



Police & Crime Commissioner for Cleveland
Cleveland Police Headquarters
Ladgate Lane
Middlesbrough
TS8 9EH

Email: pcc@cleveland.pnn.police.uk
Website: <http://www.cleveland.pcc.police.uk>

Police and Crime Commissioner:	Barry Coppinger	Tel: 01642 301653
Chief of Staff (Chief Executive & Monitoring Officer):	Simon Dennis BA, Solicitor	Tel: 01642 301653
Chief Constable:	Jacqui Cheer QPM	Tel: 01642 301215

Report of the Police and Crime Commissioner to the Chair and Members of the Cleveland Police and Crime Panel

Thursday 26 June 2014

Cleveland Restorative Justice Update

1.0 Purpose of Report

- 1.1 The purpose of this report is to provide members of the Cleveland Police and Crime Panel with an overview in regards to the use of Restorative Justice (RJ) within Cleveland Police.
- 1.2 The report will also outline plans for the future Commissioning of RJ across the Cleveland Police area, including how funding allocated by the Ministry of Justice (MoJ) will be utilised.

2.0 Restorative Justice

- 2.1 RJ is the process which brings victims and offenders together to discuss their account of the same incident, with the aim of putting victims back in control and presenting offenders with the consequences of their actions.
- 2.2 RJ holds offenders to account for what they have done and helps them understand the real impact, take responsibility and make amends for their actions.
- 2.3 The RJ agenda aims to:
 - Improve victim satisfaction
 - Sustainably reduce re-offending
 - Restore confidence in the police and CJS
 - Promote effective community engagement
 - Tackle low level crime, disorder and anti-social behaviour effectively; and
 - Promote 'Respect' Agenda



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2.4 Ministry of Justice (MoJ) research has shown that RJ can benefit both the victim and the offender. Evaluation of pilots found that RJ was associated with an estimated 14% reduction in the frequency of re-offending. The evaluation also found that 85% of victims that participated in the conferencing method of RJ were satisfied with the experience.

3.0 Restorative Justice – Cleveland Police

3.1 RJ was launched within Cleveland Police in April 2013 to enable most offences committed by under 18s to be dealt with by means of a RJ Intervention. Officers, PCSOs and Police Staff were provided with training to give them the skills, confidence and support to successfully deliver RJ within the community.

3.2 The main focus of introducing RJ was to enable low level crime, disorder and anti-social behaviour to be dealt with instantly or by an ‘on-street’ disposal. Examples of some of the methods used when undertaking an RJ intervention include; face to face apology, letter of apology and a written assignment. A number of case studies can be seen attached at Appendix 1 to this report.

3.3 Between April 2013 – March 2014, there were 579 crime occurrences that were dealt with by means of an RJ intervention. The table below shows a breakdown within Cleveland’s Local Policing Areas (LPAs):

Month	Hartlepool	Middlesbrough	Redcar & Cleveland	Stockton	Total
April	2	4	6	15	27
May	8	12	14	18	52
June	6	15	13	10	44
July	6	12	12	27	57
August	15	9	1	14	39
September	15	12	9	21	57
October	12	13	11	21	57
November	8	20	12	16	56
December	5	17	10	23	55
January	8	12	6	16	42
February	4	12	8	16	40
March	5	19	7	22	53

Restorative Justice Interventions in Cleveland for the year to date (April 13 – March 14)

3.4 Offences in-scope for an RJ intervention are:

- Other theft and burglary
- Vehicle Crime
- Common Assault
- Criminal Damage
- Minor Robbery

- Anti-Social Behaviour
- Public Order
- Harassment and Neighbour & Family Disputes

- 3.5 Cleveland Police have commissioned Unite to undertake a piece of work to evaluate the effectiveness of RJ in year one. This report is due imminently and will form an action plan for further RJ development within Cleveland Police for the future.
- 3.6 From April 2014 the Cleveland RJ Scheme was extended to incorporate the use of RJ for adults who have an appropriate, non-offending background, and have been 'clear' of any criminal sanctions for the two years prior to a crime being reported.
- 3.7 Early indications suggest that this is going well with 105 adults to the end of May 2014 taking part in an RJ intervention.
- 3.8 Attached at appendix 2 is some feedback received from both victims and offenders who have taken part in the RJ process.
- 3.9 The PCCs Office in liaison with the Force plus partners are arranging an RJ event to be held in September to which Police and Crime Panel Members will be invited to attend.

4.0 National Perspective

- 4.1 On 19 November 2013 the MoJ published the Restorative Justice Action Plan for 2013 outlining their vision which focuses on how RJ can be integrated within existing systems. Their vision is that:
- RJ is safe, of good quality and focused on victim's need,
 - Victims can make informed decisions about participating in RJ at appropriate points in the criminal justice process,
 - If victims want to participate in RJ (this is subject to the agreement of the offender), they will know how to access it and any RJ will be delivered by a trained facilitator;
 - A RJ activity will only take place where an assessment by a trained facilitator indicates that this would be an appropriate course of action for all relevant parties; and
 - RJ is available irrespective of whether the offender in the case is an adult or a young person. Offenders will be encouraged to take part in RJ where appropriate.
- 4.2 In addition to this in November 2013 the Ministry of Justice announced that at least £29 million, made up of money recovered from offenders, will be made available to Police and Crime Commissioners over the next three year period with £3.85 million of this to 'build capacity in your area and, where capacity is sufficient, fund RJ activity'. This funding is not ring-fenced, however the Police and Crime Commissioner has made a commitment to using this funding directly for the development of a Cleveland Wide Restorative Justice process, ensuring a consistent approach and moving away from the 'post code lottery' which currently exists.

4.3 With regards to Cleveland the following funding has been allocated by the MoJ to the Commissioner:

- 2013-14 £38,004
- 2014-15 £61,984
- 2015-16 £126,000

5.0 Cleveland Wide Restorative Justice Service

5.1 The revised victim's code clearly sets out the expectation that victims will be able to access RJ services at any stage of the criminal justice process. It is recognised that the delivery of RJ should not just be the police but the wider partner agencies. Therefore the PCC has appointed a dedicated RJ co-ordinator for a two year period to support the development of a longer term, sustainable Cleveland wide RJ service, alongside the good schemes that already exist across Cleveland.

5.2 There are various Organisations at various locations offering some sort of RJ process. This lacks consistency, common standards / processes etc. with some areas having no provision what so ever. To gain a clearer picture of the landscape, the RJ co-ordinator has completed a mapping exercise to get a better understanding of what is available.

5.3 With the co-operation and assistance of partners the PCC proposes to introduce a virtual 'restorative justice hub'. The hub would act as the Cleveland Restorative Justice development and co-ordination service for across the whole of the Cleveland Police area.

5.4 In the coming weeks in conjunction with partners a specification will be written to welcome bids for the delivery and development of the virtual hub and the PCCs vision which is:

'To ensure that at any stage of their journey victims have access to high quality restorative justice, building on existing provision and ensuring the same high level of service across the whole of the Cleveland area'.

Barry Coppinger

Police and Crime Commissioner for Cleveland

Restorative Justice – Case Studies – Under 18s

Case Study 1

On 5th May 2014, victim in Middlesbrough called police because their living room window had been smashed.

Suspect was identified to be a 13 year old juvenile from the local area.

When the suspect was spoken to by police, he admitted causing the criminal damage and was very sorry for doing so.

The suspect had no previous convictions and victim was highly supportive of using Restorative Justice for this incident to be dealt with.

The suspect went with his mother and apologised to the victim in front of the officer and offered to pay for the window that was broken.

The victim was happy with this as not only did they get an apology, but also money to pay for the reparation of the damage caused.

Case Study 2

On 24th April 2014 a male called police stating his daughter has been assaulted whilst at school. The victim was a 12 year old female, who came home with bruising to her legs.

It was stated that she had been assaulted by a 12 year old male whom she knew by kicking her in the legs.

The suspect was identified and officers went to his home address to speak with the male in front of his parents. The male was previously not known to the police, and was sorry for what he had done. He stated that the female and him were arguing, which ended up getting heated and he lashed out and kicked her, which he now regrets.

The victim and her parents were informed of this, and were supportive of dealing with the offender through the restorative justice process and wanted a face to face apology from the male. This was arranged and the male with parents met with the female with parents and apologised for his actions.

Case Study 3

On 8th April 2013 police received a call from a concerned parent that two 11-year-old girls had been stealing from a shop in the Redcar and Cleveland area after the sweets had been found in a bedroom. The children admitted taking sweets from the shop without paying. The adult didn't want anything to happen with the children through the Criminal Justice System, but wanted them educating about the wrongs of what they had done. Police identified the shop manager who agreed for the girls to visit the shop and apologise – the shop manager and officer spoke with the girls and discussed the implications of shoplifting. The girl's family members were also in agreement with the RJ approach.

Case Study 4

On 3rd March 2014 police received a report of theft from a shop in the Middlesbrough area and 2 males had been detained for this theft.

When police arrived the 2 **juvenile** males who were 16 and 17 years old admitted to concealing items of clothing worth £12 and putting them in a rucksack which was brought into the store with them and then attempted to leave the store.

Both males were checked on police systems, to have no criminal record and were both of previous good character; therefore it was decided by the store manager not to have these youngsters arrested, but for them to be dealt with by means of Restorative Justice.

Both males apologised to the manager in store, and then were tasked to write a letter of apology. Within the letter they had to include the effect shoplifting has on retailers, the effect shoplifting has on the society, and the effects of their actions upon their family.

Dear Manger of _____

I, am sincerely sorry about the actions I took on Monday 3rd March. It was a very stupid, irresponsible and childish thing to do, I understand the consequences of my actions and what can be affected and has been affected by doing so. I deeply regret doing what I did, I don't know what made me think it was okay to try and steal items of clothing from your store. I understand that I have cost you money by de-tagging the items and for wasting yours and your employee's time. I know you don't know me but I am begging you to believe that I am never going down that line again and that I understand the consequences and I understand what I done was illegal and I regret doing it. I cost you and your store £12 plus expenses of re-tagging and wages, I know that doing what I done has affected your store, it has affected my family because now my family are all dissappointed in me for doing what I did. Having a lecture from my dad has made me hit and think about what I have done and made me realise how bad the consequences are, I am truly lucky to have a second chance and I am very grateful for that chance, I dont want to mess this one up and I'm not going to either, I have hurt my family by doing this and I've hurt myself too and it's all my fault I get that but I never want to do this again since my life is on the line for it. Doing what I did has and is affecting society by making people thinking that its okay to steal but its really not. Stealing pushes prices up due to the cost of the security needed to stop people from stealing. I am very sorry about my actions and I hope you can forgive me for them. I am never going to steal again because it is wrong and it will also mess my life up, I realised that now.

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Appendix 2

Feedback from victims and perpetrators who have taken part in RJ

Victims Feedback

“The meeting was carried out in a very calm and reassuring manner. Officer was very clear in the way that he explained the procedure and reason for the RJ intervention”

Caller is really happy there has been no further problems and wishes she had contacted the police earlier. Caller feels it was exactly what the suspect needed - police intervention without criminalising him.

“It was fantastic”- Caller was overall very happy with the experience and glad it has solved the bullying issue in a fair way.

Caller would recommend it for other offences like hers (theft) as she felt it was too minor to have to go to court for.

Perpetrator Feedback

“Went really well, lesson was very much learnt”

“Disappointed in myself, glad got chance to say sorry”