

## Restorative Justice Report

### 1. Introduction.

- 1.1 Evidence shows that restorative justice (RJ) works and can reduce re-offending and have high victim satisfaction rates if done properly. Increasing the provision of RJ Approaches across the criminal justice system is a key priority for this Government.
- 1.2 Increased availability and use of RJ was reflected in the Ministry of Justice Green Paper – Breaking the Cycle, published back in 2010 and included a commitment to increase the availability of restorative justice approaches to support offender reparation. This was formally introduced by the National Offender Management Service policy in NOMS Commissioning Intentions 2012 – 2013.
- 1.3 In 2011 research was undertaken through Safe in Tees Valley to explore RJ activity in the Tees Valley, identify good practice, test the appetite across organisations both within and outside of the criminal justice system for the introduction and development of RJ approaches appropriate to the area.
- 1.4 During January, 2012, Safe in Tees Valley prepared a successful bid on behalf of the Durham Tees Valley Probation Trust and its partners to access a training and support package for the delivery of RJ. This funding, provided through NOMS, resulted in the Tees Valley becoming one of a small number of sites around the country to introduce RJ under an agreed delivery model.
- 1.5 This led to a one year project within the Integrated Offender Management Team at the Stockton Probation Office, funded by Stockton Drug and Alcohol Commissioning Group, as RJ has been shown to work with those offenders having substance misuse issues. The emotional trigger RJ creates in offenders has proved effective in diverting those individuals away from offending behaviour, which has not occurred when other interventions have been employed.
- 1.6 Locally, RJ is a priority for the Cleveland Police and Crime Commissioner

### 2. Background to the Stockton Project

- 2.1 Since the beginning of February this year a project has been operating in Stockton, funded for 12 months by Stockton Drug and Alcohol Commissioning Group, in which the appointed RJ Co-ordinator has been exploring the potential to use the underlying principles of Restorative Justice (RJ) to reduce the offending behaviour/substance misuse of persistent offenders / high crime causers.
- 2.2 Restorative Justice (RJ) brings those harmed and those responsible for harm together to see what can be done to repair the harm and find a positive way forward.
- 2.3 Traditionally the focus has understandably been on meeting the needs of the victim (the harmed) but increasingly it has been recognised that the opportunity RJ offers to understand the **offender** perspective (the harmer) in them apologising for wrong doing, also has benefits in terms of the offender taking responsibility for his /her actions.
- 2.4 For the victim, a RJ intervention hopefully brings ‘closure’ – an opportunity to understand and move on from an unpleasant experience. Additional recorded benefits include a general improvement in the health and well-being of the victim, reduction in the fear of crime, post-traumatic stress disorder and anxiety.
- 2.5 However, for the offender this is not the end but the beginning of a long term challenge to fundamentally change their behaviour. RJ is the catalyst for change but it is unrealistic to think, in some cases, that a single conference (no matter how positive) is going to be sufficient on its own.

- 2.6 For the offender it is unlikely that the pressures that underpinned a chaotic lifestyle have disappeared. Offending is likely to be only one of many issues that needs addressing with housing, employment, family relationships, poor self-esteem and institutionalisation are all potential risk factors when it comes to maintaining positive change.
- 2.7 As such, a 'restorative' approach may need a number of conferences (family, housing providers, ex-employers, G.P., etc) before the risk of relapse is reduced. The benefit of 'repairing the harm' is that successful conferences frequently transform the 'harmed' into supporters, rather than detractors.

### **3. Learning to Date**

- 3.1 Most professionals working with offenders are aware of the existence of restorative justice but unsure as to the principles and what it has to offer. Very few have practical experience of using this technique to address offending behaviour/substance misuse.
- 3.2 Offenders/substance misusers have rarely had the opportunity to 'repair the harm' and for those who are ready to take responsibility for their actions RJ provides a new opportunity.
- 3.3 The organisation of a restorative conference is labour intensive and requires considerable work to prepare the 'harmer' and safeguard the 'harmed'.
- 3.4 Evaluation of conferences to date has been very positive with evidence that both parties have benefitted. (All post conference feedback interviews have scored very highly in satisfaction levels)
- 3.5 On occasion the injured party wishes to follow the progress of the offender/substance misuser and is prepared to assist if change is maintained i.e. lifting of a banning order for shoplifting and mentoring the offender.
- 3.6 Inevitably the harmer has multiple issues to address and may require additional conferences with other parties.
- 3.7 A successful conference is a major driver of change but additional support/activity has to be available to ensure the momentum is maintained.

### **4. What has been achieved?**

- 4.1 Briefings have taken place with: Probation Trust, Community Safety Team briefing, CRI - individuals and team development input, Lifeline, individuals, team meetings and all service user groups. Moses – regular discussion with team members, Christian Forum, SIDs group, members of the DAAT, Birchtree Practice and ABS team meeting, Victim Support, Magistrates and Magistrates Court volunteers. Briefings are ongoing – there needs to be constant activity in spreading the Restorative Justice message. This work continues.
- 4.2 Total number of referrals currently stands at 60, of which all of the offenders have had at least one restorative meeting with the RJ Co-ordinator on a one to one basis and indeed many others have had several meetings, particularly with regard to preparation for a conference. Meetings with victims also take place along similar lines.
- 4.3 Total number of conferences to date - 24 victims have been through a conference. This has been labour intensive work, but worthwhile in ensuring participants are all prepared for the conference and there are no surprises. This is an extremely good figure, given a considerable amount of project time has been spent, in working with groups and organisations to enable them to have a broader understanding of how restorative approaches can be introduced in a wide range of scenarios.

4.4 All but two offenders have had alcohol / drug misuse issues.

4.5 Feedback from the conferences, as stated previously has been very good e.g. “positive experience, humbly experience, insightful, realisation of harm caused and an empathy in many cases for the offender, albeit not excusing the offending behaviour.” From a project management point of view there has been a constant thread from participants, as to how professional the process has been. A number of victims have not wished to proceed to conference, being very open as to reasons why e.g.” the events are still too raw coupled with the fact I am going through a marriage break up.” One female victim was not prepared to meet her offender, as she is due to give birth to twins and was not willing to place them in jeopardy through meeting her offender. However, she has accepted a letter of apology from him.

4.6 Summary of highlights:

- Held the first face to face conference in Holme House prison between victim and offender.
- Worked with a variety of retailers, facilitating numerous face-to-face conferences, with prolific shop thieves (male and female.) The conferences have been with representatives from those stores who were directly affected by their respective offenders.
- Morrisons deputy general manager presented with the RJ Co-ordinator to the Police and Crime Commissioner seminar on business crime. Boots have allowed an offender to ‘payback,’ by him washing their fleet of distribution vans. Wilkinsons and Sports Direct have removed exclusion orders from an offender following his conference with them. Marks and Spencer / Tesco and Co-operative have asked for further conferences to see how their respective offender is progressing. A senior manager at Tesco, Billingham has requested to mentor the offender who appeared with him at a recent RJ conference.
- Conferences held with offenders displaying mental health issues, after having liaised with respective mental health support workers.
- Undertaking a benefit fraud case involving the Department of Work and Pensions.
- Exploring RJ and sex workers with local partners.
- The strands of activity under this project have been acknowledged by the Restorative Justice Council as innovative work. This has resulted in submission of an article on the work to the RJC for publication in its Autumn edition of their Resolution magazine, which has an international / national circulation.

Other outcomes:

- Letters of apology – 5.
- Several referrals have been made to other areas of the country by the co-ordinator following group sessions held in Holme House Prison – Drug Recovery Wing and Therapeutic Community. Several conferences are anticipated from the referrals, which only happened as a result of the group session work in the prison.
- Identification of several local champions, both victim and offenders who are prepared to work closely with the co-ordinator in developing RJ.

- Identification of potential volunteers to support RJ delivery.
- Identification through the Gallant project of mentors who are prepared to participate in RJ conferences and indeed 'champion' RJ with those they are mentoring.
- Development of project around cycling with local partners. (detail to follow)
- Engagement with University of Durham on nutritional / exercise programmes for offenders. (detail to follow)

4.7 Restorative work over recent months in Stockton has demonstrated the impact of Restorative Justice Approaches – notably face-to-face conferencing has on PPO's / HCC's in terms of reducing the offending behaviour of those individuals. The majority of offenders having gone through the RJ conference process have been prolific. To date two offenders have re-offended, one offender committing several offences and the second offender committing one offence. At that time his recovery lost direction, but it is pleasing to report his recovery on back on track.

4.8 It has further demonstrated, where individuals have that identified motivation to try and change and essentially recover / restore their lives, a restorative approach has undoubtedly proved to be an effective catalyst in 'stopping the offender in their tracks' and a realisation, that with support and effort on their part, they can break that cycle of offending. They can also improve their quality of life and aim for stability – thereby moving away from being a disenfranchised and socially excluded individual.

4.9 This is seen as a golden opportunity, the springboard to achieving and maintaining positive change. However, other factors come into play and as stated earlier concentrated effort / support is required in attempt to meet the challenges faced by those who have traditionally led chaotic lives.

4.10 The current work has seen the principles of Restorative Approaches (RA) not only being acknowledged, adopted and developed across criminal justice agencies, but also in areas of the voluntary sector, recovery and treatment services. The broader opportunities offered by Restorative Approaches has been considered and actioned by those organisations who see RA as the aforementioned catalyst – allowing offenders (harmers,) when the time is right to acknowledge harm caused, understanding the impact of their actions and taking responsibility – with a view to moving forward and leaving the past behind. In essence RA becomes an integral part of recovery. Note: two referrals secured from the Birch- tree practice very recently.

4.11 As part of the recovery / restoration / rehabilitation process RA work has been broadened to engage not only with support / treatment services, but also in linking the benefits of RA to structured physical / sporting activity and healthy nutrition – thereby contributing to improved health and well-being, which are critical components in moving individuals away from substance misuse / offending behaviour.

4.12 There is an abundance of literature / research supporting the view that physical exercise / healthy nutrition and improved quality of life does reduce levels of aggression and offending rates. There is also very recent international research demonstrating that sport and cognitive behavioural therapy has a significant impact on reducing crime.

4.13 Current work on introducing sport / recreation / healthy nutrition to local groups of offenders is proving beneficial. It is providing engagement opportunities and giving purpose to daily routine. There has been a partnering arrangement with the University of Durham, Stockton Campus and the Probation Trust in working with groups of offenders on the very subjects identified above. The take up and retention rates for the structured programme is very good.

- 4.14 A cycling project was developed to be operated within Holme House Prison. This was to involve prisoners working with professionals on refurbishing, maintaining and using the cycles in an identified area within the prison. The cycles would then be distributed to local charities. At the last minute the prison asked the project to be put on hold, citing reorganizational / resourcing issues. This project is now to be undertaken in the community with support from Probation and a number of local voluntary groups.
- 4.15 In addition to the above, where an offender has engaged with the RA process; in essence made that supported step forward, a post conference agreement is entered into involving all parties – victims and offenders. Although, this is a voluntary agreement it provides focus on what follows. This invariably includes regular feedback to the victim on offender progress, but more to the point it provides reference and access to support mechanisms, linked to health and well-being, training, accommodation and the main aspiration of many – access to employment routes / opportunities.
- 4.16 Support has also been offered to the LA in its introduction of RJ, linked to Anti-Social behaviour. This support includes their trained facilitators observing conferences and to offer guidance on the suitability or otherwise of referrals.
- 4.17 Links have also been made with NOMS and the project that is looking at wider collaboration across agencies and partnerships on the reducing re-offending / rehabilitation agenda. Restorative Justice Approaches feature heavily in this work.

## **5. Taking things forward.**

- 5.1 There is no simple solution to changing the behaviour lifestyle and attitudes of persistent offenders/substance abusers. However, the pioneering use of a 'restorative approach' to motivate and sustain change is showing early signs that are providing a new opportunity for this problematic group.
- 5.2 RJ is a well tested concept, but the emphasis is traditionally on the needs of the harmed person. This project has retained the commitment to the victim but has taken the opportunity to use the process to address the multiple areas of damage the harmer has been responsible for.
- 5.3 What is clear is that the restorative conference is the vital first step on the path to change but that has to then be supported by a co-ordinated 'push' to tackle health issues, lack of constructive activity (ideally employment), accommodation and relationships. (Links have been made with local organisations in terms of accessing education and training, with a view to future employment.)
- 5.4 The next stage is to begin to embed the restorative approach into the working practices of agencies with responsibility for reducing re-offending/substance abuse. Work on the pilot to date has shown the potential, what is now required is to build the capacity of key agencies to take this forward. An example of where this process has been commenced is CRI who are linking RA into Foundations of Recovery.

## **6. Future Possibilities**

- Continue the promotion of restorative justice approaches to reducing offending/substance misuse, by continuing with face-to-face conferences, but also development of a broader RA approach around Health and Well Being which will contribute to improving recovery outcomes. In essence, building on the excellent work in year one,
- Support workers from relevant agencies in developing and practising restorative conferencing experience.

- Developing volunteer mentors to support the conferencing process and assist the offender/substance misuser to maintain positive change.
- Train key personnel to become accredited RJ trainers ('train the trainers') and organisational champions
- Ensure the positive work to deliver RJ is not lost by terminating the project prematurely
- Build on the positive experiences of year one and seek to broaden the scope of RA as a catalyst to recovery, moving toward a self-sustaining, integrated multi agency model. (this would be achieved by pooling the expertise of partners and bolstering the capacity to deliver RA across organisations – **this could be achieved via in house training – by utilising the existing RJ / RA Co-ordinator who has, in addition to being a trained facilitator now become a Trainer of Trainers.**)
- There is a wealth of support already available across a wide range of organisations and next steps would seek to co-ordinate that support with those agencies / organisations, with the added dimension of RA. This will provide a wrap around, structured package to meet the offenders (harmers) needs, in the short, medium and long term. The development of such a package links directly to participation with RA, in that the offender (harmer) has taken that positive step forward to enable change, to break substance misuse, re-offending and moving toward restoration / recovery / rehabilitation. (please note engagement with the RA process is on a voluntary basis.) This innovative approach will embed RA across Stockton based partners and also have the potential to provide that tailored package, through co-ordination of activity, thereby reducing the potential for duplication of effort and maximising ever reducing resources.

## 7. Conclusion

In conclusion delivery of the new model will build capacity and provide the legacy of a sustained process with a cohort of moderately trained people well able to deliver RA across Stockton, in an integrated multi-agency setting.

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