



## **INTRODUCTION TO RESTORATIVE PRACTICE** **CHESHIRE YOUTH OFFENDING SERVICE**

A restorative justice approach has been adopted in Youth Justice since the original youth justice reforms in 1998. Two of the key aims of the YJS are to:

1. Confront young people with the consequences of their offending for themselves, their families, their victims and the community and
2. Encourage and facilitate reparation to victims by young offenders.

Alongside this, April 2006 saw the introduction of the statutory Victims Code of Practice to support these aims. The Code stipulates the minimum level of service to be provided to victims of crime in England and Wales and under the Code, no single organisation has an obligation to support every victim, but it does aim to ensure that all victims have access to appropriate and timely support, suitable for their individual needs.

The Code requires Youth Offending Services to take victims' needs into account in general, but also gives statutory backing to the National Standards to which YOS' adhere to by:

- ensuring staff working with victims have appropriate training
- contacting victims and allowing victims to make informed choices about involvement in restorative processes
- keeping victims who participate in restorative justice informed about case progress
- storing victims' information

### **Code of Practice for Victims of Crime**

- Youth offending teams (YOTs) are required to take account of victims' needs and have the following obligations in respect of victims of youth crime referred to youth offending teams.
- On receipt of a victim's details from the police, the YOT must decide if it would be appropriate to invite the victim to become involved in a restorative justice intervention relating to relevant criminal conduct, and record the reasons for this decision.
- The YOT must keep victims' personal details securely and separate from details kept on offenders. Information on victims should be destroyed when the restorative justice intervention in a case is at an end, apart from information that would be relevant for future research and evaluation.

- If it decides to make contact with victims, the YOT must explain its role and allow victims to make informed choices about whether they want any involvement and if so, the nature of that involvement. The involvement of victims must always be voluntary. Victims must not be asked to do anything which is primarily for the benefit of the offender.
- YOTs must ensure that all staff working with victims have had appropriate training.
- If the victim agrees to be involved, either directly or indirectly in a restorative justice intervention in respect of relevant criminal conduct, the YOT must, if the victim requests this, keep the victim informed about the progress of the case and notify the victim when the intervention has concluded.
- The YOT must give victims who ask for additional support before, during or after a restorative justice intervention in respect of relevant criminal conduct access to information about appropriate services

A restorative justice intervention is defined by the YOS as a “process whereby parties with a stake in a specific offence resolve collectively how to deal with the aftermath of the offence and its implication for the future”. Restorative Justice interventions used within the YOS include:

- *Victim –offender mediation* – communication between victim and offender facilitated by a trained mediator
- *Restorative conferencing* – victim/offender and others connected to both parties participating
- *Family Group Conferencing* – includes wider extended family with onus on family to provide an acceptable solution
- *Youth Offender Panels* – panel members work alongside YOS to talk to young person and parents/carers with participation of victim to agree a tailor made contract

There are also indirect methods of engaging with young people and achieving the aims of the YJS including:

- *Letter of Explanation to the victim* – a written letter that explains young persons actions
- *Shuttle mediation* – communication without face to face
- *Victim Awareness work* – to increase empathy of young person and to become aware of the consequences and impact of their behaviour
- *Reparation* – community based placements whereby a young person completes a practical activity

All of the above processes require the active engagement of the young person and it is essential that victims are offered the opportunity to make free and informed decisions and that they consent to the process in which they are to become engaged.

In order to enable the facilitation of these processes the YOS have until recently had two seconded workers from Victim Support, however, their remit was solely to engage with Victims and ascertain their views and offer the first

set of processes. The YOS wished to expand this role and encompass all of the processes listed above and are currently in the process of recruiting two Restorative Practice Youth Offending Service Officers.

### **FLOWCHART FOR WORK WITH VICTIMS**

At the point of allocation, administration staff ensure all victim details are received. Load victim details and then complete victim info form and which is passed to the victim worker and case manager

Restorative Practices YOSO makes initial contact with victim (within 5 working days of sentence) to explain role of YOT and outcome for young person, offers visit from victim worker to further inform about possible RJ process (preferably by telephone, if unavailable victim worker sends a letter offering home visit). Loads initial victim consultation info onto Careworks. **Any decision not to contact a victim should be discussed and agreed by a manager and an exception report completed.**

Agrees to having a home visit from victim worker

Declines further visit, victim worker to send a letter formalising offer of RJ in writing, as per YJB counting rules.

Victim worker reads the Asset (and arranges session via case manager with the young person to start assessment for RJ process?)

Victim worker sends appointment letter to meet with victim

Victim worker completes RJ assessment with the victim and provides further info re possible RJ intervention. Informs victim of other support services available if required to address other needs.

Victim worker sends victim a letter confirming meeting and the offer of RJ intervention (as per YJB current counting rules).

Victim worker feeds this info back to case manager and agrees victim and young person intervention plan (via the change planning meetings)

Victim worker supports victim and facilitates RJ process in consultation with case manager

At the end of RJ intervention, victim worker provides victim with satisfaction questionnaire to complete and return then records this on Careworks, victim screen

### **Victim satisfaction feedback Jul– Dec 2009**

31 satisfaction questionnaires were completed during the period July – December 2009. This figure has reduced in comparison with previous quarters and the majority of these were returned in the post however a small number were completed by the Victim workers over the phone. There was a short period whereby there was a lack of consistency about the use of the questionnaire and the majority of victims involved were happy to provide telephone feedback and therefore no questionnaire completed.

From those received however:

- All were happy to be contacted by the Youth Offending Service
- All felt they were approached sensitively
- All understood that they were taking part voluntarily
- All but one answered the question relating to their views and specific needs being taken into consideration

81% (25) were offered the opportunity to meet with the young offender

81% (25) were very satisfied with the service from Cheshire YOS

19% (6) were satisfied

### **When asked how the process was beneficial to you? Responses included:**

- The school will use the poster project and letter in constructive ways with other children
- After meeting the offender and being able to question him, made me feel a lot more comfortable about the whole situation
- Being kept up to date with the outcome
- I feel that someone was taking care of things and it wasn't just a case of knowing the outcome of the court appearance. I found it a bit of an eye opener to find out what the YOT does and I found it interesting.
- It was good to be kept informed of his progress and not just get a letter from the Court.

- It did show me that there was some form of follow up and the letter from the person causing the damage restored some faith!
- Helped to put it in the past and forget about it.
- Allows me to understand why the young person acted in that way – helped the young person understand my PCSO role

**Additional comments made about the service offered:**

- In respect of someone not offered the opportunity to meet the offender – I would have liked to have met them.
- I declined the opportunity to meet the young person as I do not know what he looks like and felt it best it stayed that way. The process did allow me to know what he is doing for his sentence and to find out about his remorse.
- Sensitively – the worker was understanding and easy to talk to.
- Slightly disappointed in the content of the letter although liked that idea – I thought the YOT are doing good work though.
- Keep working with young offenders to help them realise the impact of their crimes. Hopefully they will then move on to be better individuals.

The evidence above demonstrates that all the victims are satisfied with the service delivered via the victim workers. All thought the approach used by the YOS was appropriate and sensitive and there were positive comments made in the majority of cases.

This role will be expanded upon once the Restorative Practices workers are in post. They will be responsible for Restorative Practices within the YOS. This service will support and challenge young people to increase their understanding of the impact that their offences have on victims; provide a service to support victims in offering a number of available services including both direct and indirect reparation and will seek to develop links within the community in order for this to be achieved. This role will enable full oversight of the processes offered by the YOS and allow a consistent approach to this area of work whilst adhering to National Standards and the Code of Practice.

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