



VALUING VICTIMS (Part I)

**A REVIEW OF POLICE AND CRIME
COMMISSIONERS' FUNDING OF RESTORATIVE
JUSTICE SINCE 2013-2017**

Why me?
October 2017

This is the fourth report in the Why me? Valuing Victims campaign and examines PCCs' expenditure between 2013-2017 on the delivery of RJ services. We obtained data from the Ministry of Justice through a Why me? Freedom of Information (FOI) request. Our report provides a unique and the most up-to-date picture of RJ expenditure across the country. Part 2 of this report, to be published in November, will examine what PCCs have delivered as a result of the expenditure.

Restorative Justice (RJ) is the process that brings those harmed by crime, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward.

RJ offers victims an opportunity to be heard and to have a say in the resolution of offences, including agreeing rehabilitative or reparative activity for the offender. It can provide a means of closure and enable the victim to move on.

RJ also provides an opportunity for offenders to face the consequences of their actions, recognise the impact that it has had upon others and where possible make amends. In this way, RJ has the potential to help rehabilitate offenders and enable them to stop offending. It has the potential to motivate them to change and become responsible, law-abiding and productive members of society.

The fundamental element of restorative justice is the dialogue between the victim and the offender.

Victims undergoing effective restorative practices report high levels of satisfaction.

Sari, a Victim Ambassador for Thames Valley Partnership, met the person who burgled her home.

“It was a very emotional experience. I felt a sense of relief and also hope that, as it had been a positive experience for me, it had been for him too.”

Additional Victim stories can be accessed here:

<https://why-me.org/restorative-justice-service/victims-stories/>

Background

Between 2013/2016 the Ministry of Justice (MoJ) funded Police and Crime Commissioners (PCCs) to set up and develop restorative services. Overall £23 million was allocated to PCCs. Since April 2016 funding for RJ activity has been included within the overall Victims fund allocation to PCCs. RJ funding is not 'ringfenced' so each PCC can decide how much to spend on RJ from their budget.

In 2016, the Justice Select Committee recommended as part of their RJ Inquiry that "information relating to how Police and Crime Commissioners are spending monies on restorative justice is helpful in assessing progress against the Ministry's Action Plan."

The Ministry of Justice sets out the following key areas for delivery within the current RJ action plan¹ :

1. Equal access – RJ is available to victims at all stages of the Criminal Justice System irrespective of whether the offender in the case is an adult or a young person and irrespective of where in the country the victim lives and where the offender is located. Victims should not be denied RJ because of the offence committed against them.
2. Awareness and understanding – People are aware of RJ and its potential benefits (particularly for victims). They understand what RJ entails and its place in the CJS. Victims and offenders can make informed decisions about participating in RJ and know how to access it.

Our research, based upon the information from PCCs, reveals significant variations in expenditure across PCC areas. It raises serious questions about how far the MoJ have achieved their vision, laid out in the RJ Action Plan, to provide equal access to Restorative Justice for victims regardless of geographic location.

¹ Ministry of Justice (2017), **Restorative Justice Action Plan for the Criminal Justice System for the period to March 2018**

Table 1: Police and Crime Commissioner RJ Expenditure and RJ spend per recorded Crime

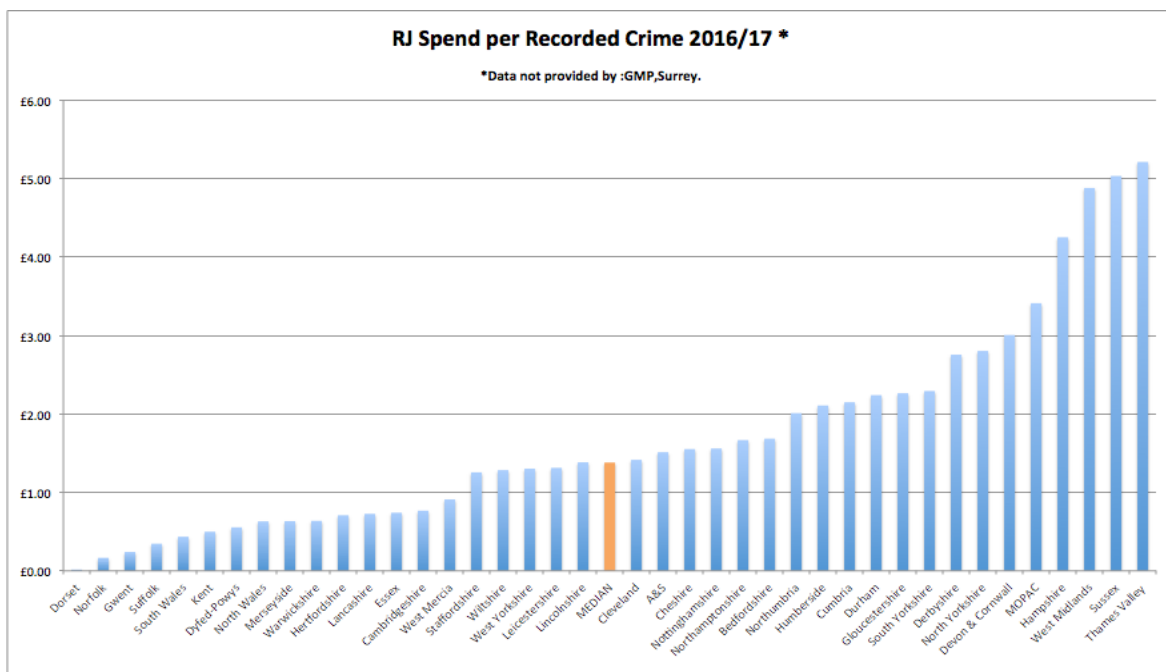
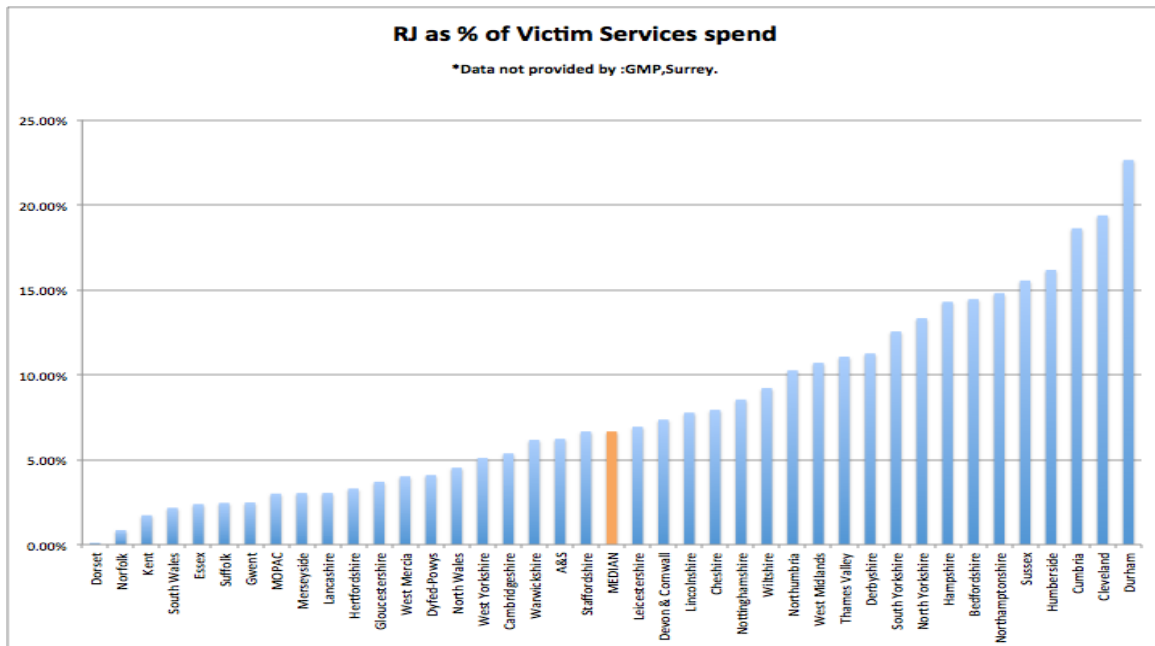
Police and Crime Commissioner Areas	Restorative Justice Police and Crime Commissioner Allocation & Spend (POI data received from Ministry of Justice in August 2017)				Total Victim Services spend (16/17)	RJ as % of Victim Services spend (16/17)	*ONS recorded crime 16/17	RJ Spend per recorded crime 16/17
	2013/14 RJ Allocation	2014/15 RJ Allocation	2015/16 RJ Allocation	2016/17 Spend from VS budget				
Avon and Somerset	£109,956	£178,500	£365,000	£121,116	£1,945,281	6.23%	80.1	£1.51
Bedfordshire	£42,539	£69,056	£141,000	£110,000	£761,135	14.45%	65.3	£1.68
Cambridgeshire	£55,449	£90,015	£184,000	£52,750	£982,460	5.37%	68.8	£0.77
Cheshire	£70,217	£113,988	£233,000	£97,455	£1,228,255	7.93%	62.8	£1.55
Cleveland	£38,004	£61,694	£126,000	£128,490	£662,924	19.38%	90.8	£1.42
Cumbria	£33,960	£55,144	£112,000	£109,590	£588,465	18.62%	51.0	£2.15
Derbyshire	£69,699	£113,149	£231,000	£142,999	£1,270,492	11.26%	51.9	£2.76
Devon & Cornwall	£114,535	£185,933	£380,000	£148,500	£2,018,130	7.36%	49.4	£3.01
Dorset	£51,065	£82,898	£169,000	£922	£898,013	0.10%	58.5	£0.02
Durham	£42,170	£68,457	£140,000	£166,818	£736,524	22.65%	74.5	£2.24
Dyfed-Powys	£35,143	£57,050	£116,000	£25,000	£610,674	4.09%	45.1	£0.55
Essex	£118,485	£192,345	£393,000	£50,000	£2,096,000	2.39%	67.5	£0.74
Gloucestershire	£40,983	£66,531	£136,000	£115,000	£3,108,115	3.70%	50.8	£2.26
GMP	£183,912	£298,559	£611,000		£722,568		96.1	
Gwent	£39,337	£63,859	£130,000	£17,020	£686,009	2.48%	70.6	£0.24
Hampshire	£130,346	£211,601	£433,000	£327,774	£2,292,542	14.30%	77.1	£4.25
Hertfordshire	£76,846	£124,750	£255,000	£45,063	£1,364,883	3.30%	63.6	£0.71
Humbly Grove	£62,696	£101,779	£208,000	£176,592	£1,091,981	16.17%	83.8	£2.11
Kent	£118,995	£193,174	£395,000	£36,425	£2,109,047	1.73%	73.0	£0.50
Lancashire	£99,753	£161,937	£331,000	£52,906	£1,739,815	3.04%	72.8	£0.73
Leicestershire	£69,783	£113,284	£232,000	£85,590	£1,233,466	6.94%	65.2	£1.31
Lincolnshire	£48,924	£79,422	£162,000	£70,000	£900,647	7.77%	50.6	£1.38
Merseyside	£94,308	£153,098	£313,000	£49,952	£1,644,235	3.04%	78.8	£0.63
London	£565,467	£917,966	£1,879,000	£302,911	£10,092,360	3.00%	88.8	£3.41
Norfolk	£58,892	£95,605	£195,000	£9,416	£1,100,271	0.86%	56.9	£0.17
North Wales	£46,991	£76,284	£156,000	£37,141	£820,323	4.53%	58.9	£0.63
North Yorkshire	£54,628	£88,682	£181,000	£126,980	£952,628	13.33%	45.3	£2.80
Northamptonshire	£47,681	£77,404	£158,000	£125,000	£844,380	14.80%	75.0	£1.67
Northumbria	£96,940	£157,370	£322,000	£173,905	£1,695,753	10.26%	86.4	£2.01
Nottinghamshire	£74,792	£121,415	£248,000	£112,600	£1,318,659	8.54%	72.2	£1.56
South Wales	£87,750	£142,451	£291,000	£33,379	£1,539,831	2.17%	76.7	£0.44
South Yorkshire	£92,027	£149,394	£305,000	£202,618	£1,614,372	12.55%	88.4	£2.29
Staffordshire	£75,004	£121,759	£249,000	£87,500	£1,313,381	6.66%	69.7	£1.26
Suffolk	£49,842	£80,913	£165,000	£21,437	£872,889	2.46%	62.0	£0.35
Surrey	£77,827	£126,343	£258,000		£964,578		54.5	
Sussex	£110,399	£179,219	£367,000	£316,070	£2,032,832	15.55%	62.8	£5.03
Thames Valley	£156,238	£253,633	£519,000	£305,937	£2,764,996	11.06%	58.7	£5.21
Warwickshire	£37,295	£60,544	£123,000	£43,015	£697,760	6.16%	67.5	£0.64
West Mercia	£83,704	£135,883	£278,000	£59,000	£1,468,158	4.02%	64.8	£0.91
West Midlands	£188,030	£305,244	£625,000	£355,286	£3,319,355	10.70%	72.8	£4.88
West Yorkshire	£152,503	£247,569	£507,000	£136,463	£2,676,339	5.10%	104.8	£1.30
Wiltshire	£46,876	£76,098	£155,000	£76,128	£826,119	9.22%	59.3	£1.28
TOTALS	£3,850,000	£6,250,000	£12,800,000	£4,654,748	£67,606,646	6.89%		

* Office for National Statistics (2017), Crime in England and Wales: Police Force Area Data Tables, Available Here: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/policeforceareadatatables>

How have we made this assessment?

In analysing the data provided by the Ministry of Justice, we have used two comparators.

1. The level of reported expenditure on RJ as a % of the victims fund.
2. The level of reported RJ expenditure in PCC areas against recorded crime levels.



By using these comparators the results indicate:

- The level of RJ expenditure as a % of victims fund showed a variation between 0.1% (Dorset) and 22.4% (Durham). The median % was 6.6%
- The level of RJ expenditure against recorded crime per police area shows a difference in the 'investment' in restorative services reported by PCCs to be from 2p per recorded crime (Dorset) to £5.21 per recorded crime (Thames Valley). The median expenditure for PCCs was £1.68p

We have noted that the data provided by the MoJ under the Freedom of Information request may not be fully representative of the individual PCCs' total spend on victims' services. PCCs may commission services, including RJ, from their own budgets. Similarly, spend of the MoJ grant may be aggregated across more than one service area. For example, some PCC areas provide funding to one service provider to deliver the referral mechanism, need assessment and specialist services and spend on those areas may have been aggregated in their returns. This may include spend on RJ. Notwithstanding this caveat the results indicate significant disparities.

Note: The FOI return for Victim Fund expenditure for two PCCs areas – GMP and Surrey did not specify RJ expenditure for 16/17 and therefore these have been excluded from our results. We acknowledge that does not mean that no RJ service exists in these areas.

Conclusions

The information from PCCs shows such significant variations that there is unlikely to be equality of access for victims to restorative services and that victims may be significantly disadvantaged in some areas. This variation is deserving of further examination and explanation.

Why me? will continue to campaign on behalf of victims and contribute to the growing chorus of influential voices, including the National Victims Commissioner, Baroness Newlove, calling for equal and open access to restorative justice.

In Baroness Newlove's report², published November 2016, she gave the following commitment,

"As Victim Commissioner, I will:

When working with individual PCCs, consider how well they are able to account for their area's offer of RJ to all victims. PCCs should be able to demonstrate to the Ministry of Justice how funding has been spent. "

Examine how PCCs have implemented appropriate support structures for victims and how they have learnt from sharing good practice. I will also work with the Association of PCCs to identify how they can ensure victims are provided with the best possible support from their PCC"

² Victims' Commissioner, (2016) **A Question of Quality: A Review of Restorative Justice Part 2- Victims**

Recommendations

We support the commitment from Government to honour the Victims' Code and implementation of their National RJ Action Plan.

1. We recommend that accurate information relating to how much is spent by PCCs on Restorative Justice should be published annually by the Ministry of Justice in support of their Restorative Justice action plan.
2. We recommend that the National RJ action plan commitment "to identify opportunities and utilise levers available to MoJ, such as grant conditions and contract management, to influence commissioners of RJ services to commission services that deliver safe and competent RJ and report on progress by March 2018" be expanded to include examination and explanation of the differences identified by this report.

In part 2 of our Valuing Victims 2017 report, to be published in November, we will be examining what has been reported by PCCs as having been achieved as a result of monies spent.

Background to Why me? Valuing Victims Campaign

The aim of Why me?'s Valuing Victims Campaign is to improve victims' access to RJ across England and Wales by highlighting the challenges victims face in accessing Restorative Justice. We also highlight good practice and disseminate knowledge about what a good RJ service looks like. We aim to inform and support Police and Crime Commissioners (PCCs) to meet their Restorative Justice commitments to victims under the Code of Practice for Victims and to shine a light on this Government's commitment to equal and fair provision. Our preceding Valuing Victims reports are here:

<https://why-me.org/restorative-justice-service/victims-stories/>

Why me? provide a national RJ service – both direct to victims and in support of regional services. We have a strong track record in understanding how best to introduce RJ to victims. There are [examples of good RJ practice](#) on our website and we can provide advice and support to individuals seeking justice and professionals working on their behalf. Email info@why-me.org or call 020 3096 7708