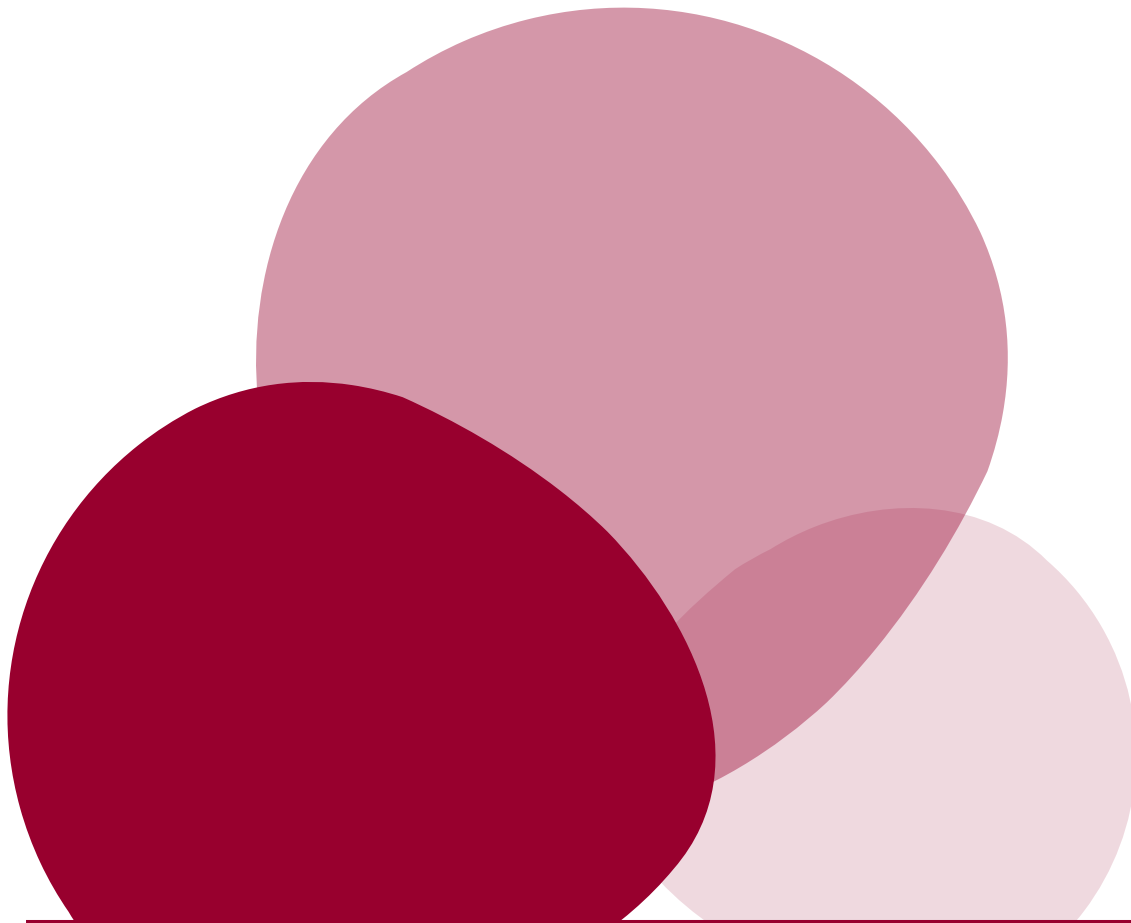




Ministry
of Justice



RESTORATIVE JUSTICE ACTION PLAN
FOR THE CRIMINAL JUSTICE SYSTEM

REPORT ON PROGRESS ONE YEAR ON

The Restorative Justice Action Plan for the criminal justice system was published in November 2012. The aim in implementing the actions set out in the plan was to bring about a step change in the delivery and provision of restorative justice across England and Wales.

We have made excellent progress against the plan over the last 12 months. Key achievements include the development of national standards for restorative justice and a quality mark for restorative justice providers who want to demonstrate that they meet these national standards. These will be launched soon.

Ongoing delivery of the action plan together with the funding we have earmarked for restorative justice means that we are confident that we will achieve our vision for restorative justice, namely:

- Restorative justice is safe, of a good quality and focused on victims' needs.
- Victims can make informed decisions about participating in restorative justice at appropriate points in the criminal justice process.
- If victims want to participate in restorative justice (this is subject to the agreement of the offender), they will know how to access it and any restorative justice will be delivered by a trained facilitator.
- A restorative justice activity will only take place where an assessment by a trained facilitator indicates that this would be an appropriate course of action for all relevant parties.
- Restorative justice is available irrespective of whether the offender in the case is an adult or a young person. Offenders will be encouraged to take part in restorative justice where appropriate.

The 2013 Restorative Justice Action Plan was published in November 2013.

1. IMPROVING ACCESS

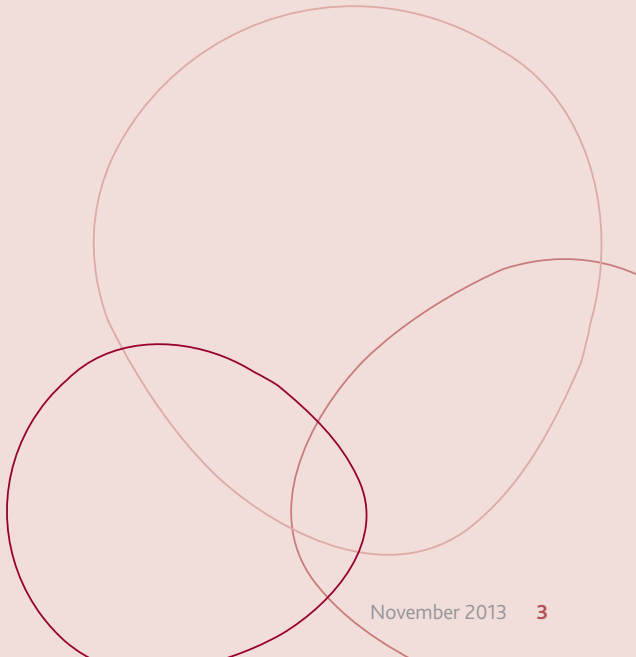
The Government supports the vision that access to restorative justice should be available for victims at all stages of the criminal justice system. This will allow victims to ask to participate in restorative justice at a time that is right for them. For some victims, this may happen immediately after an incident, for others it may be post-sentencing.

A number of actions were identified to make sure that the public are able to access trained restorative justice facilitators and that local services are receiving referrals.

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| <p>1a. Consider whether new legislation or amendments to existing legislation are required.</p> | <p>1b. Improve the existing public database of RJ Facilitators, allowing people to locate their nearest service or local accredited practitioners.</p> | <p>1c. Introduce a national protocol for information sharing within the CJS to allow the identification of suitable cases. This will improve the quantity and quality of referrals.</p> | <p>1d. Build partnerships, involving both victim and offender services, to improve the availability of RJ locally.</p> | <p>1e. Identify local RJ champions to represent victims' interests. They will work with Police and Crime Commissioners to establish the multi-agency approach needed to make referrals to practitioners quick and easy.</p> |
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Progress against actions is as follows:

- New provisions in the Crime and Courts Act 2013 make it explicit that the courts can use existing powers to defer sentence after conviction to allow for restorative activities to take place. These provisions will be implemented, subject to Parliamentary approval, in December 2013. Secretary of State guidance on pre-sentence restorative justice is being developed and is due to be published at the same time.
- NOMS provided one-off funding to three Probation Trusts (Kent, South Yorkshire and Thames Valley) to enable them to develop local models for the delivery of pre-sentence restorative justice in magistrates' courts. The pathfinders will inform the development of a tool-kit which will be available for other areas to apply when adopting these processes locally.
- Separately to this, Restorative Solutions (a not for profit company) has formed a delivery partnership with Victim Support to establish a pre-sentence restorative justice pathfinder in 10 Crown Courts across England: with expected capacity to deliver 100 interventions per area per annum.
- The Restorative Justice Council have developed a national online map of restorative justice services which is now available via the RCJ website. This is subject to ongoing development to ensure it remains up to date and fully reflects changes to national provision.
- Work is ongoing to develop a national protocol/agreement for information sharing. The actions to build partnership and identify local restorative justice champions have been reviewed and revised to reflect the new landscape which includes the role of PCCs in commissioning restorative justice provision and the Transforming Rehabilitation programme. Revised actions are included in the refreshed action plan.



2. RAISING AWARENESS

The Government is committed to increasing the use of restorative justice across the criminal justice system. Although increasing, there is still relatively low awareness of restorative justice with both the public and criminal justice professionals. We need to have consistent messages related to the purpose and value of restorative justice, presented in a way that captures the victim's attention and builds confidence. Information and guidance needs to be shared between the local criminal justice system, community services and networks, including local authorities. These aims are consistent with the Government's 2012 responses to the Getting it right for victims and witnesses and Effective community sentences consultations.

The following actions were identified to raise awareness of restorative justice:

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| <p>2a. Develop how the new Victims' Code will include RJ for adults as well as young people and act as a means of empowering access to RJ.</p> | <p>2b. Consider how the Victim's Personal Statements and Community Impact Statements will be used to explain RJ to the victim and record their interest in participation.</p> | <p>2c. Enable speedier contact with victims through the identification and selection of cases suitable for RJ so that RJ referrals across local CJS service practitioners are more effective.</p> | <p>2d. Deliver a communications campaign to raise awareness of RJ with the public, CJS practitioners and senior leaders across other sectors i.e. schools and local authorities.</p> |
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Progress against actions is as follows:

- On 29 October the Ministry of Justice published the Government's response to the "Improving the Code of Practice for Victims of Crime" consultation and laid the new Victims' Code before parliament. The new Code has been rewritten with victims as the target audience, allowing victims to easily follow what they are entitled to at each stage of the criminal justice process from reporting a crime to the end of a trial. The new Code also includes for the first time, information on restorative justice for victims of adult offenders as well as victims of young offenders. The new Code also makes it clear that restorative justice activities must be conducted in a safe, secure environment with an appropriately trained facilitator according to recognised quality standards. Criminal justice organisations are expected to implement the new Victims' Code from December 2013.
- The Action Plan Working Group considered how the Victim's Personal Statements and Community Impact Statements could be used to explain restorative justice to the victim and record their interest in participation. The group took the view that these Statements were not an appropriate mechanism to explain restorative justice to victims. This action has been replaced with an action to consider the victim's journey through the criminal justice system and identify appropriate points at which restorative justice can be raised.
- MoJ Corporate Communications and Press Office have been carrying out activity to raise awareness of restorative justice throughout the year:
 - o Last year's International Restorative Justice week (November 2012) was used as a hook to launch the Restorative Justice Action Plan and to raise awareness of restorative justice more widely. A number of television and radio interviews and features and press articles have featured restorative justice. Twitter is regularly used to promote good news stories to the Ministry of Justice's 90,000 followers.
 - o New information was published on justice.gov.uk alongside the action plan, a news story and feature article helped to increase understanding of restorative justice with the public and stakeholders. A leaflet and communications toolkit which included case studies, template press release and web copy was sent to 1,000 CJS stakeholders to give them the tools to raise awareness locally.
 - o A series of communications materials is currently being developed for this year's International Restorative Justice Week, to help people involved with restorative justice at a local level:
 - promote and host local events for Restorative Justice week;
 - share powerful case studies; and
 - inspire and encourage more people to get involved with restorative justice
- Ipsos Mori have been commissioned by the RJC to undertake research setting, for the first time, national baselines on public awareness, confidence and demand for restorative justice. This is due to be complete by the end of November 2013. This will enable more effective targeting of communications, support and advice.

3. STRENGTHENING CAPACITY

Skilled practitioners are needed to work safely with victims and offenders. To ensure the quality of service is consistently high they should be trained and working to agreed standards.

The following actions were identified to strengthen capacity:

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| <p>3a. Develop Key RJ Standards for training, practice, supervision, and service provision of RJ.</p> | <p>3b. Develop a national accreditation framework to ensure standards are met and upheld, following independent review of the Restorative Justice Council.</p> | <p>3c. Provide operational guidance to help ensure the provision of RJ services.</p> | <p>3d. Encourage RJ providers within the CJS to meet the Key RJ Standards and Quality Assurance criteria.</p> |
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This has been a key area of work for the Action Plan Working Group over the last year and significant progress has been made:

- An independent review of the Restorative Justice Council by Alice Chapman OBE reported in December 2012 and recommended that, building on existing training and practice standards, a Quality Mark for agencies should be developed. Development of the Restorative Service Standards and the Restorative Service Quality Mark (RSQM) for organisations which wished to demonstrate that they met the Restorative Service Standards was completed in June 2013. The Standards and Quality Mark were subsequently piloted and evaluated. A total of 16 services started the assessment process in July 2013. Of these, ten have now been awarded RSQM. The Restorative Justice Council is currently making minor adjustments to the Standards and RSQM prior to a formal launch early in 2014. Once the RSQM has been launched and initial take up has been assessed the Action Plan Working Group will consider what, if any, action is required to encourage take up by restorative justice providers.
- Operational guidance has not yet been developed. The Action Plan Working Group agreed that the first step was to map and assess the products and guidance already in existence to ensure that any new guidance was necessary and would add value. This is reflected in the refreshed plan.

4. EVIDENCE

Commissioning bodies will have a responsibility to ensure that data collection and where possible detailed evaluation is under taken as they develop their local models, processes and programmes. Data collection will help improve local performance and monitoring ability. More detailed evidence gathered during evaluations may be used to understand the effect on victims and offenders of different restorative justice activities across a full range of offences at various stages of the criminal justice system. The 2012 Criminal Justice Joint Inspection report Facing up to Offending: use of restorative justice in the criminal justice system provides a good account of thematic issues. However, it does not provide a detailed account of restorative justice practice and its effect in each of the sectors - youth, adult, out of court and pre- and post-sentencing. This lack of knowledge needs to be addressed.

The following actions were identified in relation to evidence:

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| <p>4a. Make data recording / monitoring a requirement of national accreditation standards.</p> | <p>4b. Set up a 'community of practice' to share information.</p> | <p>4c. Agree priorities for research and encourage commissioning bodies to fund and facilitate evaluation.</p> | <p>4d. Assess the effectiveness of the implementation of the RJ action plan. This should include the availability of RJ in different geographical areas and at the different stages of the CJS.</p> |
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Progress is as follows:

- The importance of quality data recording has been reflected in the Restorative Service Standards and completing annual data returns will be a requirement of the Restorative Service Quality Mark. This will contribute to building a national picture of restorative justice practice and data may be used to carry out research.
- The Restorative Justice Council doubled its membership in 2012/13, to reach 1,000 agencies and individual practitioners significantly increasing its 'RJ community'. Information is shared through quarterly magazines, monthly e-bulletins, continuing professional development events, and shared online resources, as well as through encouraging local practitioner forums and supervision networks.
- A research seminar was held by the Restorative Justice Council in February 2013 with leading academic researchers and practitioners, which identified research priorities. In addition, evaluations are in place for all new initiatives including the Restorative Service Quality Mark, the NOMS Capacity Building programme, and the development of the Pre-Sentence RJ pathfinder.

