

# A guide to restorative justice for Police and Crime Commissioner candidates

March 2016





**Katy Bourne**  
Sussex Police and Crime Commissioner

“The evidence shows that restorative justice works. My challenge is to make it available to all victims of crime in Sussex, ensuring quality in delivery and sustainability. The creation of the Sussex Restorative Justice Partnership brings together dedicated staff and volunteers to provide a restorative justice service for all victims.

“The partnership links together victims’ services, offender-focused organisations and a wide range of agencies to ensure that victims are now routinely provided with information as part of their initial needs assessment.”



**Martin Surl**  
Gloucestershire Police and Crime Commissioner

“Restorative justice is a key element of my Police and Crime Plan. I made a commitment to it before I was elected. I am proud of the work done by the dedicated staff and volunteers at Restorative Gloucestershire and intend to continue supporting them as much as I can in the future.

“Being able to explain the impact of crime has not only helped victims in Gloucestershire overcome longer term effects of victimisation, but has enabled offenders to make amends and improve their chances of not reoffending.”



**Vera Baird QC**  
Northumbria Police and Crime Commissioner

“Restorative justice makes a real difference and helps victims to recover from their experience of crime. We work closely with Victims First Northumbria who ensure the very best quality of service is delivered to meet the needs of individual victims.”

## Introduction

**A year ago, the future of Police and Crime Commissioners (PCCs) was under threat. Now, it is clear that they are here to stay and, with many incumbents choosing not to stand again, May 2016 will see a host of new PCCs taking office. Among their many responsibilities, they will take on a crucial role in the future development of restorative justice.**

Restorative justice gives victims an opportunity to meet or communicate with their offender – it gives victims a voice. It provides them with an opportunity to explain how the crime affected them, ask any questions that they may have, and potentially receive an explanation and an apology. Restorative justice also holds offenders to account for what they have done and helps them take responsibility and make amends.

Restorative justice has been strongly supported by the government and funding was provided to PCCs by the Ministry of Justice to enable them to make it available to victims of crime in their areas. This complemented the decision to devolve responsibility and funding for broader victims' services to PCCs.

New restorative justice services, funded by PCCs, have consequently emerged. As a result, more victims than ever before are able to access restorative justice. People like Kate, who took part in a restorative justice conference with the man who caused her daughter's death. It was this meeting that, in her words, helped her "to put a line under it and start to think about moving on". Kate's story is included in this booklet and she is just one of countless victims whose lives have been transformed by restorative justice.

Real progress has been made, then, in recent years. In May 2016 incoming PCCs will need to decide whether to build on this by continuing to invest in restorative justice. This should not be a difficult decision. The money is there – funding for victims' services has been frozen for 2016-17. The evidence shows that

restorative justice works, with an 85% victim satisfaction rate and research demonstrating that it reduces reoffending. It also has strong public support, with polling showing that 77% of people think that victims should have the right to meet their offender. And – most importantly – victims of crime repeatedly tell us how much it has helped them.



Every new PCC, once elected, should ask what is being done to make restorative justice available in their area. They should review the progress made and make sure that restorative justice has been prioritised. Having reviewed progress, PCCs should take whatever steps are necessary to ensure that victims of crime in their area can access a high quality restorative justice service. Supporting victims of crime to recover and move on is a key part of a PCC's role and making restorative justice available is the best way to do it.

Clearly, restorative justice both supports offender rehabilitation and puts victims at the centre of the criminal justice process. Ensuring its widespread availability should be at the forefront of every PCC's agenda. As the national body for the restorative justice field, we have worked with PCCs to support their development of restorative justice provision. We look forward to collaborating with you all to continue that work and ensure that every victim of crime can access restorative justice.

**Jon Collins**  
**Chief Executive Officer**  
**Restorative Justice Council (RJC)**

# Restorative justice – making the case

**Restorative justice works. It helps victims to put the crime behind them and move on, while reducing reoffending and saving money. This short guide sets out the key points about restorative justice for candidates who are standing for Police and Crime Commissioner in May 2016.**

## What is restorative justice?

Restorative justice gives victims the chance to meet or communicate with their offender. It can involve a face to face meeting, led by a trained facilitator who supports and prepares the people taking part and makes sure that the process is safe. Alternatively, when a face to face meeting is not the best way forward, the facilitator can arrange for the victim and offender to communicate indirectly, for example through letters or videos.

For restorative justice to take place, the offender must have admitted to the crime, and both victim and offender must voluntarily agree to take part. During a restorative justice process, the offender and victim will often agree on certain actions that the offender can undertake to repair the harm they have caused.



## Why should PCCs support restorative justice?

Restorative justice empowers victims by giving them a voice. It gives them a chance to explain how the crime affected them, ask any questions that they may have, and potentially receive an explanation and an apology. It also holds offenders to account for what they have done and helps them take responsibility and make amends.

Government research shows that it has an 85% victim satisfaction rate, reduces reoffending and saves money. The public also supports restorative justice – polling found that an overwhelming 77% of people think that victims should have the right to meet their offender.

By supporting restorative justice, PCCs can both deliver on their responsibility to meet the needs of victims and reduce the number of future victims by cutting reoffending rates.

## What can PCCs do to support restorative justice?

Funding is allocated to PCCs to provide victims' services, of which restorative justice can form an important part. In 2013, as part of this funding for victims' services, PCCs were provided with £23 million in grants to build capacity in order to provide restorative justice to victims of crime in their areas.

This was part of the government's commitment to embedding restorative justice across the criminal justice system. Funding for victims' services has been frozen so that PCCs will still have the same budget to use in 2016-17 as in 2015-16 and can continue to allocate funding to restorative justice services. This should be a key part of PCCs' work to support victims of crime.

Every PCC should develop or commission a restorative justice service in their area that is available to all victims of crime.

# Restorative justice – the evidence

## The public supports restorative justice

In March 2015, the RJC commissioned Ipsos MORI to conduct research on restorative justice. A nationally representative sample of 1,782 adults was interviewed throughout England and Wales, and it was found that 77% of the public think that victims should have the right to meet their offender. Among victims of crime the figure was even higher, at 83%. 69% of the public think that offenders need to see the real impact of their crimes and face their victims.

## Restorative justice benefits victims

The government funded a £7 million, seven-year research programme into restorative justice, which found that in a randomised control trial 85% of victims who take part in a restorative justice conference are satisfied with the process and 78% of victims who take part in restorative justice conferences would recommend the experience to others. 90% of victims who take part in a restorative justice conference receive an apology from the offender in their case, compared with only 19% of those who just go through the conventional

justice system. Victims who go through restorative justice are 49% less likely to suffer from post-traumatic stress.

## Restorative justice reduces reoffending

Government research found that 80% of offenders who take part in a restorative justice conference think it will lessen their likelihood of reoffending and that it reduces the frequency of reoffending by 14%. Research in New Zealand found that offenders who had been through restorative justice committed 23% fewer offences over the following 12 months than those who had not.

## Restorative justice saves money

For every £1 spent on restorative justice conferences, on average £8 is saved by reducing reoffending over a two-year period. Modelling conducted by the RJC and Victim Support in 2010 found that using restorative justice in 70,000 cases would have provided cashable cost savings to criminal justice agencies of £185 million over two years.



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# Restorative justice – making it happen

## How have PCCs developed local restorative justice services?

PCCs have chosen to spend the funding that they have received for restorative justice in different ways, using two main models. Some areas commission external providers to deliver a restorative justice service. Others are using the funding to build capacity within existing criminal justice agencies.

Avon and Somerset, for example, has built up an in-house capacity by working with the constabulary and establishing a Victim Board. The Victim Board created Lighthouse Victim and Witness Care who work cross agency, handling referrals for victim services including restorative justice. The alternative model is being used by the current PCC for South Yorkshire, who commissions Remedi, an external agency, to provide restorative justice services.

## When does restorative justice take place?

Restorative justice can take place at any point in the criminal justice system, and PCCs are responsible for victim-initiated restorative justice at every stage. They commission or deliver restorative justice whenever it is most suitable for the victim in that particular case. Consent of both the victim and offender is essential regardless of who initiates restorative justice.

## What is pre-sentence restorative justice?

Judges and magistrates can delay sentencing after a guilty plea to enable restorative justice to take place. Legislation to enable this was introduced in the Crime and Courts Act 2013 in order to provide victims with greater involvement in the criminal justice process at an early stage. This approach was piloted in 10 Crown Courts and 77% of victims ranked their experience of the conference as nine or 10 out of 10. Since the completion of the pre-sentence pathfinders, it is up to PCCs in each area to decide whether victims can access restorative justice pre-sentence.

## Who else delivers or commissions restorative justice?

Restorative justice can also be delivered by prisons, the National Probation Service and Community Rehabilitation Companies (CRCs), where it is initiated by or on behalf of offenders who they manage. The Offender Rehabilitation Act 2014 makes it explicit that a Rehabilitation Activity Requirement (a component of a community sentence or suspended sentence) can include restorative justice activities.

## What happens if both a PCC-commissioned service and CRC want to use restorative justice in the same case?

Effective collaboration is crucial to restorative justice delivery. PCCs and CRCs need to establish local arrangements to determine who commissions and delivers restorative justice in such cases. The key element influencing who funds the restorative justice process is whether it is initiated by the victim or the offender. There are local structures that can be put in place to make working together simpler. One example is multi-agency hubs, which can be an effective way to co-ordinate effective delivery.

## How can PCCs show the impact of restorative justice?

Restorative justice is an intervention with a clear and demonstrable impact on a number of important areas for PCCs. It is important that this impact is measured. Receiving feedback from victims about their experience is a valuable way to evaluate the benefits of restorative justice – measuring victim satisfaction can demonstrate its impact. Restorative justice also has an impact on reoffending. PCCs could compare the reoffending rates following restorative justice – and the time it takes for an offender to reoffend – with other similar offenders to demonstrate its impact. This takes time, however, and to provide more immediate feedback offenders who have participated can be asked about their impressions of the conference and the impact that it had on them.

# Restorative justice – the role of the police

The police play a key role in the delivery of restorative justice. They can deliver restorative justice informally for very low-level crimes. They can also, if appropriate, use restorative justice as part of a community resolution or conditional caution.

## Community remedy and restorative justice

Community remedy is a requirement of the Anti-social Behaviour, Crime and Policing Act 2014. It is a menu of options available to allow victims a choice in deciding how their offender is dealt with if the disposal is either a community resolution or conditional caution.

Restorative justice can be one option on the community remedy menu. Victims' views should be central to the implementation of community remedy, and the benefits of restorative justice need to be explained to victims so that they can make informed decisions. PCCs have a key role in deciding what the community remedy document contains. Restorative justice is a highly valuable addition to the document that will help the victim as well as the offender.

## Community resolutions and restorative justice

Restorative justice is often confused with community resolution – in fact they are distinct and separate. Restorative justice is not a disposal – it is a process which can be used at any stage of the criminal justice system for any level of crime. It can sit alongside or as part of an appropriate sentence or out of court disposal. Community resolutions, on the other hand, are an out of court disposal the police can use to deal with antisocial behaviour and low-level crime. They are an informal disposal recorded on the police system and can be used with or without restorative justice. It is extremely important for the police to recognise this distinction.

## What training do police officers need to use restorative justice?

Quality in restorative justice delivery is essential to provide the best possible chances of a successful outcome, to safeguard the wellbeing of participants and to build public confidence. Any officer who is expected to carry out restorative justice needs to be appropriately trained at the relevant level. PCCs should ensure that their local police force trains their officers accordingly. More information on suitable training is available from the RJC.

## What role do PCCs play in the police delivery of restorative justice?

As well as providing restorative justice services themselves, PCCs can also play a role in providing oversight of the way in which the police use restorative justice. Evidence suggests restorative justice is not always delivered to a consistent standard across police forces. PCCs have an important role in promoting the use of restorative justice, but also ensuring that it is delivered to a high standard. This will help to ensure victim satisfaction. Restorative justice should also be one of the options on a community remedy document, which is developed by the PCC.



## Kate's story

**When Kate's daughter was killed in a car accident, she had to come to terms not only with the loss, but also with her unanswered questions.**

"It was a sunny afternoon, and my daughter Lona had spent the afternoon in the garden with her friends, Stephen and Emily. They left just after 5.30pm so that Lona could spend the weekend with her dad.

"Stephen was driving, Emily was in the passenger seat and Lona was in the back seat. They met up with one of Stephen's friends and ended up racing through the nearby village of Bala. Stephen lost control of the car and there was an accident.

"I got a phone call at 7.45pm. I drove straight to Bala, past queues of traffic. At the crash site, the car was

covered by a tarpaulin. I saw a police officer I knew and I said to her: 'That's Lona, isn't it?' She looked at me and I could tell from her face that it was true. Lona was dead.

"Stephen and Emily were taken to hospital. Stephen had lost two fingers and Emily had pelvic and back injuries. The following day, the police notified me that Stephen and the friend he had been racing had been arrested for causing death by dangerous driving.

"Stephen pleaded guilty straight away, but the other boy entered a not guilty plea which meant there had to be a trial. The stress of this was awful. I was going through chemotherapy at the time but I managed to go to every court hearing but one.



“As I sat in court listening to the evidence I thought that Stephen’s friend would be found guilty, but the jury didn’t see it that way. Stephen was sentenced to three years and nine months. I was pleased that he’d got some sort of punishment but the length of the prison term didn’t matter to me. Twelve days or 12 years, it wouldn’t bring Lona back.

“Over the next few weeks I realised I still had questions I wanted answers to. The victim support officer came to see me to make sure I was OK and over coffee I suddenly asked if it would be possible to see Stephen. I hadn’t planned to ask to see him – it was a spur of the moment decision – but once I said it, I knew it was the right thing to do. The officer’s initial reaction was one of wariness but I explained that I had questions which only Stephen could answer. I didn’t want to hurt him or anything like that, I just wanted answers.

“I was put in touch with Elaine and Johnny from North Wales Police who came to see me to tell me more about restorative justice. They explained that the process is very structured and I had preparation meetings with them several times to discuss everything, from what I wanted to ask, to where everyone would sit. I felt completely prepared to meet Stephen – I knew exactly what to expect and what would happen.

“What I didn’t know on the day of the meeting was how I was going to react when I saw him – it wasn’t something I could predict. I’d had to process what happened as a terrible accident and I accepted that he had not set out that night to kill my daughter. Although I’d come to terms with that, it was still hard to go to see him.

“As soon as I saw Stephen I could see how remorseful he was and the first words he spoke were an apology. Stephen said that he’d do anything to turn back the clock. He looked me straight in the eye when he spoke and he clarified the events of that night from a perspective only he knew. I told him what his actions had done and how many people had been affected – the ripples from the death of my daughter went far beyond just the immediate family. Losing her so suddenly had wrecked all our lives, and I wanted him to know how we had all felt. Lona’s sister Ella was only nine when Lona died and she’d been very close to her.

“None of what Stephen said was a surprise as I already had a mental picture of what had happened that night but it stopped the uncertainty, the endless

questions. Being able to see how remorseful he was – not hearing it from someone else, but being able to see his face as he talked – and being able to tell him what I thought about him was very powerful. I told him that I didn’t blame him for Lona’s death but I did blame him for his actions that day.

“Going into the meeting, I felt like he had something that I wanted – the answers to the questions I had – so I had to keep it together in order to get that. It was only after he’d been taken back to his cell that I got emotional. But I was upset in a good way – sad, but satisfied by the longed-for answers. I felt calmer because there was nothing I didn’t know about what had happened – I knew for sure.

“Seeing Stephen really helped me. I was able to sleep that night for the first time, and it had been almost two years since Lona’s death. It’s a funny time at night, when things go quiet and your brain ticks over, and I just couldn’t sleep through until I’d seen him.

“You have to be in the right frame of mind to do restorative justice, and you have to be ready for it. It’s not an easy thing to do. I was very practical about the whole thing, which surprised me at times because I do have a temper. But it wasn’t anger motivating me to seek a meeting with Stephen, it was just a quest for answers.

“Restorative justice is a very powerful weapon. Stephen’s had to come face to face with me, and he now knows how I feel. He’s heard first-hand how his actions have affected a lot of people. There were over 400 people at Lona’s funeral and all of them carry their sadness about losing her. To be able to sit there and ask him questions and look him in the eye when he was talking, that’s real power. I was able to put a line under it and start to think about moving on.

“I’ve told Stephen that I don’t want to see him after he’s released. We live in a small village and I don’t want to bump into him but he knows this now so it’s not something I have to worry about.

“I still cry, and I still feel I have a huge hole in my life where Lona should be but restorative justice helped me put it into a box and be able to carry on for her sister’s sake.”

The RJC would like to thank PC Elaine Roberts from North Wales Police and Kate for sharing her story with us.

## Ed and Rumbie's story

**When Ed and Rumbie were burgled two weeks after moving into their flat, their optimism about their new life together was ruined. As part of a pre-sentence restorative justice trial taking place at Wood Green Crown Court, they were given the opportunity to meet their offender at Pentonville Prison.**

Rumbie: "Ed and I had just moved into our first flat together. We were in the middle of unpacking and settling in. Ed had just been promoted and I'd just got a new job, so it was a really exciting time. Ed came home one day and found a brick on the kitchen floor. He rang me and said: 'I think we've been burgled.'"

Ed: "I had a quick look around the flat, and at first it didn't look too bad. Then I noticed that our iPads were gone, and so was my hard drive. All of the drawers in our bedroom had been tipped out and everything had been rifled through.

"I called Rumbie at work and she came straight home. I felt very upset. I knew Rumbie already had doubts about our new neighbourhood, and moving there had been my idea. I felt really guilty and I expected her to be very distraught".

Rumbie: "Because the flat was still new to us it hadn't started to feel like home yet and I felt completely invaded by the burglary. We'd had great plans when we moved in and it was really frustrating to hit such a bump in the road. I already felt a bit unsafe, because our area isn't the safest in London, and the burglary made me really angry.

"For me, the worst thing I lost was my backpack, which I took to work every day. Everything else was replaceable, but that one thing was so personal to me that I felt furious that the burglar had taken it".

Ed: "The burglar hadn't taken anything which was dear to me, like my guitars, but I didn't feel like the flat was home anymore. As it was our first proper place together, it was the first time we'd been able to leave things lying around where we wanted them. After the burglary we started to put everything away before going out – I stopped feeling like our house was our personal space.

"In those first few weeks afterwards my sleep was disrupted – the slightest noise would wake me up instantly. I was very nervous. I no longer felt as if I could take our privacy for granted".

Rumbie: "What followed was weeks of visits from the police to keep us informed of what was happening. They caught the burglar through traces of his DNA which were on the brick. He was already known to the police as a prolific offender.

"One day, we had a visit from PC Mark Davies and Kate Renshaw from Only Connect, a local charity. They explained that the burglar – Fabian – had been caught, and was willing to meet us in a restorative justice conference. After they left we started to look on the internet to find out more about restorative justice – we were really curious to know more about it and what it involved, and we found some films about the process.

"After watching the films, we felt like it was our duty to take part in restorative justice. We were never pressured into it, but it seemed like the right thing to do".

Ed: "Once we decided to go ahead with the conference, we were told exactly where it would take place and what would happen. I felt fine until a few days before the conference, but on the day, it was definitely nerve racking".

Rumbie: "I was really nervous on the day of the meeting, too. But the police had reassured us that if Fabian was violent or we were at risk, they wouldn't allow the meeting to go ahead. We trusted the people who were organising the meeting".

Ed: "It was the first time either of us had seen the inside of a prison, which was interesting. We went into the chapel, where the conference was taking place, and took a while deciding exactly how we wanted the seating arranged. Then we chatted awkwardly until Fabian, the burglar, was brought in".

Rumbie: "We were initially quite taken aback because we'd expected someone very different. Fabian was well dressed and well spoken – he seemed like a really normal guy and we couldn't get our heads around what was going on with him to make him do what he did".

Ed: "I didn't know in advance what I wanted to ask him – I figured it would come to me on the day. We'd been encouraged not to plan too much. Fabian had brought a letter he'd prepared for us and he started by reading that out. It talked about how he understood it must be strange for us to meet him and

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that we probably hated him. He then went on to talk about the burglary. He'd been in the park next to our house using drugs, and when he'd run out he'd seen our road, which is quiet and secluded".

Rumbie: "For me, the personal impact of the burglary was lessened by meeting him. I realised that it had been a spur of the moment decision – he was off his face – whereas before I had thought it was premeditated. I learned that he wasn't watching us, he wasn't following us, which are things you think when someone's been in your house".

Ed: "I told Fabian how the crime had affected us, and how I felt about my home after he'd been in it. I didn't think it was worth asking him to go into a programme for his drug addiction – I felt that was something he was only ever going to be able to do for himself, and not because I told him to. What I did suggest was that he didn't go back to his flat – which he'd managed to keep for a decade while going in and out of prison – as that was associated with his old life.

"I think I got through to him a little bit, but Rumbie was more effective. She said to him: 'If someone asks me what this guy is like, what should I tell them?' That was the first time he was lost for words – maybe it was a little ray of light coming through a crack. He couldn't answer – it challenged him".

Rumbie: "When we left the meeting I felt really sorry for Fabian, but personally, I felt a lot safer in our home and our neighbourhood. We felt empowered, but we'll definitely think about Fabian for a long time and wonder how he's doing".

Ed: "The conference definitely helped me to move on – it was a valuable experience. It made both of us less worried that we'd been targeted, but it also concluded some of the emotional aspects – it closed a chapter for us. Now, I've got a sense of perspective on what happened to us, but it's also given me some insight into the criminal justice process – it involved me. We were assured that restorative justice does not necessarily lead to a more lenient sentence, and in fact, we could request that the judge didn't take it into account when considering Fabian's sentence. I felt that if the conference was going to be helpful to the judge in making a decision, then it should definitely be considered.

"If someone else was considering restorative justice, I would tell them to go for it. It offers you emotional closure and it puts a perspective on a crime – it seems less sinister. And it involves people – citizens – in the justice process. They come face to face with it and understand how it works".

The RJC would like to thank Restorative Solutions CIC, Wood Green Crown Court and Ed and Rumbie for sharing their story with us.



## Standards and quality in restorative justice

Restorative justice is an effective intervention when carried out safely and well, as demonstrated by robust evidence. But the quality of the service being delivered is key – positive outcomes are reliant on good practice. Anyone carrying out restorative processes needs to have appropriate training and organisational support in order to protect participants and maintain the integrity of the profession. In a field which is growing rapidly, consistency of quality is paramount, and for that reason adhering to agreed standards is essential.

The RJC has developed clear, evidence-based standards for restorative justice and has put mechanisms in place to enable service providers and individual practitioners to demonstrate that they meet those standards.

The Restorative Service Quality Mark (RSQM) was developed by the RJC, working with the Ministry of Justice, and provides organisations delivering restorative justice with external validation that they are meeting the six Restorative Service Standards. The RSQM reassures participants in restorative processes that they will receive a safe, effective service. It also supports the development of restorative justice provision by enabling commissioners to identify high quality service providers.

PCCs need to know that their money is being spent on safe, effective restorative justice delivery. Any externally commissioned service should, at a minimum, be working towards achieving the RSQM. Where funding is being used to build capacity within existing agencies, RSQM application should also be



encouraged by the PCC as the service commissioner. The RSQM is appropriate for any type of restorative justice service provider including prisons, youth offending teams, multi-agency hubs, third sector providers and CRCs.

For more information on RJC standards and accreditation, visit [www.restorativejustice.org.uk/standards-and-quality](http://www.restorativejustice.org.uk/standards-and-quality)



“The RSQM shows the public that our policies and processes have been tested and assures them that they will receive a high quality service.”

John Dwyer, Cheshire Police and Crime Commissioner

# Restorative justice – complying with the Victims' Code

The Code of Practice for Victims of Crime was most recently updated in October 2015. It sets out the entitlements that victims of crime have to access “appropriate support to help them, as far as possible, to cope and recover and be protected from re-victimisation”.

The Code entitles victims of adult offenders to receive high quality information on restorative justice, including information on how victims can take part. Victims of young offenders are entitled to be “offered the opportunity... to participate in Restorative Justice where appropriate and available”.

The Victims' Code was updated to take into account Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime (EU Victims' Directive). It outlines standards to ensure restorative justice is only used in the interests of the victim, when the victim is fully informed of the process and possible outcomes and willing to engage.

The updates to the Victims' Code guarantee victims that: “The necessary measures will be taken to make sure any Restorative Justice is safe, is delivered by a trained facilitator and is in line with recognised quality standards.”

Duties are placed on providers of restorative justice to give victims “full and impartial information” about restorative justice and how to participate, including information on the process, outcomes, and supervision of outcome agreements. It also falls to the provider to ensure that safeguards are in place, informed written consent is obtained from victim and offender, the restorative justice is provided in line with recognised quality standards, and that it is being carried out in the best interests of the victim.



**PCCs should also be aware of the following legislation on restorative justice:**

## **Antisocial Behaviour, Crime and Policing Act 2014**

Relevant section: Part 6, local involvement and accountability, community remedies

This Act gives greater powers to victims to choose how to deal with offences and antisocial behaviour. Each local policing body has to prepare a community remedy document which contains a list of actions which may, at the discretion of a local policing body, be carried out by a person who has committed antisocial behaviour or an offence which will not be dealt with in court. When police are deciding on whether to use an out of court disposal, a conditional caution or a youth conditional caution, they must make reasonable effort to consult with the victim of the offence or antisocial behaviour to see whether they want the offender to undertake any of the actions written up in the community remedy document. The police must apply this action unless the officer feels it is inappropriate.

## **Crime and Courts Act 2013**

Relevant section: Part 2, section 44

This Act allows Crown or Magistrates' Courts to defer (or adjourn) passing a sentence on an offender until they have participated in restorative justice, if the offender and victim are willing to participate. This section of the Act amends the Powers of Criminal Courts (Sentencing) Act 2000. This has been trialled in three Magistrates' Courts and a pathfinder project has been completed at 10 Crown Courts around the country.

## Restorative justice – find out more

You can find out more about restorative justice, read the stories of people who have taken part and find out about existing services on the RJC's website – [www.restorativejustice.org.uk](http://www.restorativejustice.org.uk)



The results of the research referred to in the evidence section are contained in four reports. The data cited here is from the last two, which are:

- Shapland, J, et al (2007) Restorative justice: the views of victims and offenders. The third report from the evaluation of three schemes. Ministry of Justice research series, London: Ministry of Justice.
- 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, London: Ministry of Justice.

Other studies include:

- Strang, H, Sherman, LW, Mayo-Wilson, E, Woods, D and Ariel, B (2013) Restorative justice conferencing (RJC) using face-to-face meetings of offenders and victims: effects on offender recidivism and victim satisfaction. a systematic review, Oslo: The Campbell Collaboration.
- Sherman, L and Strang, H (2007) Restorative justice: the evidence, London: The Smith Institute.
- Mackie, A, Cattell, J, Reeder, N and Webb, S (2014) Youth restorative intervention evaluation: final report, London: GtD.
- Matrix Evidence and Barrow Cadbury Trust (2009) Economic analysis of interventions for young adult offenders, London: Matrix Evidence.

Comparative evidence comes from analyses of the justice systems and reoffending rates of the other countries discussed. This includes:

- New Zealand Ministry of Justice (2011) New Zealand reoffending analysis of RJ cases In 2008-9.
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**“I feel that restorative justice should be available for everyone. Anything that helps the victim to feel better can only be a good thing, whatever the crime.”**

Tania, victim of street robbery

## **About the Restorative Justice Council**

The RJC is the independent third sector membership body for the field of restorative practice. We provide a national voice advocating the widespread use of all forms of restorative practice, including restorative justice, and raise public awareness and confidence in restorative processes.

The RJC sets and champions standards for the restorative justice field, provides quality assurance, and supports organisations in the field to build their capacity and accessibility. The aim of the RJC is to enable safe, high quality restorative practice to develop and thrive.