



VALUING VICTIMS (Part II)

A review of Police and Crime Commissioners' funding of Restorative Justice: Evaluation and Monitoring

Why me?
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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. Part 2 of our Valuing Victims report examines the outputs and outcomes reported to the Ministry of Justice by PCCs during 2016/17. We obtained the data from the Ministry of Justice through a Freedom of Information (FOI) request. In Part 1 of our Valuing Victims report we identified a minimum of £4.6 million was spent during 2016/17 from the MoJ victims fund allocation to PCCs. Feedback from PCCs indicates that additional funding from other sources has also been used to provide restorative services in some areas.

The Ministry of Justice explains that it supports victim-focused Restorative Justice because it has been shown to provide significant benefits to victims, and it has also supported the availability of Restorative Justice to offenders because of its potential to reduce recidivism.

There are thus two separate claims: that Restorative Justice provides benefits for victims and that there are also benefits to offenders in discouraging reoffending. The recent Justice Select Committee Inquiry - Restorative Justice report 2016-17 - examined both of these claims.

“We concluded that restorative justice, particularly victim-offender conferencing, has the potential to offer clear and measurable benefits to the criminal justice system and to wider society..... There is clear evidence that restorative justice can provide value for money by both reducing reoffending rates and providing tangible benefits to victims.”¹

The Justice Select Committee, commented upon measuring effectiveness of Restorative Justice provision as follows:

“It has been made clear to us that judging the effectiveness of a restorative justice programme simply by reference to the number of conferences held is a poor measurement and could encourage counterproductive incentives. We recommend the Ministry of Justice, with the Restorative Justice Council, publish and promote clear guidance for commissioners of restorative justice services of what constitutes a successful restorative justice scheme, including measurements relating to offenders and victims such as victim satisfaction”².

Dr Phillip Lee, Minister for Justice, states in his foreword to the 2016-18 MoJ Restorative Justice Action Plan,

“ My priorities for the future include improving our understanding of the way RJ services being commissioned by PCCs meet victims’ needs and building up an evidence base for effective delivery of RJ. My officials will continue to work with PCCs and providers to identify and share good practice and develop outcome measures”³

Through our Valuing Victim campaign work we seek to examine PCC monitoring arrangements and to contribute to the delivery of the MoJ action plan for the benefit of victims and their communities.

¹ Justice Select Committee (2016), **Restorative Justice, Fourth Report of Session 2016 - 17**

² Ibid

³ Ministry of Justice (2017), **Restorative Justice Action Plan for the Criminal Justice System for the Period to March 2018**

Executive Summary

Part 2 of our [Valuing Victims report](#) examines reported outputs and outcomes delivered by PCCs during 2016/17. Its findings reveal:

- Data from 22 PCC areas indicates high levels of victim satisfaction.
- Several PCC areas provide information about how Restorative Justice (RJ) supports a victim to cope and recover. The results are encouraging however there are several different approaches to measurement.
- Significant variations in the terminology used to describe RJ outputs make comparisons across PCC areas unreliable.
- Case study work indicated restorative services at a local level were funded from sources additional to victim services.
- PCC areas potentially have a different strategic approach. This has implications for the proposed national performance framework.
- Quantitative measures in isolation are unlikely to provide an understanding of RJ delivery within an individual PCC area.

The report makes the following recommendations:

1. PCCs would benefit from national guidance regarding cope and recover assessment processes.
2. Victim awareness of RJ should remain a priority area for the MoJ, PCCs, the Restorative Justice Council, Victim Commissioners and other associated stakeholders.
3. PCC work identifying organisational benefits from the use of restorative approaches e.g. cost savings from demand reduction should be shared to ensure greater understanding of the benefits of restorative justice.
4. Implementation of a RJ performance framework model similar to the model that exists for Multi-Agency Public Protection Arrangements (MAPPA).

Analysis

In assessing the findings, the following should be considered:

Where satisfaction levels were reported (see Table 1) it is noteworthy that the data reported consistently high levels of satisfaction.

Table 1: Victim satisfaction rates from PCCs (2016/17)

Police and Crime Commissioner Areas	Reported Victim Satisfaction with RJ
Bedfordshire	100% Satisfaction (13 participants)
Cambridgeshire	100% of victims were highly satisfied with service. 100% of victims said 'process helped them move on with life'. All Victims said they were extremely affected or 'very much affected by the incident at start of process'. All victims felt very much better or much better after process
Cleveland	<i>No Victim Satisfaction Data</i> Monthly reoffending data relating to level 1 provided: April 10% May 10% June 6% July 13%
Derbyshire	100% victim satisfaction with the outcome of the case (183 respondents). 91.9% increased feelings of well being 91.4% increased feelings of safety and perceptions of safety. 91.4% felt more informed 85.4% feelings of reintegration 93.1% improved experience of Criminal Justice System
Essex	Victim reported impact of RJ = 86% positive Victim reported satisfaction with RJ Service = 93%
Lincolnshire	100% satisfaction
North Yorkshire	98% satisfaction
Northumbria	100% satisfaction
Suffolk	100 satisfaction
Sussex	100% satisfaction
Warwickshire	100% satisfaction
West Yorkshire	93.7 satisfaction

Table 2: Evaluation & monitoring results from 22 PCC areas (2016/17)

Police and Crime Commissioner Areas	RJ Evaluation and monitoring results reported
Bedfordshire	154 referrals. 40 restorative activities. (12 conferences, 2 Shuttle, 2 letters & 24 restorative conversations)
Cambridgeshire	22,322 victims made aware of Hub & RJ service. 170 victims referred into RJ service. 27 conferences (av of 4 mths referral to completion)
Cleveland	Nine Month Report: 772 restorative interventions to young people. 693 restorative interventions to adults. Ten Month Report: 84 referrals - 23 conferences, 14 letters, Reporting IOMU use of RJ - 164 referrals leading to 53 conferences, 35 letters, 3 shuttles.
Cumbria	192 Victims contacted - 11 direct RJ interventions & 22 indirect
Derbyshire	43 direct RJ, 150 indirect
Devon & Cornwall	137 referrals - 52 outcome agreements (counselling/conferencing) 28 letters,
Durham	349 cases recorded as closed/inactive. 22% successful outcomes 25% unsuccessful outcomes 53% outcome not recorded of cases where outcome agreed (165) 47% successful outcomes 54% unsuccessful outcomes
Dyfed-Powys	Three month data provided: 2 referrals, 1 conference, 1 letter,
Essex	370 referrals. Example of Monthly report provided (March: 17 - 42 referrals)
Gloucestershire	Over 700 restorative interventions delivered
Hertfordshire	9 successful restorative outcomes from 118 referrals. 12 ongoing
Leicestershire	12 completed cases in 9 months
Lincolnshire	Performance report submitted providing satisfaction rates for conference cases broken down by criminal and neighbourhood dispute cases and victim & offender satisfaction levels - no output data provided re number of cases or victims/offenders - 100% victim satisfaction with outcome, process, reduced fear and increased safety. Reported 99% of cases where victim not re-victimised by offender within 12 months of RJ activity/release from prison.
Norfolk	41 victims given info re RJ - 10 victims took up offer however no cases led to direct or indirect outcome. 5 of these victims reported satisfaction with service and positive cope and recover outcomes ie improved health/wellbeing, felt safer & better informed.
North Yorkshire	22 victim/offender conferences for period 1st April to 20th December (approx 9 months). 80 victims visited for conference needs assessments. 40% of these led to direct or indirect RJ outcomes. 10% ongoing. 100% of victims who attended conference would recommend RJ service - 98% found it a positive experience. Outcomes reported for direct and indirect cases against 5 categories of need ie Mental health, Social interaction, Outlook and attitude, Education, skills & employment and Family/friends.
Northumbria	2249 cases identified as suitable. 214 victims agreed to RJ - 8 conferences, 22 letters. 14 ongoing. Of completed RJ cases 20% of victims responded with 100% satisfaction.
South Yorkshire	Data from April 15 (3001 referrals). Telephone contact with 1044 victims by telephone leading to 600 home visits and 56% of victims expressed interest after home visit. Up to end of June 2016 (14 months) 24 conferences,& 134 indirect outcomes.30 cases ongoing. Survey data indicates 100% satisfaction with RJ proces, 69% felt it answered questions, 56%felt it helped them cope with impact of offence, 44%improved feeling of safety, 25%improved quality of life.
Suffolk	101 victims referred or had rj discussion. 14 conferences, 6 indirect outputs - 100% satisfaction rate= 85% reported improvement in ability to cope and recover.
Sussex	488 total referrals. 117 conferences 14 shuttle 21 letter. 100% victim satisfaction. 94% wrong-doer satisfaction.
Warwickshire	273 referrals 30 conferences. 25 indirect RJ outputs - 100% victim satisfaction
West Midlands	1 month data - 757 referrals
West Yorkshire	Data for Sept 15 to sept 16 (12 months): 103 referrals - 12 conferences 26 indirect

Table 2 highlights the variations in the terminology used to describe RJ outputs by PCCs, which makes comparisons across PCC areas unreliable. Data terms such as 'direct RJ interventions', 'restorative activities', 'restorative interventions', 'crime victims' are open to interpretation.

The level of detail for reporting outputs was noticeably limited in most cases. For example a case referral can be considered to have several potential outcomes including the following examples :

- No progress following assessment
- Victim declines involvement
- Harmer declines involvement
- Direct face to face conference
- Indirect Outcome - Shuttle
- Indirect outcome - Letters
- Indirect Outcome - video conferencing
- Indirect Outcome - telephone conferencing
- Indirect Outcome - the use of a two-way screen audio or video recordings
- Indirect Outcome - written communication

12 of the 22 PCC areas, which provided data, also gave information on what could be considered to be the outcomes of the restorative process eg victim and/or harmer satisfaction with the RJ process, reoffending information.

Some of the PCC data sought to reference the impact of the restorative process upon the 'cope and recovery' pathway for victims. It was apparent that different approaches have been used to achieve this, which makes comparisons difficult.

Summary of Research findings

1. High levels of victim satisfaction levels are being achieved from the use of Restorative Justice
2. Encouraging results are also being achieved by PCCs who have developed 'cope and recover' measurements to understand the impact of RJ.
3. Additional organisational benefits from the deployment of RJ are also being identified eg incident demand reduction.
4. Data from the 22 PCC areas, which have reported, suggest PCC areas have different delivery models with differing visions of RJ - both for crime and non crime incidents. Funding sources to deliver the vision are likely to be from a number of a sources and will be different across PCC areas.
5. There are significant variations in terminology and styles of reporting by PCCs which means comparison across PCC areas is unreliable. An RJ intervention, for example, may mean something very different in different PCC areas.
6. Quantitative measures in isolation are unlikely to provide a comprehensive understanding of the RJ landscape and impact within each PCC area.

Summary of Case studies:

County Durham & Darlington Restorative Hub & Sussex Restorative Justice Partnership

In order to understand local approaches in more depth we looked at County Durham and Darlington Restorative Hub and Sussex Restorative Justice Partnership.

- Both areas had a comprehensive understanding of how Restorative Justice contributes to the strategic direction of the PCC area.
- Both had developed a range of methods to collect data to provide an overview of outputs and outcomes.
- Durham data was provided for overall hub performance whilst Sussex provided data for the 3 separate geographical units.
- Both areas are developing methods of assessing how the use of restorative approaches were contributing to the cope and recovery journey for victims.
- Durham & Darlington hub are measuring organisational benefits relating to the use of restorative approaches. e.g. £100,940 through incident demand reduction.
- Sussex are examining measurement of harm reduction through using RJ

More comprehensive information relating to both studies can be found via:

[Sussex Restorative Justice Partnership](#)

[County Durham & Darlington Restorative Hub](#)

Recommendations

1. Effectiveness and Impact of RJ

1.1 Studies of the effectiveness of Restorative Justice have generally centred upon reduced reoffending and associated savings to the justice system. Limited research about victim benefits have also shown positive impacts upon post traumatic stress and high levels of victim satisfaction. This report has identified that some PCCs are measuring the impact on victims' ability to cope and recover. However, different methodologies are being used.

It is recommended that PCCs would benefit from national guidance regarding cope and recover assessment processes. Why me? considers this an appropriate action for the Ministry of Justice to lead on within the timeframe of the current Restorative Justice Action Plan.

1.2 Given the obvious benefits to victims it is a frustration that the 2017 British Crime Survey results for England and Wales has reported an extremely low level of victim awareness of the Restorative Justice offer. Only 4.1% of victims where the offender had been identified were aware they had been offered RJ.

It is recommended that RJ victim awareness should remain a priority area for MoJ, PCCs , RJC, Victim Commissioners and associated stakeholders. Why me? considers this should be an activity to be included within the refresh of the National Restorative Action plan for 1st April 2018 onwards and also for PCCs to include within local plans for 2018/19.

1.3 The Durham case study in this report demonstrates how a PCC can identify the organisational benefits of RJ i.e. significant cost savings from demand reduction.

It is recommended that this, and similar PCC evaluations, are shared in order to ensure greater understanding of the benefits of Restorative Justice. Why me? considers this could be achieved through the MoJ activity report on the current Restorative Justice Action Plan or an area for the Restorative Justice Council to lead on during 2018.

2. Introduce Performance Framework for Restorative Justice

2.1 Our research has shown the difficulties in assessing RJ performance across PCC areas, notwithstanding the valuable work that is actually taking place at local level in some areas. Why me? **recommends** that the MoJ considers implementation of an RJ performance framework model - similar to the model that exists for [Multi-Agency Public Protection Arrangements \(MAPPA\)](#), linked to grant conditions, for 2018/19.

2.2 The MAPPA reporting model has limited key performance data for each PCC, but has additional narrative reporting which allows for a description of local delivery models.

It is recommended MoJ set out the headings for each PCC RJ annual report and also set out key questions for completion to link in with the MoJ RJ action plan. Suggested questions are as follows:

Equal Access

What actions have been taken to make sure RJ is available to victims at all stages of the CJS irrespective of: whether the offender in the case is an adult or a young person; where in England and Wales the victim lives.

Awareness & Understanding

What actions have been taken to raise awareness of RJ and its potential benefits and ascertain a consistent understanding of what RJ entails and its place in the CJS (messages to reach key target groups including victims, offenders, criminal justice policy developers, leaders and practitioners, the media and the general public)

Good Quality

What actions have been taken to make sure RJ is safe, competent, focused on the needs of the victim and delivered by a facilitator trained to recognised standards so that it only takes place where an assessment by the facilitator indicates that this would be an appropriate course of action for all relevant parties.

Value for money and Commissioning

Describe how you ensure value for money and the effectiveness of this service provision?

By requesting this information on an annual basis comparative data for each PCC area would become available.

Conclusions

The use of Restorative Justice by PCCs is clearly providing benefits to victims, communities and society.

Notwithstanding the good work by PCCs, the 2017 British Crime Survey data indicating less than 5% of victims were aware of Restorative Justice is a stark reminder that there is further work to be done to ensure many more victims benefit from this transformational tool.

Perhaps more than almost all other victim support methodologies, Restorative Justice has constantly been challenged to prove it 'works'. Initial research generally centred upon offender led benefits to the criminal justice system and to society through reduced reoffending. This report indicates PCCs, who have used monies from their victim services budgets, are indeed identifying the benefits of RJ from a victim perspective.

Many PCC areas can evidence they are delivering valuable RJ services with high levels of victim satisfaction. Some PCCs can also show how their RJ services are helping victims to cope and recover. This level of evaluation is fully supported by Why me? who consider the time is appropriate to assist PCCs through guidance on evaluation methodologies. Best practice can more easily be identified and shared if common assessment processes are used.

Some PCCs, in addition to using RJ to support victims, have placed RJ at the centre of reoffending strategies and are using restorative approaches to deal with neighbourhood conflict issues. PCC evaluation work has shown this can deliver significant community and organisational benefits. It is considered important in the current climate of budgetary constraint that this should be acknowledged so that the wider benefits of the use of restorative approaches are fully understood.

Valuing Victims Campaign

The aim of Why me?'s Valuing Victims Campaign is to improve victims' access to Restorative Justice 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/valuing-victims/>

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.