further action, examples of reasons for this are outlined below.

5. **Cumbria**

In Cumbria, CLCRC won the PCC contract for the setting up of the Cumbria RJ Hub into which agencies and the public can refer, or self refer into respectively.

The Restorative Justice grant was for a 14-month time frame, commencing from the 1st February 2015.

The key deliverables were the provision of restorative services to Cumbrian victims of crime and work with offenders focusing on preventing re-offending.

The grant was provided to support delivery of the following outcomes:

- Co-funding the development of a Cumbria-wide approach.
- Developing and establishing a Cumbrian Restorative Services Hub building upon existing provision in Cumbria.
- Project managing the Hub, including identifying and co-ordinating the staffing, developing and embedding governance and processes for the Hub and establishing contributions from partners (in funds or staff time) to ensure the efficacy of the project.
- Creating a performance and accountability reporting framework including the percentage time spent on victim based Cumbrian restorative services by the Restorative Services Manager and RJ Practice Development Manager.
- A minimum of 200 referrals; resulting in a minimum of 15 Restorative Justice Conferences in 14 months from the commencement date of this agreement.
- Evidence that each facilitator is working towards accreditation and the Restorative Services Quality Mark.

The above objectives were initially considered appropriate, however on reflection it was felt that a minimum of 200 referrals and 15 Restorative Justice Conferences may have been too ambitious in terms of what could be achieved in a 14-month period, especially considering the implications of setting up an RJ provision from scratch. As such, this objective was not achieved.

As of 31st March 2016, 123 referrals had been processed, with 66 of these being victim-led and 57 being offender-led. 8 of these referrals progressed to full conference and 4 letters of apology were written. 29 cases are ongoing and 82 have been closed with no further action at this stage, reasons for this are varied and range from the victim or offender not wishing to undertake RJ, the victim or offender was assessed as unsuitable etc. This figure suggests that despite intensive work by the facilitators, only a small proportion of referrals actually progress to full conference. However when compared with statistics from previous RJ provision in London, this is considered quite an achievement – an 8% success rate compared with a 3% success rate for London (RJ Manager, London Probation Trust).

In terms of successful activities and strategies, for both Lancashire and Cumbria, it was evident that having a prison officer promoting RJ within the prison system was extremely beneficial in respect of generating referrals. A significant percentage of the referrals were generated by the prison officer dedicated to Restorative Justice. This is an area that will need consideration in the future, and highlights the benefit of ensuring provision of RJ in prisons.

6. Victims
A focus on the victim satisfaction surveys has assisted in terms of feedback of how our service supports victims and helps them move forward. A significant amount of
thought was also given to what we could offer victims when the offender could not be identified but they still wanted the opportunity to speak to someone. We discussed the legitimacy of the proxy offender resolution option, where a victim speaks to perpetrator of the same type of crime but who is not ‘their’ offender. The MOJ advised the effort should be concentrated on the victim and supporting the victim and there was some disappointment that the use of proxy offenders was not judged to be successful RJ and could not be promoted to victims. Concerns were raised that by not considering this option, we were in danger of letting victims down. Parties were keen for the RJ process to be seen to support victims as much as possible and it was generally agreed that while RJ by proxy could not be a main focus for the RJ process, it should not be dismissed as totally inappropriate, even though it could not be measured as a successful outcome. It was agreed that it could still be used if no other option existed and the victim still wanted to take part in a conference.

In order to ensure RJ was being offered to as many victims as possible, the Witness Care Unit were contacted and continue to work with the RJ Hub as part of the multi-agency approach.

With reference to the Victims’ Entitlements for RJ set out in the Code of Practice for Victims of Crime (p.34-35), we believe these are working well, but can only work well as part of a multi-agency approach that allows the victim the opportunity at any point to access the service. Although it is a low number of cases that actually progress to a full face to face RJ conference, we must not undervalue the act of RJ being available offered to victims, as that in itself, regardless of outcome, can be an empowering process.

7. Lessons learned and areas for potential future development

Over the last 18 months, it has become apparent that the concept of RJ has only just begun to be part of the Criminal Justice discourse, and we have found that both victims and offenders think of RJ as a very radical approach at first, and therefore may be reluctant to take part in any kind of RJ process. However, what is also very apparent is the impact of RJ on all those that take part. RJ cannot be done in the same way as usual Criminal Justice as it requires both parties to be willing, able and suitable to take part. As such, the time it takes for RJ to be completed can range from a few weeks to many months. This is reflected in that for Cumbria and Lancashire, we have 73 ongoing cases, cases which may at any point be ready to progress to conference. We believe that there needs to be a cultural shift within society to embed RJ as a regular part of the criminal justice process, and that this can only come with
time and persistence. Below we have outlined some areas for consideration and development:

- Built in capacity including a useable pool of volunteers.
- Clear and comprehensive referral processes.
- Timelines around response times to enquiries.
- Community Remedy options deliverable through the Hub
- Team to be located in police stations and immediately identifiable and approachable
- Ability to remove all demand from the police after initial referral.
- Full time individuals based in police stations for accessibility and attendance at briefings.
- RJ in schools – explore the option that many schools have trained staff that could be utilised.
- Video link capability for RJ conferencing.
- Dedicated resources.
- Continue the partnership approach with Housing being seen as integral to the approach.
- Further promotion of RJ amongst Police Officers ‘on the beat’.
- Long term tracking (12 months minimum) of offenders who have engaged with RJ processes.
- Further consideration as to how RJ is promoted and to which audiences.
- Reflect on resources and efficient use of time to ensure the correct agencies are involved.

8. Case Studies (Conferences)
Below are 2 examples of successful RJ, demonstrating clear evidence as to how Restorative Justice can help victims to heal and move forward with their lives:

**Neighbourhood Dispute Case**

This had arisen due to a long running neighbourhood dispute that had resulted in a high number of call outs to police. The case had been referred by a housing association officer, and had been handled by CRC RJ facilitator, with a PCSO as co-facilitator. The CRC facilitator had reported that the conference had been very challenging and he had not
been certain how beneficial it had been for those involved. Subsequently however, the PCSO had met one of the participants and they had commented on how the meeting had cleared the air and how positive it had been for the neighbourhood. Police have advised that since the conference, there have not been any further call outs to the police.

**Burglary Case**

The offence of Burglary (chainsaws) occurred in Carlisle, where the victim resided. The offender met with the victim at his home, at the victim’s request. The conference was extremely emotional and the offender was clearly extremely upset on realising that the victim was disabled and used a wheelchair. The victim emphasised to the offender that he wanted him to make something of his life and following the conference, the offender requested that the facilitator write to the victim on his behalf, to update him on his progress. The offender reported to the victim that since their meeting, he thought about what they discussed and that it motivated him to seek employment soon after. The offender is now working as a bin man, he has not re-offended and he remains drug-free.

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