



**RESTORATIVE
SOLUTIONS**

reducing harm, resolving conflict



Placing Restorative Justice at the heart of the Criminal Justice System

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Introduction

RJ week takes place each year in November, but of course our activities at Restorative Solutions CIC are not just confined to one week.

Our innovative and pioneering work with Restorative Justice (RJ) and Restorative Approaches (RA) continues all the time. However, this year we are in the situation of having a General Election looming, with law and order firmly on the agenda. As such we have an opportunity to present the benefits of Restorative Justice and to advocate for it to all those who are standing for office.

All the main political parties have stated a need to recognise the needs of the victim (and the value of the Victim's Code) and to ensure that criminal justice services are victim-focussed. With this in mind, we want to promote our work and encourage everyone, across all sectors, to recognise the value of Restorative Justice.

There is a wealth of evidence available to show the efficacy of Restorative Justice, including a considerable academic knowledge base supporting the use of RJ within the criminal justice context. The following information highlights and supports the main findings of a number of studies; namely the effectiveness of RJ and its impact both on victims and offenders.

Gary Stephenson, Executive Chairman



What is Restorative Justice?

Restorative Justice offers victims an opportunity to be heard, to ask questions of the offender, and to have their say in the resolution of the harm caused. Research shows that Restorative Justice reduces re-offending and helps to reduce harm in our community.

RJ has a proven, significant impact in supporting victims in achieving closure and allowing them to move on with their lives. 85% of victims who have participated in Restorative Justice would recommend it to others. For offenders, RJ provides an opportunity to face the consequences of their actions, recognising the impact that their offending behaviour has had upon others and, where possible, make amends. In this way, RJ has the potential to help rehabilitate offenders and support them in addressing their offending behaviour. It has the potential to motivate them to change and become responsible, law abiding and productive members of society.

The effect on victims of using RJ within the Criminal Justice process

- 72% of RJ victims were either or very satisfied; much higher than conventional approaches
- There was a 85% satisfaction rate with face to face RJ conferencing
- 78% would recommend RJ conferencing to others
- RJ conferences led to 49% fewer cases of victims with clinical levels of post-traumatic stress symptoms
- There were 36% fewer symptoms of post-traumatic stress in general
- 62% of victims in the UK studies said that RJ had made them feel better
- A greater proportion of RJ victims said that they felt more secure after their case had been dealt with, compared to victims who experienced the court process only
- Only 5% of RJ victims believed that their offender would commit the same offence against them
- RJ provided 72% of victims with some degree of closure, thus enabling them to move on from the offence
- 'Face to face interaction and getting to know what the other party is like' has been shown to bring strong benefits to victims of crime where they are willing to engage in RJ

Effects on re-offending

- 7% to 45% fewer repeat offences over the two years following RJ conference
- There are 22% fewer reconvictions following a RJ conference

Financial implications of using RJ within the Criminal Justice system

- RJ is estimated to have saved the criminal justice system nearly twice as much money as the scheme's cost.
- There is an £8 saving for the Criminal justice sector for every pound spent, and this excludes health savings.

Cases brought to justice

- Offenders diverted to RJ were twice as likely to be brought to justice than those that were allocated for prosecution.



Restorative Justice: The Hard Evidence

The fuller evidence presented here examines four main areas of impact: effects on victims, effects on re-offending, financial implications, and getting cases brought to justice.

1. The Impact of Restorative Justice Conferences on victims of crime

- **Victim satisfaction**

The most consistent positive effect of Restorative Justice Conferences (RJs) across all studies is the positive impact on victims of crime.

At a very broad level, this is indicated by victims' general perceptions of the criminal justice system following RJ conferences. Shapland and colleagues found that 72% of victims assigned to RJs alongside criminal justice processes were either very, or quite satisfied, with the way that their case had been dealt with overall, higher than conventional approaches.

This positive effect may be linked to the high levels of victim satisfaction with the RJ conferences themselves (85%), which is also evidenced by the large proportion of victims who would recommend restorative justice to others (78%).

Victims assigned to conferences were significantly more likely to think that the right sentence had been given to their offender.

- **Victim health**

One way in which offences are known to impact victims is through post-traumatic stress, which is associated with increased rates of death from heart disease, greater use of medical services, and poorer levels of general health.

The most recent review of ten programmes from across the world highlights results from one UK study where an assessment of victim post-traumatic stress symptoms was carried out. The offences in question were robberies and burglaries.

Results showed that conferences led to 49% fewer cases of victims with clinical levels of post-traumatic stress symptoms.

There were 36% fewer symptoms of post-traumatic stress in general. This could translate into large financial savings in terms of lost employment and healthcare costs.

It should be noted that the impact reported here was for serious offences, where post-traumatic stress symptoms are more likely and more severe, and thus where there is greater benefit to be had by taking measure to reduce such symptoms.

- **Victim feelings**

There is a great deal of evidence to support RJ enabling victims to manage their feelings following offences committed against them.

Shapland and colleagues report that 62% of victims in the UK studies said that RJ had made them feel better.

In greater detail, Strang and colleagues demonstrated that victims from a London study included in the above analysis were significantly less worried about the reasons for their victimisation.

A greater proportion of RJC victims said that they felt more secure after their case had been dealt with, compared to victims who experienced the court process only.

Sherman and colleagues combined data from the London study with that from Canberra, and found that violent revenge was desired by victims significantly less in RJ groups.

Furthermore, the Canberra study showed that only 5% of RJ victims believed that their offender would commit the same offence against them.

Finally, RJ provides a forum in which it is possible for apologies to be given to victims by offenders, who have been shown in one study to desire apologies in almost 90% of cases.

This is an important feature of RJ, which Shapland and colleagues found to provide 72% of victims with some degree of closure, thus enabling them to move on from the offence.

In the UK robbery programme all of the victims who were assigned to conferences received an apology, compared to a mere 14% of victims whose cases were assigned to court only.

In addition, when apologies were received, 79% of the RJC group perceived them to be sincere compared to 11% of the control group.

All in all, 'face to face interaction and getting to know what the other party is like' has been shown to bring strong benefits to victims of crime where they are willing to engage in RJ.

That the process also feeds back into levels of confidence in the broader criminal justice system is also positive.



Impact of Restorative Justice Conferences on re-offending

Criminal justice interventions typically do not yield very large effects on re-offending rates. It can therefore be very difficult to assess whether any (small) effect is due to chance, rather than the intervention itself, due to the fact that sample sizes tend to be relatively small.

However, where a good number of highly robust studies have been undertaken, results can be combined a technique known as a meta-analysis in order to determine whether effects are likely to be a result of the intervention. A paper produced in 2013 does exactly this with the results of ten rigorous Random Control Trials (RCTs) from the UK, Australia, and the US, involving 1,879 offenders in total. Seven of the ten studies are from the UK, and two of the ten involve diversionary RJCs, while the remaining eight examine RJCs used as a supplement to criminal justice processes.

In nine of the ten studies, repeat offending was lower in conference-assigned offenders than those in the control groups. These positive results ranged from 7% to 45% fewer repeat offences over the two years following random assignment.

An earlier piece of work based on the same studies identified that, on average, there were 22% fewer reconvictions for those randomly assigned to RJ than to those assigned to control groups.

Taken individually, most of the studies yield results that could be due to chance. However, when combined, there is only a "one in a thousand" likelihood that this consistently positive pattern of findings could have occurred by chance.

Restorative Justice Conferences and re-offending: **Financial implications**

A cost-benefit analysis has been applied to the three sites used for RJ in the UK, in order to assess whether RJs are cost effective in terms of reducing re-offending.

Two figures can be calculated: the cost benefit ratio taking into account only the benefits to criminal justice institutions, and the ratio including the benefits of lower re-offending rates to potential victims of crime. Extensive empirical research regarding the average costs of different types of crime to crime victims was used in order to calculate the second figure in the most accurate way possible.

The analysis reveals that, averaged across the three sites, RJ is estimated to have saved the criminal justice system nearly twice as much money as the schemes cost.

The estimated average save across all three schemes was £8 for every pound spent. Further, these figures do not factor in any cost-savings that may occur due to the impact on victim health, as discussed above.



The Impact of Restorative Justice Conferences on bringing offences to justice

One difficulty faced by criminal justice systems the world over is that various contingencies can prevent offences being brought to justice. High attrition rates in prosecutions can indicate the difficulties faced by courts and lawyers on a day to day basis, in the face of the rightly strict formal requirements of justice. In light of this issue, it is important to assess the extent to which RJ as a diversion from prosecution face similar operational difficulties that might hinder the bringing of offences to justice.

Research from five RJ programmes in New York and Canberra found offenders who were diverted to RJ were twice as likely to be brought to justice than those that were allocated for prosecution.

Thus the use of RJs as a diversion does not present obstacles to the bringing of offences to justice, and in fact compares favourably to prosecution by this measure.

This is significant in terms of bringing victims closure by reassuring them that their cases are being dealt with, and in maintaining an effective criminal justice system.

Conclusion

- In summary, there is an extremely robust evidence base for the use of RJ in both a diversionary and supplementary capacity, with a number of offences, particularly violent and property crimes.
- RJ has been demonstrated to increase victim confidence in the criminal justice system, whilst helping victims to move on following offences in ways that bring health benefits among other advantages.
- RJ has been shown to reduce re-offending in trials conducted in several different continents. The resulting reduction in victimisation leads to less emotional and psychological harm being caused by crime.

- It brings financial benefits, both to potential victims and, where serious offending is curbed, to criminal justice institutions and the taxpayer.
- At a time when serious violence is manifesting itself on our streets through the so-called gang culture and knife crime it offers an approach that is interventionist, evidence based, outcome focused with the victim at the heart of the process
- No other process in the Criminal Justice System has been scrutinised and challenged to the extent that RJ has and been shown to work.

Our challenge now is to have our voices heard as a new Government is formed and persuade them that RJ based upon the significant evidence has its place at the heart of our Criminal Justice System.



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About Restorative Solutions

Established in 2004, Restorative Solutions is a not-for-profit Community Interest Company (CIC).

Restorative Solutions we're commissioned to provide RJ services for victims of crime and work with police forces and other criminal justice agencies/partners.

Restorative Solutions is committed to supporting frontline practitioners working in the community and the public sector by creating and managing innovative programmes, delivering training and services to enable the use of restorative practice.

Restorative Solutions works nationally and locally with organisations to make restorative approaches accessible to all.

About Gary Stephenson Executive Chairman

Following a 32 year career in the Lancashire Constabulary, where Gary was instrumental in implementing Restorative Approaches, he has been working with Restorative Solutions which is committed to developing and progressing innovative restorative approaches and services in the public sector and communities.

Gary initially was responsible for programme managing a national programme for Restorative Approaches in Neighbourhoods (RAiN) building upon the work and his experience of implementing RJ in policing and Neighbourhoods. He has also been involved in projects with Drugs Intervention Programmes, Integrated Offender Management Teams, Intensive Alternative to Custody schemes and Restorative Approaches with Priority & Prolific Offenders, RJ in the National Offender Management Service and the creation and development of over 100 Neighbourhood RJ sites in England and Wales, the introduction of RJ pre-sentence sites in the Crown Courts.

Gary was appointed Chief Executive and a Director of Restorative Solutions in 2010 and has overseen the growth of the organisation and its transformation into one of the country's leading and innovative providers of restorative services. Gary participated in the development of the MoJ policy on RJ and sat on the MoJ Restorative Justice delivery group.



From left to right:

Tony Walker, Director of Practice

Kate Hook, Director of Corporate Services

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