

REPORT: ITEM 5

SAFER PLYMOUTH

PARTNERSHIP – Restorative Justice

DATE: 10 July 2014



Background

In December 2013, a revised version of the Victims Code was published. Section 7 of the Code now places a requirement on the Police to provide information to victims about restorative justice services, including how they can take part.

The Police and Crime Commissioner has also been provided with money by the Ministry of Justice to help develop the local capacity to deliver restorative justice services and to contribute to the funding of services over the next two years 14/15 and 15/16). This money is specifically to support the delivery of restorative justice services to the victims of crime.

Current progress

Due to the intrinsic link with delivery of the Victims Code entitlements, restorative justice has been included in the joint project established by the Police and the OPCC. Delivery of the Project will be driven through a Victim Strategic Board and a Project Manager has been appointed to co-ordinate the work involved.

- A number of the statutory partners within the Local Criminal Justice Board (LCJB) also have an interest in the development of restorative justice services and wish to contribute to the development of local delivery arrangements.
- Following consultation with community safety partnerships, it is proposed that each Partnership will have a sub-group that will include restorative justice within its remit. The Police and Crime Commissioner will provide funds to these sub-groups to enable local decisions to be taken about the development of capacity and the monitoring of arrangements.
- The LCJB will also establish a sub-group to provide assistance with a peninsula wide approach to referral processes, including information technology and forms, both for victim initiated and offender initiated events.

The sub-groups are now in the process of being established.

Recommendations

For members to note the content of this report

Risks

A copy of the Project risk register will be shared with members prior to the next meeting.

Additional papers

A copy of:

- the Restorative Justice Services Project Initiation Document (PID) is attached (Appendix 1)
- Plymouth's Proposal is attached (Appendix 2)

Ian Ansell, Criminal Justice, Partnerships and Commissioning Manager, OPCC

PROJECT INITIATION DOCUMENT FOR RESTORATIVE JUSTICE

Project Name:	Restorative Justice Stage 1
Date:	25 th February 2014 Release: 1 Draft
Owner:	Police and Crime Commissioner
Project Executives:	Chief Executive Officer, OPCC
Project Managers:	Criminal Justice, Partnerships and Commissioning Manager, OPCC
Client:	OPCC, Devon and Cornwall Constabulary
Revision History	Revised (No.2 24 March 2014)

1. Project Definition/ Overview

- 1.1 To allocate funds in order to build service provision, shared referral processes, information sharing protocols and access to information on restorative justice (RJ) for victims of crime.
- 1.2 The published funding provision from the Ministry of Justice to the Police and Crime Commissioner for RJ services is as follows:

2013-2014 £114,000

2014-2015 £185,000

2015-2016 £380,000.

These funds are not ring fenced for Restorative Justice but it is the PCC's intention to use the funds for 2013-2014 for the purpose outlined above. The presumption is that dedicated funding of restorative justice services will continue for the following two years subject to the successful delivery of the necessary capacity building and delivery structure.

- 1.3 The project will take a collaborative approach, working closely with the Local Criminal Justice Board, Devon and Cornwall Constabulary, Criminal Justice Agencies, Youth Offending Teams, Local Authorities, the Community Safety Partnerships, Academic Institutions (for evaluation purposes) and 3rd Sector Providers.
- 1.4 The project will continue after the appropriate infrastructure for RJ has been established in each locality and will seek expanded and consistent delivery of appropriate RJ interventions.
- 1.5 In relation to the allocation of funds, the Police and Crime Commissioner will be guided by the following principles:
 - The money will need to support and fund restorative approaches related to crime.
 - It should be available for approaches that are both victim and offender led.

- It should support the availability of restorative services for victims as required by the recently published victim's code.
- It should support consistent and available restorative approaches both pre and post court.

2. Drivers for change

- 2.1** In January 2012, the Government published the consultation '[Getting it right for victims and services](#)'. It sets out a number of proposals to provide a more coherent service for victims of crime and means that the vast majority of decisions about what services are needed at a local level will be made by Police and Crime Commissioners. These include:
- *Access to restorative justice services for victims of all ages in the new Victims' Code*
 - *Broadening the use of restorative justice for more serious offences, whilst ensuring sufficient safeguards for victims are in place, as outlined in the published consultation on community sentences;*
 - *Establishing a process to consider the suitability of cases for restorative justice e.g. through greater use of the Victim of Crime letter and Victim Personal Statement.*
- 2.2** In May 2013, the [Victim Services for Commissioning Framework](#) was published. Although not mandatory, it provides clarity around outcomes for victims and establishes performance monitoring, so that Commissioners are accountable to the public and service providers to Commissioners. It is an important document because it outlines the framework in which RJ should operate.
- 2.3** The revised [Code of Practice for Victims of Crime \(Victim's Code\)](#) means that all victims must be informed of the offer of RJ. This applies to victims of adult offenders and young offenders. All parties involved with victims should be aware of these entitlements and how they can access RJ interventions at any point within the victim's criminal justice journey.
- 2.4** It also made provision for victims to draft and present a victim personal statement (VPS). The provision of VPS's will require a co-ordinated approach with the delivery of RJ.
- 2.5** In November 2013, the Ministry of Justice published the [Restorative Justice Action Plan for the Criminal Justice System](#). The intention of the plan is to '*provide a more strategic and coherent approach to the use of restorative justice*' and to '*embed restorative justice within the criminal justice system*'.

The action plan is divided into four sections:

- **Capacity** – making safe, good-quality RJ available nationally;
- **Awareness** – making the public and CJS practitioners aware of RJ as an option;

- **Access** – investigating levers for, and addressing barriers to, the provision of timely, good quality and easy access to RJ and
- **Evidence** – understanding the impact on victims, offenders and the community.

- 2.6 The allocation of funds for Restorative Justice is against a back drop of increased interest from national Government and local partners in RJ. This is reflected in the **LCJB strategic plan for 2014-2015**. It includes an action on the '*effective use of restorative processes in the community, in pre sentence in the CJS and post sentence in the CJS*'. This will be measured by '*Growing community based capacity for restorative approaches to low level crime and anti-social behaviour*' to support the providers of the Crown Court pre sentence pilot in Truro', and '*community signposting to prisoners post release*' including offender led RJ.
- 2.7 The Police and Crime Commissioner will assume responsibility for funding victim services with effect from the 1 April 2015. The development of peninsula wide RJ services is intrinsically linked to the design and implementation of victim services and will need to be able to meet entitlements provided within the Victim's Code. RJ service providers will have to be able to demonstrate that they can meet the required standards set for training and delivery. RJ services will at this time be commissioned separately to victim services.
- 2.8 The aim of the project will be to establish a sustainable model of RJ delivery across the peninsula by embedding RJ within existing service arrangements and oversight in case of central Government funding being reduced in future years.

3. Project objectives

- 3.1 The overarching objective of the project is to establish a network of RJ service providers across Devon and Cornwall that enables victims and offenders to participate in a RJ process. This will not only meet the requirements of the Victims Code, but will also assist in helping victims recover and in the rehabilitation of offenders.
- 3.2 **Appointment of a Victim and RJ Co-ordinator.** The RJ project presents huge opportunities and challenges. Significant work is required to ensure RJ services are available across the peninsula to a consistent standard. This creates a risk to the reputation of both the Constabulary and the OPCC. A full time Co-ordinator will be required to manage the delivery of the work programme in accordance with agreed timescales. The role will have a combined responsibility with the implementation of victim services. A role profile will be prepared by the Project Manager.

4. Key Deliverables

4.1 Deliverable 1 Establishment of a RJ LCJB task group

This group will provide a strategic lead and have the following remit to:

- Provide governance and scrutiny of RJ arrangements across the peninsula

- Define the standards of service for RJ providers and assist with training provision
- Provide a shared peninsula wide IT system and website
- Agree and monitor a shared referral path for requests for RJ services

4.2 **Deliverable 2 Building RJ capacity and Service delivery through RJ forums/groups**

It is only with the involvement of the Local Authorities and the Community Safety Partnerships that an infrastructure will be created that is robust enough to drive forward the delivery of RJ and flexible enough to respond to local needs. Discussions have been held with CSP managers across the peninsula to gain support for RJ to be a principle responsibility for a remodelled group or established forum, directly accountable to the CSP's. Membership of the forum/group should include:

- ASB Co-ordinator
- IOM
- YOT
- 3rd Sector
- Prison
- Probation
- CSP manager
- Neighbourhood 'managers'
- RJ co-ordinator

Work will be required to scope and estimate how many victims may potentially want to accept an offer to engage in RJ processes. It has been assumed that demand for RJ services will be relatively small across the peninsula in the initial year of the project; but that it will increase as understanding increases. Capacity to deliver services and staff training should be proportionate to meeting the level of demand.

It is also imperative that the duty under the Equality Act is fully met and that opportunities to participate in RJ processes are equally accessible to all victims irrespective of any protective characteristics

4.3 **Deliverable 3 Informing victims about Restorative Justice as part of the Victims Directory**

There will be a requirement for the Police (and staff at other 'touch points' with victims such as those within the VCU) to be able to provide all victims with information about their entitlement to RJ. The online victims directory will include the following:

- Generic information about RJ – what it is, how it works, victim entitlements and considerations
- A list of providers and clear system of identification as to their status of accreditation in RJ

- A enquiry form to the relevant organisation that will be monitored by the RJ coordinator
- All referrals between Individual victims and organisations will be coordinated by the RJ coordinator
- Alternative gateways to the information will need to be provided to ensure equality of access to support and arrangements must be in place to help victims understand the available information.

The directory would require a gatekeeper and daily input in terms of checking information, liaising with those listed, dealing with system faults and enquiries.

4.4 Deliverable 4 Information Sharing, Information Security and Shared I.T

The management of RJ cases and in particular the effective sharing of information between agencies will require one system that provides multiple users access. ‘My RJ’ is a system owned by the Restorative Justice Council that enables providers and other agencies to share and record information on one database and can ‘data mine’ into other systems such as OASYS. The secure recording and exchange of information will be an essential component in delivering RJ and information security will need to be addressed. The Project will explore the best solution to IT provision.

In addition, UNIFI will need to be able to identify victims that are interested in RJ and flag this interest to the designated member of staff to enable the necessary arrangements to be made.

4.5 Deliverable 5 Implementation of one referral process and standard package of care for victims

In order to add clarity to the system and to provide quality assurance in relation to referrals, the Project will identify a single referral process and relevant paperwork for adoption and implementation. This standardised approach will need to be acceptable to all agencies and providers. The process should cover victim care packages to support victims throughout any RJ events, including clear exit arrangements.

4.6 Deliverable 6 The provision of surrogate victims and offenders

The project will explore the potential and capacity to provide a bank of surrogate victims and offenders in order to facilitate face to face meetings or conferences when the original victim or offender is not willing or ready to participate in RJ events.

4.7 Deliverable 7 Training Requirements

Appropriate awareness training will need to be provided to those working in the CJS, who have contact with victims, to ensure victims are provided with sufficient and accurate information about RJ. There will be different points within a victims journey where they will either be entitled to an offer of RJ (at first contact) or wish to explore RJ further. There will also be a training need around the IT provision, when the best system has been identified.

4.8 Deliverable 8 Standards and accreditation

The delivery of RJ services must be safe and of a good quality. It will be a requirement that all listed providers of RJ services on the victims' directory meet the set PQQ requirements, including staff training, to be part of the network.

5. Desired Outcomes

5.1 The key desired outcomes are:

- To improve the speed and level of recovery for the victim
- To assist in an offenders rehabilitation through increasing their awareness of the impact of their offending upon victims

These outcomes will improve victim satisfaction and contribute to reductions in the level of crime and reoffending.

5.2 It is essential that RJ arrangements across the peninsula are based upon a sustainable model not reliant upon continued central funding through the Police and Crime Commissioner. Developing such a model will require consultation and engagement with the LCJB, local authorities and Community Safety Partnerships across the peninsula.

5.3 The Project will focus on the following areas where it will measure impact:

- Pre sentence
- Post sentence
- Prolific Offenders (definition to be agreed)
- Other Community based RJ activity not included in the above

6. Business Benefits

6.1 Helping to improve the speed of victim recovery. RJ processes can make a significant contribution to quickening the speed of a victims recovery from the crime.

6.2 Reduction in crime and reoffending. The focus of the CSP forums/groups will be to implement RJ services with statutory partners and third sector providers to reduce crime or reoffending. The University of Exeter will be involved in the evaluation of these projects and in collating the evidence of whether there has been a reduction in reoffending. The process of a face to face meeting or conference can help the offender understand the impact of their crime on an individual and has the capacity to be more effective in rehabilitation than other single sentencing options.

6.3 Community engagement. Community restorative conferences can include a number of people and invigorates communities to feel they are active in finding solutions to the problems that blight their communities.

7. Risks/Considerations

- 7.1** There is a requirement to be able to provide timely, safe, high quality and well co-ordinated RJ interventions as required by the entitlements of the Victims Code. This will require:
- The welfare and needs of the victim should be at the centre of our decision making.
 - Staff and providers to be confident in using the agreed IT system
 - Adequate capacity in terms of trained RJ facilitators and assessment to ensure that there is provision across the peninsula to meet demand for RJ services
 - Police and VCU staff to be competent in explaining RJ as and when required
 - A clear system of recording RJ requests on UNIFI
 - The identification and appointment of a RJ SPOC (number, contact and directory) to co-ordinate and manage RJ capacity and services
 - A standardised referral process and form to be implemented across the peninsula

- 7.2** The priority for the allocation of funds will be providing a sustainable structure for partnership working, the sharing of resources and RJ delivery according to the project objectives; rather than the mapping of RJ provision or training for staff to accredited levels until the demand for services has been assessed.

8. Interdependencies

- 8.1** The proposed model relies on 'buy in' from the Community Safety Partnerships to manage the local forums/groups.
- 8.2** Effective implementation of RJ services across the peninsula will require balanced provision across the area, implementation of the Directory and an IT system for service providers.
- 8.3** The outlined training requirements for police staff and staff working for RJ services providers will need to be met.
- 8.4** Learning may also be available from the Truro Crown Court post sentence RJ project.
- 8.5** The level of demand could possibly be too low to sustain further development of RJ services or too high and be beyond the capacity level for services to be delivered in a timely fashion.
- 8.6** A Commissioning strategy for Victim Services has been agreed (July 2013) that will create a structure and environment for the RJ project to fulfil its objectives in the timescale required.

9. Funding allocations

- 9.1 See point 1.2 above for the funding allocations provided through the Police and Crime Commissioner.
- 9.2 The following is the agreed allocation of RJ funding for 2013-2014 only. Funding proposals for 2014-15 have yet to be finalised.

Project requirements	Funding allocation
LCJB RJ Task Group – to drive strategic approach to RJ. To receive reports/updates from co-ordinator and CSP groups/forums.	Nil
Appointment of a co-ordinator to: <ul style="list-style-type: none">• Support the development and administration of forums/groups• Develop and implement the referral process• Evaluate and purchase an IT system• Assist in the development of the groups/forums• Partnership agreements• Compliance with requirements of Victims Code	Approx £40,000 per annum pro rata when appointed. (<i>This would be funded out of Victim Services allocated funding and not the RJ allocation.</i>)
Information sharing and shared I.T. RJ will need information sharing that enables the growth of quality RJ provision and assists the referral process.	Initial costs for 'My RJ' are £10,500. (for multi-agency access) Ongoing costs of Licence renewal £14,500 for year 2 and 3 respectively
A SPOC online directory on Restorative Justice in order to signpost victims to RJ. Needs to be linked with wider Victim Services. Access provision for referral paperwork and telephone contact to ensure equality in opportunity and access for victims from all protected groups in line with the Equality Act 2010, where appropriate and relevant.	£7500 for website development and £2500 for providing e-newsletter/ RJ news pages and general pages (<i>costs are estimates but would be part funded from Victim Services</i>)
Building RJ capacity and Service delivery across in localities through forums/groups accountable to CSP's	£20,000 each

10. Constraints and assumptions

- 10.1 The Project will work with the regional Procurement Unit to ensure that the appropriate procurement and commissioning legislation is complied with.
- 10.2 It is imperative that the requirements of the Victim's Code in relation to RJ are met.

- 10.3 There may be scope for collaboration across PCC areas in relation to E-solutions and the directory to reduce costs.
- 10.4 A positive working relationship will be maintained with Victim Support, as the existing provider of Victim Services, in order to develop RJ services through the transition period.
- 10.5 The impact of changes within the criminal justice system and other areas that may also have an impact on the delivery of services to victims, will need to be monitored and evaluated.

11. Project Tolerances

- 11.1 The project will use the covalent system of actions, sub actions and milestones to alert the Project Co-ordinator to any slippage of more than two weeks for key milestones. The Project Manager will be informed of that slippage.
- 11.2 Any slippage which threatens to delay the delivery of the full project beyond the 1 April 2015 will be reported at the earliest possible moment to the Project Executive.
- 11.3 Cost variations will be reported to the Project Manager and the Project Executive. The Project Manager will need to authorise any cost implications in fulfilling delivery of the project.

12. Quality Management Strategy

- 12.1 No specific quality management model is being applied. Quality is to be ensured via the combined effects of the OPCC Commissioning and Scrutiny Board, structured management of the project and the communication strategy.

13. Records Management Strategy

- 13.1 The Project plan will be managed through the Covalent. All hard copy documentation will be stored in a dedicated file.

14. Project Risk Management Strategy

- 14.1 All deliverables and objectives will be considered in terms of threats and opportunities to build a risk universe for the project. The nature of each risk will be evaluated to arrive at a prioritisation score. Action to mitigate the risks will be developed and its performance monitored to ensure the project's success.

15. Identified Risks

- 15.1 The proposed model relies on 'buy in' from the Community Safety Partnerships to manage the local forums/groups.
- 15.2 The funding for RJ Services is guaranteed for another 2 years and thereafter subject to the CSR and a possible change in Government. It is important therefore that a sustainable solution is found to deliver the capacity required to meet demand for RJ services.

- 15.3 The project implementation plan for Restorative Justice is separate because it requires a targeted approach to fulfil the project objectives. However, there is considerable synergy, as reflected in the duality of the co-ordinator role for Victim Services and Restorative Justice.

16. Communication Management Strategy

- 16.1 The following table sets out the communication lines and frequencies by which the Victims and RJ Co-ordinator will report to stakeholders and interested parties:

Stakeholder/Interest Party	Method of Communication	Frequency of Communication
LCJB RJ task group	Stage reports/meetings	Quarterly
Victim Services Working group PCC/Force	Stage reports/meetings	Monthly
CSPs - Groups/forums	Stage reports/meeting	Monthly
Commissioning and Scrutiny Board – OPCC	Stage reports Commissioning Board Meetings	As required
Project Executive	Stage reports/Meetings	Co-ordinated monthly with Project Officer/Covalent Service User.
Project Manager (Commissioning Manager and Policy lead/ Police CJ Commander)	Daily interaction/ emails and telephone/ Stage reports/Meetings	As frequently as required. Co-ordinated monthly with Project Officer/Covalent Service User.

17. Project Controls

- 17.1 Project risks will be recorded, evaluated and controlled via a risk register. This will be the responsibility of the RJ Co-ordinator to communicate these to the working group and the OPCC Commissioning team.
- 17.2 Day to day issues should be dealt with by the RJ Co-ordinator in collaboration with the Project Manager and their status and resolution recorded. Unresolved issues will be considered by the LCJB RJ Task group for resolution and to the Commissioning Board for agreement.

Sarah Carlsen-Browne Commissioning Team

Office of the Police and Crime Commissioner March 2014

Appendix 2

Restorative Justice Services - Plymouth Project

Introduction

The first meeting to form the Plymouth Restorative Justice Forum was held on 10th April 2014, facilitated by Mabel Edge, Manager, Family Group Conference Service (FGC), Plymouth City Council (PCC).

The Forum emerged out of the sub groups which had been meeting for the past 18mths in Exeter to look at the way forward for restorative approaches under the OPCC. There is increasing emphasis on RJ, in light of the requirements under the victim's code to ensure that RJ is available to all victims of crime by April 2015.

Mabel Edge, (author) has been attending those sub groups since 2012. FGC is a restorative approach; the FGC staff team are trained RJ facilitators and undertake a range of alternative methods to resolving disputes.

The Forum, has now met on 2 separate occasions, and has representatives from Probation, Victims Support, 3rd Sector, and PCC, including Community Safety Partnership (CSP), Youth Offending Service (YOS) and Police.

The OPCC indicates that £20,000 will be made available as a starter pot, to local areas including Plymouth, and this will be drawn down via the CSP. The money is ring fenced to support the establishment of high quality restorative justice services.

The Forum needs to continue to expand to cover all victims' services in order to build strong links and partnerships with other key partners across the city, in particular representations from Police and Prison services.

We recognise the value of victims and ex-offenders input and have a young person sharing their views within the Forum.

Members of Safer Plymouth are asked to agree: To support the proposal set out below for the ring-fenced funding from the OPCC in Plymouth to be managed by The Forum, with accountability being held by the FGC Manager, PCC.

Proposal

To fund 10hrs per week of Co-ordinator time, to build on the initial foundations of the Forum and champion RJ, the work of the Forum, RJ and other restorative solutions, as well as other victims services.

To champion victim led RJ across the City of Plymouth, ensuring that awareness of restorative approaches is promoted. To develop a positive image of RJ and the benefits of its use for victims, offenders and the wider community. To ensure the facilitation of high quality restorative approaches.

To build capacity within communities by supporting recruitment of local people to train to undertake restorative approaches, including RJ, peer mediation, as well as mediation skills and techniques which help enable and empower local people to solve local problems from within the community itself.

The partnership agencies within the Forum wish to sign up to their own set of minimum standards, in line with the RJ Council National Standards to ensure that all victims of crime as well as offenders are offered a high quality safe and consistent process. It is anticipated that all RJ facilitators, wishing to deliver RJ, via the OPCC's directory of services (which is currently being built) will have to meet the minimum requirements set locally, within a specified timescale. The co-ordinator will be key to this.

For a central co-ordination point in supporting the work of the OPCC's proposed victims care unit being set up centrally, which will signpost victims to support services or a directory of support services.

Supervision and management support will also be a requirement for all active RJ facilitators. The Co-ordinator will work alongside the Forum to ensure that the standards are acceptable and agreeable to all the partners.

Ensure that a consistent positive image of RJ is promoted and ensuring that RJ provision is available across the City, which is of a standard set by the Forum.

The Co-ordinator will hold the register for a pool of suitably trained RJ facilitators from across all Plymouth, and will allocate the RJ referrals to the Facilitator.

Reporting

The FGC Manager will provide a quarterly report indicating the work undertaken by the Co-ordinator to the CSP, as required by the CSP and or OPCC

Budget – 12mths

Co-ordinator time (Grade H)	£10,222
Management Support/Supervision	£2627
Service charge, telephone, office space, ICT	£1875
Promotional materials for events	£550
Expenses, refreshments, Travel	£626
Training/support to local RJ facilitators.	£4100

Total **20,000**

Mabel Edge
FGC Manager 3.7.14