



Engaging Communities in Criminal Justice: The Restorative Justice Consortium Response

The Restorative Justice Consortium is the national voice for Restorative Justice (RJ) in England and Wales. An independent Third Sector organisation, we support our members in their RJ practice, research and publicise good practice, and provide information on RJ to Government, the public and the media. We advocate on behalf of our members, for the widespread use of Restorative Approaches, in Criminal Justice, in the community, in schools, and to resolve workplace disputes. On behalf of our 200 members, this is the RJC response to the *Engaging Communities* Consultation document.

Introduction

- 1) The Restorative Justice Consortium welcomes the *Engaging Communities* Consultation, and within it, the recognition of the Ministry of Justice's own research findings that Restorative Justice both delivered 85% victim satisfaction and 27% reductions in the frequency of offending, leading to costs savings of £8 for every £1 spent on delivering RJ. Against the background of these research findings, and in the current economic climate, we are surprised that no action has yet been taken to publicise these findings within the Criminal Justice System (CJS) or to act on them with the creation of new guidance to agencies, new targets, new legislation, or resources to deliver new services.
- 2) Our response to the *Engaging Communities* Consultation therefore focuses on the key question of how – in the light of the Government's research findings and the wealth of existing experience at local level - more victims, offenders and communities can be given access to Local Restorative Justice Services across England and Wales, so that the benefits of restorative practice can be delivered – both for the individuals involved and for wider society. Therefore this document looks at three key questions:
 - 1) **What is already happening?**
 - 2) **What does the research tell us?**
 - 3) **What needs to happen now?**

1. Restorative Justice in England and Wales – what’s already happening?

1.1 Adult Criminal Justice

a) There is no statutory provision or funding for restorative justice within the adult Criminal Justice System. Despite this, in a few areas, voluntary sector projects or criminal justice agencies have managed to attract funding to get Restorative Justice established. These projects exist on a knife-edge, with funding only ever secure for months at a time. Key Restorative Justice projects currently up and running at work with adult offenders include:

- **Remedi** – a voluntary sector mediation organisation based in Sheffield that provides Restorative Justice services to both adult and youth justice, with 13,500 service beneficiaries last year alone.
- **Kent Restorative Justice Partnership** – a partnership of mediation services who use staff and volunteers to deliver Restorative Justice under Service Level Agreements with statutory agencies.
- The **Thames Valley Restorative Justice Service** – a multi-agency initiative, led by Thames Valley Probation and providing Restorative Justice primarily as part of community sentences for adult offenders.
- The **SORI** and **Sycamore Tree** programmes running in adult prisons – enabling adult offenders to think through the impact of their offending on their victims and others.
- The **Chard Community Justice Panel** – staffed by volunteers and taking cases of low level offending by young people and adults, referred by the police.
- Small numbers of cases handled by **victim liaison officers** in Probation Services, or by **individual police or prison officers trained in RJ**, in a few areas across the country, working with offenders convicted of very serious offences.

b) Each of these projects is unique in the country and provides an excellent example and grounding that new legislation and funding should build upon. Despite the excellent quality of their work, these projects reach only a tiny proportion of all victims of adult offenders. Less than 1% of all victims of adult offenders have access to Restorative Justice at present.

1.2 Youth Justice

a) Within Youth Justice, Restorative Justice has a statutory footing, particularly through the Referral Order and Referral Order Panel Meetings. Young Offenders coming for the first time before the Court are given a referral order, where they meet with a panel chaired by community volunteer panel members. Victims are also invited to these panel meetings, which set a contract with the young person looking at how they will repair the harm caused by their offending and sort their lives out.

- b) The 2007-08 performance indicators for Youth Offending Teams show that victims have participated in restorative processes in 25% of relevant disposals – meeting the Youth Justice Board target. Where victims participated 85% were satisfied, rising to 97% satisfaction where the process involved a face-to-face meeting.¹ The published Restorative Justice Key Elements of Effective Practice encourages Youth Offending Teams to prioritise face-to-face RJ cases with direct, personal victims where participants are willing, and stresses the importance of preparation and arranging processes to suit victims’ needs.
- c) There are many examples of excellent Restorative Justice practice by Youth Offending Teams across the country; however within many YOTs there are no dedicated resources for victim contact work, leading to poor practice and very low levels of victim participation in some YOT areas. The national figure masks the diversity in practice: areas which consistently achieve victim participation rates far in excess of the national 25% target make up for extremely low levels of victim participation, in some places 0%, elsewhere. YOTs should be given individual targets by the Youth Justice Board to improve the rate of victim participation, and ring-fenced resources for victim contact work. The Northern Ireland Youth Conference Service provides a model on which both Youth and Adult Justice in

Case Study: The Northern Ireland Youth Conference Service

The Justice (Northern Ireland) Act 2002 defines the principal aim of the youth justice system ‘to protect the public by preventing offending’. It provides the authority for restorative models and for the establishment of the Youth Conference Service, located in the Youth Justice Agency. The Youth Conference Service is empowered by statute to facilitate restorative justice conferences between children and young people aged from 10 until their 18th birthday who offend and their victims. These Conferences are arranged either at the request of the Public Prosecutor, known as Diversionary Youth Conferences, or the Court and these are known as Court-ordered Youth Conferences. Since 2003 the Youth Conference Service has had 63% victim participation rates, with 91% victim satisfaction rates, and has substantially reduced the use of custody for young people in Northern Ireland.

England and Wales should build.

1.3 Neighbourhood policing

- a) Restorative practice is being used by police officers ‘on the spot’, in what is known as ‘street’ RJ in many police forces across the country. Using restorative skills and the underlying principles of restorative practice, officers deal with a minor offence or incident ‘in situ’ there and then,

¹ Youth Justice Board (2008) 2007-08 Performance YJB Youth Offending Teams Quarterly returns

between the parties involved – usually through Neighbourhood Policing teams. RJ is also being used by more highly trained officers for tackling major community conflicts and hotspots, with major successes in restoring community confidence and reducing crime & anti-social disorder.

- b) Eight police forces are part of a national pilot of the Youth Restorative Disposal (YRD) – a new disposal which allows officers to use restorative principles to deliver a quick and proportionate response to low level offending by young people. YRDs may only be delivered to a first time offender aged between 10-17 and can only be delivered once to any individual. By the end of April some 2,003 YRDs had been issued nationally. Norfolk police have already found victim satisfaction rates have risen from 67% (for conventional disposals) to 92% for Youth Restorative Disposals. The RJC looks forward to reviewing the interim report on the YRD due in autumn 2009 and final evaluation of the pilot due in February 2010.
- c) In addition to the police forces officially piloting the YRD, many other forces have developed their own local approach to the use of restorative practice as part of community policing. Leicestershire Constabulary, for example, have developed a community resolution process based on restorative principles. Between July 2008 and March 2009 2,666 offences, have been resolved using a community resolution process. Re-offending rates for young people involved in the process are just 18%, victim satisfaction has risen from 60% to 90% and over 18,500 hours of police time has been saved. 55% of Leicestershire's restorative disposals have been with adults, showing the potential for restorative policing across the Criminal Justice System. Devon and Cornwall have been pioneering restorative approaches since 2001. Dorset police released figures earlier this year indicating that their 'restorative reprimand' scheme had reduced first time entrants to the Youth Justice System by 44% whilst increasing victim satisfaction rate to 98%. Many forces work in partnership with local mediation services, such as Remedi in South Yorkshire, to whom they refer cases of neighbour disputes and community conflicts.

1.4 Schools and Care homes

- d) The divide between how conflict is dealt with inside and outside school is in many respects a false one. Conflicts that arise in school may be played out in the street and lead to criminal sanctions, whilst conflicts that arise in the community can re-emerge within school and be dealt with by an entirely different set of rules and procedures. Just as conflict does not stop at the school gate, nor should our approach to dealing with it. It is in this spirit that restorative principles have spread to schools and are being used to engage the whole school community dealing with conflicts that, were they to be committed outside school, would be considered criminal behaviour.
- e) Schools that have adopted restorative principles are reporting reductions in verbal and physical abuse within the school at the same time as

reductions in the numbers of suspensions and absences – keeping children in school that might otherwise be coming into contact with the youth justice system. Evaluation of restorative practices at Collingwood Primary School and Endeavour High School in Hull has demonstrated improvements in school attendance, attainment, behaviour and attitudes.

- f) Perhaps the most telling and unexpected outcome at Endeavour High School is the reduction in staff absences by 62.5% over the first 8 months following the introduction of restorative practices in the school. Not only did this save over £60,000 in staff cover, it more importantly points to a healthier, happier and safer school community where harm and wrongdoing are less likely to occur.²
- g) The Residential Child Care sector is home to many of our most underprivileged children who are already at a high risk of becoming involved in crime and anti-social behaviour. This risk is increased by the tendency for incidents arising within Care Homes to be referred to the youth justice system, which, were they happen within the family home, would be dealt with without recourse to the police. Restorative approaches are being used in the residential child care setting to deal with conflict in a non-criminalising way.
- h) Restorative practice is taking off across all statutory sectors working with young people as professionals see the benefits of restorative practice across agencies; but with adult offenders, projects are struggling along ‘under the radar’ with no secure funding, no underpinning legislation, and no long term security. This is despite the strength of the Government research evidence for the use of RJ with adult offenders, which we turn to next.

² Hull Centre for Restorative Practices & International Institute for Restorative Practices – UK Office, (2008) *The City of Hull: Riverside Project – September 2008*

2. What does the Government's own research tell us?

- a) The University of Sheffield was commissioned by the Government to evaluate Restorative Justice in 2001. The 7 year, £5 million evaluation by Professor Joanna Shapland and her team evaluated the work of three Restorative Justice projects. Two of these projects (Connect and Remedi) had very positive results, but the small sample size did not allow for statistically significant findings.
- b) The third project, the Justice Research Consortium (JRC), provided face-to-face RJ Conferencing, using a randomised control trial research design, in 374 cases in London, Northumbria and Thames Valley. As all three sites used the same model of restorative justice conferencing, the 374 cases together create a large enough sample for statistically significant evidence. The JRC cases, using a rigorous randomised control trial research design with a wide range of different types of offence, demonstrated a statistically significant 27% drop in the frequency of re-offending following RJ Conferencing.
- c) The full results of the Sheffield University evaluation are contained in four reports published by the Home Office and the Ministry of Justice³. We look at the findings contained in each of the reports here:

2.1 First report: Key findings about setting up restorative services

- Restorative Justice should be set up with a clear statutory footing, to give criminal justice agencies the impetus to refer cases.
- Projects faced less difficulty setting up when they were based within criminal justice agencies and had access to established, HR, finance, IT and other central services.
- Government must do more to raise awareness of what the research shows RJ can achieve, so as to build the confidence of sentencers and CJ Agencies in RJ.

2.2 Second report: Key findings about victim participation

- Although victims tend to choose indirect mediation when offered the choice, participation did not fall when only a face-to-face conferencing option was offered.

³ Published in four separate stages, the Sheffield University/Home Office/Ministry of Justice research results are contained in the following four reports:

Shapland, J et al (2004) *Implementing restorative justice schemes (Crime Reduction Programme) A report on the first year* Home Office Online Report is at:

www.homeoffice.gov.uk/rds/pdfs04/rdsolr3204.pdf

Shapland, J et al (2006) *Restorative justice in practice – findings from the second phase of the evaluation of three schemes* is at:

www.homeoffice.gov.uk/rds/pdfs06/r274.pdf

Shapland, J et al (2007) *Restorative Justice: the views of victims. The third report from the evaluation of three schemes.* Ministry of Justice Research Series 3/07. London: Ministry of Justice is at:

www.justice.gov.uk/papers/pdfs/Restorative_Justice_Report.pdf

Shapland, J et al (2008) *Restorative Justice: Does Restorative Justice affect reconviction. The fourth report from the evaluation of three schemes.* Ministry of Justice Research Series 10/08. London:

Ministry of Justice is at: www.justice.gov.uk/publications/restorative-justice.htm

- Victim participation rates were extremely high, with up to 77% victim participation in cases involving adult offenders, and up to 89% victim participation in cases involving young offenders. Offender participation rates were similarly high. All the projects devoted significant time and resources to good preparation with both victims and offenders.
- RJ can be facilitated well by people from any professional or voluntary background, as long as they are trained and supervised well.

2.3 Third Report: Key findings about the impact on victims

- 85% of JRC victims were very/quite satisfied with their experience of the RJ conference (80% of offenders in JRC conferences also expressed themselves very/quite satisfied)⁴
- 98% of JRC Conferences ended with an outcome agreement focused on what the offender would do next to repair the harm, address their problems and re-orientate their life away from crime
- Overall, only 6 offenders (of 152) and 6 victims (of 216) were dissatisfied overall with their experience of face-to-face conferencing - dissatisfaction in these cases revolved around disputes about the facts or details of the offence or difficulties in communication.
- Although victims tended to opt for indirect RJ when this was offered (finding in Second Report) indirect processes tended to lead to lower levels of victim satisfaction than face-to-face meetings after the event.

2.4 Fourth Report: Key findings about the impact of RJ on re-offending

- a) The Justice Research Consortium delivered RJ conferencing in 374 cases, each of them part of a randomised controlled trial (RCT). Taken together these cases provide statistically significant evidence of the impact of RJ on re-offending. Professor Shapland found that RJ does not stop offenders offending altogether (the traditional measure), but they do offend less. Taking all the RJ conferencing trials together that there *is a statistically significant fall in the frequency of reconviction*. **The research indicates that 27% fewer crimes were committed by offenders who had experienced RJ Conferencing, by comparison with those offenders who didn't.**
- b) Professor Shapland found no evidence of any criminogenic effects; and no differences in reconviction between types of offender or offence - so no evidence to support targeting Restorative Justice towards one group of offenders over another. However, adult offender's views about the RJ conference they had participated in did relate to the level of re-offending after RJ. In particular, they were less likely to offend depending on their perception of:

⁴ In separate research with this same sample, Professor Larry Sherman and Dr Heather Strang have demonstrated a statistically significant impact on the post-traumatic stress symptoms of victims following restorative justice **Angel, Sherman, and Strang (2009) Effects of restorative justice conferences on post-traumatic stress symptoms among robbery & burglary victims: a randomised controlled trial**. Jerry Lee Centre for Experimental Criminology.

- the extent to which the conference had made them realise the harm done
- whether they wanted to meet the victim at the start
- the extent to which they (the offenders) were actively involved in the conference
- how useful they felt the conference was⁵

2.5 Fourth report: Does RJ provide value for money?

- a) Professor Shapland found clear evidence that, using Home Office standard measures, Restorative Justice provides value for money. The Home Office standard measure for the cost of crimes was used (this combines the cost to victims plus the costs to the Criminal Justice System of particular crimes)⁶. The overall cost of re-offending is therefore a combination of frequency of re-offending and severity (more serious crimes cost more to both victims and the CJS).
- b) The cost savings provided by RJ reducing the frequency of offending can then be compared with the cost of delivering Restorative Justice. In this research, the JRC RJ Conferencing sites all showed a significantly lower *cost of convictions* versus the control groups at all their three sites, London, Northumbria and Thames Valley.
- c) The table below shows the cost for each of the three JRC sites. The cost-savings found in London were much higher due to the more serious nature of the crimes being dealt with at the London JRC site. In London, RJ Conferencing saved the Criminal Justice System 14 times the cost of delivering RJ through the reductions in re-offending generated; in Thames Valley the cost-savings ratio was 2 to 1 (RJ saved the CJS twice as much as it cost to deliver). Summed together the cost savings of all the JRC cases at the three sites demonstrated cost-savings on average of 8 to 1 – **through reductions in the frequency of offending RJ saved 8 times what it cost to deliver**⁷.

JRC Site	Cost of RJ Cases over the running period	Money saved through reductions in offending	Ratio of costs to savings
JRC London	£598,848	£8,261,028	1:14
JRC Northumbria	£275,411	£320,125	1:1.2
JRC Thames Valley	£222,463	£461,455	1:2
Overall			<u>1:8</u>

⁵ These findings show that rather than trying to select offenders by offence type, the key to the success of RJ is the skill of the facilitator in preparing the offender well for the restorative justice conference and enabling their full participation in it.

⁶ There is no standard way of measuring in financial terms the impact of crime on victims, so any savings for the NHS (through better mental health and reductions in post-traumatic stress symptoms) and for employers (from ability to return to work) have not been quantified and costed within this research.

⁷ Table provided by Professor Joanna Shapland

- d) These findings from Professor Shapland's research for the Ministry of Justice, examining the effectiveness of RJ in England and Wales, corroborate international research findings on Restorative Justice. Randomised Control Trials in both Australia and the US mirror the research in this country by delivering very high victim satisfaction and reductions in the frequency of re-offending. These international findings have been summarised in a recent Smith Institute report ⁸.
- e) These findings must also be seen against the background of wider Government research revealing the pitiful levels of public confidence and satisfaction with criminal justice agencies generally. The BCS shows a widespread public perception that the Criminal Justice System fails to meet the needs of victims. Only 36 per cent of the public believe that the Criminal Justice System meets the needs of victims of crime⁹. Despite the growth in the use of Restorative Justice by individual police forces, neither the BCS, nor a recent study about public confidence in policing,¹⁰ considers the impact of Restorative Justice on public confidence - a serious omission given the findings outlined above.
- f) The 85% level of victim satisfaction among those victims who experienced RJ, coupled with the findings from police forces across the country from their growing use of restorative practice, show how much Restorative Justice has to contribute both to victim satisfaction with the CJS and to wider public confidence.
- g) Professor Joanna Shapland has herself responded to this *Engaging Communities* consultation. We endorse the points she makes in her own response about the need for Government action, in the form of guidance, statute and funding, to deliver on her research findings; we turn to the question of delivery next in this response.

⁸ **Smith Institute** (2007) *Restorative justice: the evidence*, by Lawrence Sherman and Heather Strang, The Smith Institute: London.

⁹ **British Crime Survey** (2008) Public perceptions, in 2007-2008, online: <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0708chap5.pdf>, page 119.

¹⁰ **National Policing Improvement Agency** (2008) 'Public confidence in the police', by Andy Myhill and Kristi Beak: London.

3. Restorative Justice – what needs to happen now?

- a) The Government now has two very strong sources of evidence for what works in delivering Restorative Justice – qualitative evidence from experienced RJ practitioners and projects up and down the country, and the quantitative evidence of their own £5 million research. We now know that Restorative Justice produces cost-savings to criminal justice and thus delivers value for money for taxpayers, giving Government a solid evidence base for legislation, policy and the delivery of new restorative services. Four things are now needed to realise the benefits of this research for victims, offenders and communities across England and Wales:

3.1 A Restorative Justice Act

- a) A key finding of Professor Shapland was that Restorative Justice Services faced an uphill battle when trying to ‘extract’ cases for RJ from an already over-burdened Criminal Justice System. A clear recommendation from her first report is that, to reduce inefficiency, Restorative Justice must be given a statutory footing, to give sentencers and criminal justice agencies the necessary incentive to refer cases. Recent work by other think tanks has also called for a new Restorative Justice Act to give legislative underpinning to RJ, including *Locked up potential* (Centre for Social Justice) and *Rethinking Crime and Punishment* (Esmee Fairbairn Foundation, 2008).
- b) A Restorative Justice Act needs to establish three things: a statutory base for Local Restorative Justice Services; a National Restorative Justice Agency to provide oversight; and a statutory requirement for Restorative Justice to be considered, and provided where appropriate in all cases involving a personal victim.
- c) The Ministry of Justice research indicated that Restorative Justice can be delivered successfully either pre- or post-sentence¹¹. We would recommend that the Government looks to statute abroad where Restorative Justice has been given a clear statutory footing and integrated with the sentencing process. In both New Zealand and in the Northern Ireland Youth Justice System, RJ conferences take place pre-sentence and the outcome agreements from these conferences form part of the sentence. Legislation should also provide for Restorative Justice to take place during the course of a sentence as in some cases the victim or offender may not be ready to consider Restorative Justice pre-sentence; whereas some years into a custodial sentence might be a suitable time.
- d) Alongside statute, new sentencing guidelines would need to be developed on how to balance participation in RJ conferencing – and any outcomes

¹¹ In the MoJ research examined above, restorative justice processes took place both pre- and post-sentence. Victims tended to agree that the conference had taken place at the right time whether pre or post-sentence. Whilst pre-sentence RJ led to the highest offender participation rates, post-sentence RJ seemed to lead to the largest impact on recidivism.

agreed to during the conference – with other elements and purposes of sentencing. As the national centre of expertise on Restorative Justice and representing our 200 plus members, the Restorative Justice Consortium would be well placed assist in this process.

- e) To ensure that the extremely positive impact of Restorative Justice found in the Ministry of Justice research is replicated and not watered down, a Restorative Practice Agency or similar national centre is needed to provide oversight and guidance. The Restorative Justice Consortium, as the national third sector body for restorative practice in England and Wales, could, with long term investment from Government – comparable to that provided by the National Family and Parenting Institute for the family support sector – provide the Government and sector with strong and independent support and advice for local services. The National Restorative Justice Agency would be responsible for maintaining the quality of provision, continuing the development of research and best practice standards, and monitoring outcomes to provide firm guidance for Local Restorative Practice Services¹².

3.2 New Local Restorative Justice Services in each area, under a National Restorative Justice Agency

- a) To date, as highlighted above, projects providing Restorative Justice to the adult Criminal Justice System have come and gone, or managed to survive with the support of one or two key CJS agencies or funders. In the light of the Ministry of Justice research, to realise the cost-savings that Restorative Justice could deliver, Government needs to move towards a Local Restorative Justice Service in every local area, with statutory underpinning.
- b) The results of the Ministry of Justice research flowed from RJ programmes that exhibited very high quality RJ training, programme delivery, supervision and management, and victim and offender follow up. To ensure that the learning from research and practice is replicated during a national roll-out of Restorative Justice in adult criminal justice, we would recommend a phased roll out of Local Restorative Justice Services, beginning in areas where practice and expertise are already established, and where there is strong interagency working and support from criminal justice agencies. Experience from both the Ministry of Justice research and the work of the Thames Valley Restorative Justice Service shows how critical long term local support and leadership by key CJS agency heads of service. Thames Valley RJ Service is also - as their own response to this consultation process makes clear - an extremely successful example of a multi-agency service, drawing on the skills and experience of facilitators

¹² This is essential to maintain the quality of practice delivered under the MoJ research. Guidance to Services should be based on the MoJ research findings, the RJC's *Principles of Restorative Practice* and the existing Home Office Best Practice Guidance (updated in the light of research evidence) and 2009 National Occupational Standards. Guidance needs to be constantly updated in the light of research and the practical experience of the first Restorative Justice Services. Accreditation of practitioners and Restorative Justice Services from the RJ Agency would help to ensure quality standards long term.

from victim support and Oxfordshire Mediation, as well as from the police, prison and probation services.

- c) It is essential that any Restorative Justice Service has long term stability to continue providing the service for the foreseeable future; we no longer need projects or research trials, but sustainable services which can provide long-term quality services to victims. Experience in Thames Valley suggests the value of multi-agency partnerships in providing long-term support for restorative services, as well as enabling joined up delivery of RJ across criminal justice agencies. Such multi-agency services could be based within a single statutory agency or, if given a statutory underpinning and long term secured funding of core costs similar to that given to Victim Support, in the Third Sector. Restorative Justice services based in the Third Sector and recruiting volunteer facilitators from the community, if properly funded long-term, provide particular benefits in terms of community engagement.
- d) To ensure long term stability, funding for Local Restorative Justice Services should be ring-fenced and provided from the Office for Criminal Justice Reform, through the National Criminal Justice Board, perhaps with an element of match funding required from Local Criminal Justice Boards for the RJ Service in their area. Each Local Restorative Practice Service can employ a manager, administrator, and the training and salaries of 6-8 facilitators working full-time or equivalent costs to train, support and co-ordinate volunteers. Experience from the pilot projects during the research phase demonstrated that this model of service delivered the most effective and efficient results; the Fourth Report gives precise details of the costs of running such Services, and their value for money.
- e) While primarily focussed on delivering Restorative Justice to victims and offenders in the adult Criminal Justice System, Local Restorative Justice Services should also become local centres of expertise for statutory and voluntary agencies working outside criminal justice to work in partnership with and learn from one another. Their wider remit should therefore allow them to:
- Support good practice within Youth Justice through partnerships working with local YOTs.
 - Enable diversionary Restorative Justice initiatives such as the Chard and Ilminster Community Justice Panel through provision of training and the sharing of facilitators.
 - Support initiatives such as victim empathy programmes and the use of Restorative Justice to resolve disputes within prisons.
 - Resource police services, schools and care homes to provide restorative practices in the course of their daily work with young people and with communities.

3.3 Publicising the benefits of restorative practice

- a) Public awareness of Restorative Justice is growing throughout the country, and public support and supportive local media have been crucial in many of the areas in which restorative practice has flourished. The fact remains that the case for restorative practice continues to need to be made carefully and well if the public are to be shown that restorative approaches can provide an appropriate alternative to punitive measures.
- b) The Government needs to do far more to publicise the findings of the Ministry of Justice research. In particular, three things should be emphasised, both to criminal justice agencies and to the wider public. First, that the choice to participate in Restorative Justice is a victim's right. No victim will ever be pressurised to meet their offender, but that choice should be available to them as part of a victim-centered Criminal Justice System. The finding that 85% of victims are satisfied with their experience of Restorative Justice needs publicity, as does the fact that face to face meetings provide greater satisfaction to victims than indirect processes.
- c) Second, the Government needs to publicise the finding that Restorative Justice reduces re-offending. The public perception of Restorative Justice as a 'soft option' is reinforced by policy only to utilise restorative practice for children and minor crime. The Government knows from its own research that Restorative Justice is actually even more effective with serious crime with identifiable victims and yet shies away from publicly acknowledging the role of Restorative Justice for serious crime thus perpetuating the myth. The Government should publicise the fact that Restorative Justice has been shown to work most effectively with serious and violent offences and shown to reduce re-offending.
- d) Finally, the Government needs to emphasise that Restorative Justice leads to fewer crimes being committed, therefore fewer victims and less cost of crime to the taxpayer. In the current economic climate, and with prison numbers spiralling, this is perhaps the most important message of all. Restorative Justice is a classic example of Invest to Save, and should be explained to both the public and criminal justice agencies as such. Norfolk police estimate that the use of RJ interventions including the Youth Restorative Disposal and Community Problem-Solving costs less than £25 in Police Officer time per disposal compared with £43.45 when issuing a caution.¹³ Findings such as these, along with the key findings from the Ministry of Justice research, need to be made far more widely available.
- e) The Office for Criminal Justice Reform should look urgently at how the benefits of Restorative Justice - and the findings of the fourth Ministry

¹³ ACPO (2009) 'The use of Restorative Justice and Youth Restorative Disposals within the policing landscape in Norfolk' Peter E Merry, Head of Criminal Justice, Norfolk Constabulary. P11. Available online <http://www.aopm.co.uk/Public/FilesDirectory/index.aspx?categoryID=25>

of Justice report in particular - can be more clearly explained and widely publicised. Individual stories and case studies are also critical to enabling the public to see and hear the benefits of Restorative Justice. Government should invest in organisations who can provide such case studies and 'how this works' examples to the wider public and the media.

3.4 Developing Restorative Justice in adult criminal justice within a wider strategy

- a) As the *Engaging Communities* consultation focuses on community engagement in the Criminal Justice System, this response has focussed primarily on the issue of how best Restorative Justice can be operationalised within adult criminal justice, in the light of the evidence provided by the four Ministry of Justice research papers. However, as we have made clear above, the role of Restorative Justice within the Criminal Justice System needs to be set in the context of the benefits of restorative practice in wider society, to enable communities, children, young people, families, schools and workplaces to deal more effectively with conflict and prevent harm from escalating.
- b) We believe therefore that the steps outlined above to build RJ into the adult Criminal Justice System should be embedded within a wider cross-Government strategy, led by DCSF, recognising the benefits of restorative approaches to deal with conflict across society in a way that minimises harm and prevents conflict escalating into crime. In particular, the wider Government strategy should:
 - Encourage a multi-agency, joined up approach within counties and local authorities to deliver consistent restorative practice.
 - Encourage the use of restorative practices in schools, care homes and work places to resolve conflict, and require all police forces to use restorative practices as part of their neighbourhood policing
 - Set increasingly ambitious targets for both the quality and the quantity of restorative practice delivered in the Youth Justice System

4. Conclusion: Restorative Justice – engaging communities, preventing re-offending, meeting victims’ needs

- a) In this response we have drawn attention to how Ministry of Justice research has demonstrated the impact of Restorative Justice in adult criminal justice on victim satisfaction, recidivism and cost-effectiveness. We challenge the Government to act on these research findings through the implementation of a Restorative Justice Act, setting up a National Restorative Justice Agency and multi-agency Local Restorative Justice Services in each area; and giving Restorative Justice a statutory base in the adult Criminal Justice System.
- b) Restorative practices have a unique potential to draw on and build community engagement in the Criminal Justice System. This has been demonstrated through the excellent existing work of the Chard Community Justice Panel, initiatives such as the SORI project and Sycamore Tree Restorative Justice projects in prisons, and the work of the Referral Order Panels in Youth Justice.
- c) Restorative Justice delivers exceptional opportunities for community engagement - engagement and empowerment of individuals is at the heart of Restorative Justice - and RJ should therefore be at the heart of any strategy to engage communities in criminal justice. Restorative Justice also delivers fewer victims of crime and a more cost-effective Criminal Justice System. The case for embedding Restorative Justice within the adult criminal justice is crystal clear. The Government does not need further consultation papers, evidence or information, but the political will to act on their own research.

Restorative Justice Consortium July 2009

To: Engaging Communities in Criminal Justice Consultation Responses

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