Developing Restorative Justice in youth justice

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RJ in YJS post-1998

- Gives victims a voice, holds young offenders to account
- Mainstreamed as key underlying principle following i) law/statutory guidance on reparation/referral orders, ii) YJB targets/KEEP
- YCAP re-emphasis on reparation
- **Key aims:-**
  - increase victim satisfaction
  - young offender to understand consequences, take responsibility to repair harm, undertake rehabilitation to reduce reoffending risk
  - increase community engagement and confidence

Victim-centred approach

- Government aim for victims to be at centre of CJS
- PSA 24 indicator 3 increasing victim (and witness) satisfaction with CJS
- Victims Code of Practice
- Enhanced victim services delivered by Victim Support

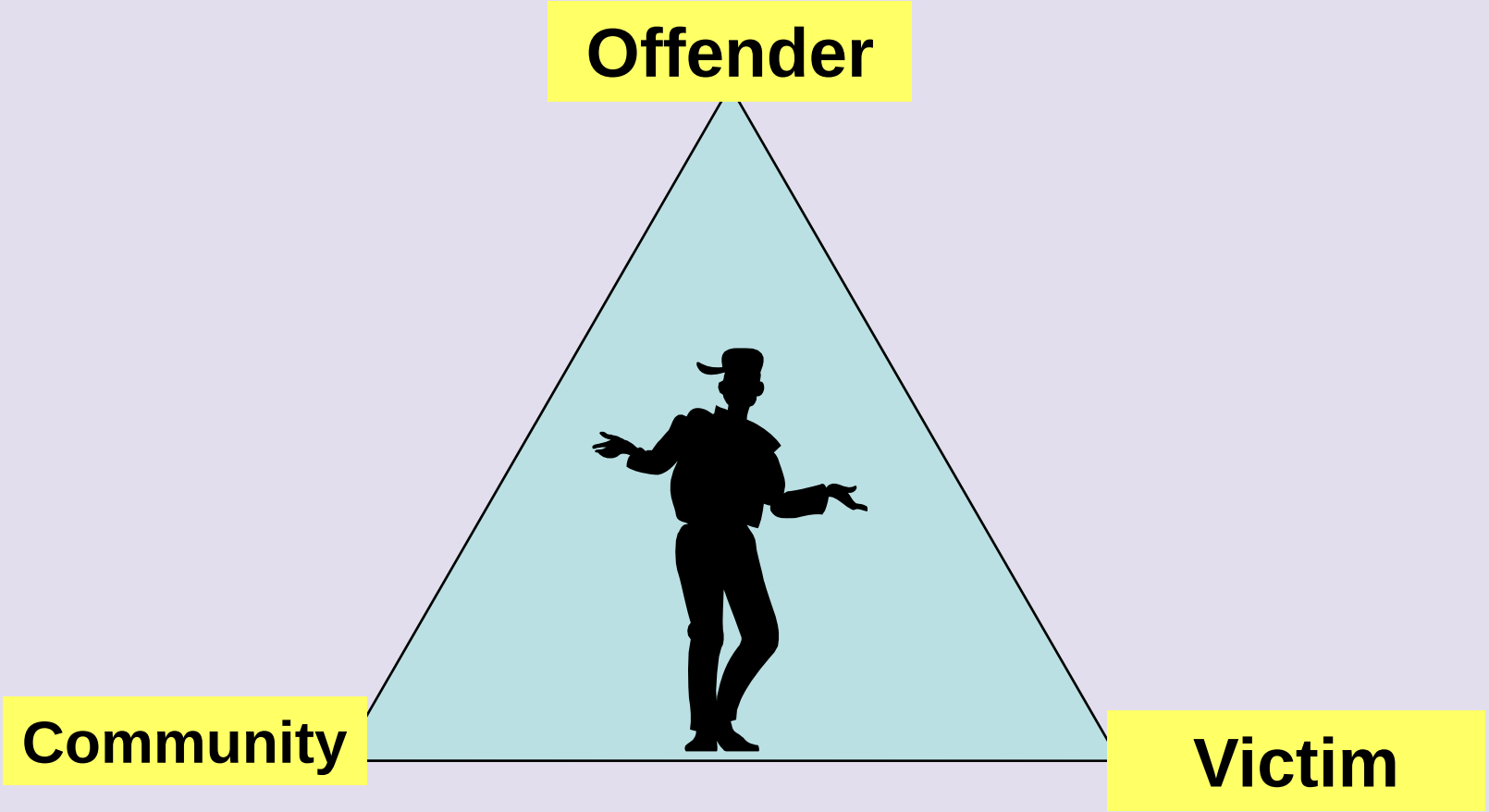
Victims Code of Practice

- YOTs required to take victims' needs into account in general
- Code statutory backing to National Standards:
  - 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
  - access to information about other victim services

Young victims

- Increased understanding of needs of young victims, high levels child victimisation
- Young people concerned about safety and that not listened to, less likely to report
- Young victims and young offenders often same person with poor relationships with parents, truancy, negative role models
- Pathway from victimisation to offending can be retaliation, displaced retaliation and befriending
- Between 10-15 years, young offender three times more likely to have also been victim
- YCAP young victim pilots

Young People as Offenders and Victims



Restorative processes

- Variety of restorative processes with face to face or indirect options including
  - Panels -Referral Order youth offending panels
  - Restorative Conferencing
  - Victim Offender Mediation
  - Family Group Conferencing
  - Less formal approaches eg in schools, residential homes, custody, neighbourhood disposals

07-08 performance YJB Yot quarterly returns

- YOT key performance indicator for 2007-8 that victims participate in restorative processes in 25% relevant disposals; and 85% victims participating satisfied
- YOT data showed that 25% target achieved
- c19,500 victims chose to participate in YOT RJ processes
- Of above, 26% (c5,100) participated in face to face RJ
- 62% of victims who participated commented on the process
- 97% of victims commenting were satisfied

Promoting performance improvement

- From 08-09, Government policy for England of increased local autonomy in driving improvement, monitored by new YJ planning framework
- Victim satisfaction question- how YOT has contributed to increasing victim satisfaction, supported by Code compliance and RJ data

Updated RJ KEEP

- Prioritise for face to face RJ cases with direct, personal victims where victim and offender willing
- In preparation for RJ, victims and offenders should have opportunity to meet with RJ worker
- RJ processes arranged in consultation with victims taking into account their convenience
- YOTs should assess RJ opportunities to prepare for resettlement
- Victims' views, experience and satisfaction should be regularly monitored

Evaluation of HO funded RJ schemes

- Mainly adult offenders, small number young offenders
- RJ participant offenders committed *fewer* offences in next two years than control group offenders- all 3 schemes; positive, but not statistically significant
- Lower *cost of convictions* versus control group- JRC
- Northumbria JRC court property trial showed large impact on reduced likelihood and severity of re-offending as well as fewer reconvictions in next 2 years- JRC
- JRC produced a net benefit in terms of reconviction (the sums saved in decreased reconviction were greater than the cost of running the scheme)

Draft revised National Standards

YOTs processes to ensure victims are involved, as appropriate, in a range of restorative processes to put right the harm they have experienced.

- Victim involvement to be maximised through an RJ justice strategy, to include, at minimum:
- YOT-wide commitment to improving outcomes for victims through the use of restorative justice
- RJ processes across all YOT interventions to ensure that young people and parents/carers known to YOT take responsibility and make amends for criminal/anti-social behaviour

Draft revised National Standards

- range of restorative justice processes to be available to meet the varying needs of victims
- processes to ensure that victim involvement, participation and satisfaction are maximised
- processes to maximise direct reparation to victims of crime
- varied and appropriate indirect reparation activities available, meaningful and appropriate to offence
- suitable training in restorative justice theory and practice for staff working with victims.

Developing RJ strategy

- YJB aim to broaden, develop and extend RJ including
- Action plan to promote improved performance for Referral Orders/Youth offender panels
- Action plan to develop use of RJ in secure estate
- Restorative processes for prevention
  - Youth restorative disposal by neighbourhood police
  - RJ in Schools, development RJ in Safer Schools Partnerships
  - RJ in residential homes

Referral Order Action Plan

- Priorities for Action published September 2007 for consultation
- Action Plan developed to build on success and promote further improvement, published December 2008
- To reduce reoffending, increase victim satisfaction and community and sentencer confidence
- Publish updated RJ KEEP and National Standards
- Revise Referral Order guidance
- CJI Act changes to extend use and increase flexibility of Referral Orders
- Promote further improvements in training

Developing RJ in the Secure Estate

- Two aspects- to improve behaviour management in custody and to address victim issues and reduce offending risk in respect of original offence
- RJ developments in Ashfield
- YJB pilots in YOI Brinsford and New Hall

Neighbourhood policing, youth restorative disposal

- Pilots in 8 police areas
- For pre- reprimand low-level behaviour incidents
- Immediate restorative, problem solving approach
- Emphasis on reparation, involving victim
- Diverting young people from formal youth justice system
- If episode admitted, young person cooperative, minor offence suitably addressed in an informal way in situ

Restorative Justice (RJ) in Schools

- YJB evaluation report 2005 on YJB funded projects in 9 YOT areas with aims to reduce offending, bullying, victimisation and improve attendance
  - With ‘whole school’ approach – improvements in student attitudes
  - 92% of conferences produced successful, lasting agreements
  - 93% of students felt justice had been done
  - Some schools reported a 40% reduction in fixed term exclusions

Safer School Partnerships

- Partnership – DfES, Home Office, ACPO and YJB
- Aim – placing police in schools to reduce victimisation, crime and ASB in the school and its community
- Benefits (York UV evaluation):
  - Reductions in offending behaviour
  - Reductions in truancy
  - Early identification potential victims/ offenders
  - Students feel significantly safer