House of Commons
Justice Committee

Restorative justice

Fourth Report of Session 2016–17

HC 164

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Report, together with formal minutes relating to the report

Ordered by the House of Commons to be printed 19 July 2016

HC 164
Published on 1 September 2016
by authority of the House of Commons

Justice Committee

The Justice Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Ministry of Justice and its associated public bodies (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments, and excluding the work of the Scotland and Wales Offices and of the Advocate General for Scotland); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

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Summary

In this report we consider the effectiveness of restorative justice (RJ) provision across the criminal justice system. The push from the Ministry of Justice has been for high quality restorative justice to be available to victims at every stage of the criminal justice system irrespective of where they are geographically, the age of the offender or the offence committed against them and we support these objectives in this report. We have focused our analysis on the services currently available to victims.

We examine the evidence base for the effectiveness of restorative justice. We conclude that while undue reliance should not be placed on the statistic that £8 is saved for every £1 spent on RJ, there are benefits in both reductions in reoffending and in providing tangible benefits to victims.

Our attention was drawn to doubts around the use of restorative justice in cases of sexual offences, domestic abuse and hate crime. In particular we received submissions concerned with the appropriateness of restorative justice in cases of domestic abuse. While acknowledging the real and substantial risks, our view is that, while restorative justice will not be appropriate in every case, it should not be excluded simply by reason of the type of offence committed.

We found that restorative justice provision is currently subject to a "postcode lottery" and regional buy-in. While ring-fencing funding to Police and Crime Commissioners may appear superficially attractive, we do not believe budgets for restorative justice could be set in a reliable or sensible manner. Our other principal recommendations and conclusions can be summed up as follows:

- Restorative justice is well embedded in the youth justice system, although there is further work to be done, particularly in improving victim engagement. We recommend the Ministry of Justice looks to the example of youth conferencing used in Northern Ireland.
- Problems in data sharing have presented a somewhat intractable obstacle to the development of restorative justice. We recommend the creation and dissemination of a national data sharing template to help speed up the agreement of data sharing protocols.
- There is evidence of mixed compliance with the requirement under the Victims' Code to make victims aware of restorative justice, and we recommend the introduction of a system to improve compliance.
- The entitlements under the Victims' Code should be rationalised so they no longer vary based on the age of the offender.
- The Ministry should consult with PCCs and Stakeholders to ensure there is sufficient capacity to feasibly introduce an entitlement to restorative justice under the Victims' Code.
- It is too soon to introduce a legislative right to access restorative justice services but such a goal is laudable and should be actively worked towards. We believe a right to access such services should be included in the Victims' Law but that provision should only be commenced once the Minister has demonstrated to Parliament that the system has sufficient capacity.

1 Introduction

The Committee's inquiry

1. On 6 November 2015 we announced an inquiry into restorative justice, inviting views on the use or potential use of restorative justice in the criminal justice system, in particular on the following points:

- Progress made by the Government in implementing the Restorative Justice Action Plan 2014, including any changes that have been made to this plan
- How the entitlements to restorative justice in the Victims' Code are working, and their implications for any such entitlements in any future Victims' Law
- The impact and effectiveness of the National Offender Management Service's restorative justice programme to promote the development of victim-offender conferencing
- The effectiveness of delivery of restorative justice across the range of service providers and funding arrangements, including provision made by Police and Crime Commissioners (PCCs), the Prison Service, the National Probation Service (NPS), and Community Rehabilitation Companies (CRCs).

In the course of this inquiry we received 52 pieces of written evidence and held three oral evidence sessions, hearing from 17 people. We also held an informal discussion with some RJ providers and stakeholders. We are grateful to all those who gave oral and written evidence to our inquiry.

2. In this chapter we broadly set out the landscape of restorative justice. In the next chapter we consider the evidence base for the claim that restorative justice is a useful intervention. In chapter 3 we consider the practical effectiveness of current restorative justice provision, particularly by reference to progress made against the Ministry of Justice's Action Plan. In chapter 4 we consider whether the entitlements relating to restorative justice under the Code of Practice for Victims of Crime (hereafter "the Victims' Code") should be modified and what rights should be provided to victims under the proposed Victims' Law.

What is restorative justice?

3. The Ministry of Justice defines restorative justice as "the process that brings those harmed by crime, and those responsible for the harm, into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward." It further states that the fundamental element of restorative justice is a dialogue between the victim and offender.[1] Restorative Justice can provide victims an opportunity to be heard, have input in the resolution of an offence and achieve closure. It provides offenders the chance to face the consequences of their offending and in some cases make amends.[2]

1 Ministry of Justice, 2014 Restorative Justice Action Plan for the Criminal Justice System, November 2014, p3
2 Ibid

4. Restorative justice can take place at any part of the criminal justice system, from being part of an out of court disposal, through to taking place while an offender is serving a custodial sentence. In 2012 and 2013, the Ministry of Justice published annual restorative justice action plans. The most recent Action Plan was published in November 2014, covering the period to March 2018.[3] It explains the Ministry of Justice's vision is for "good quality, victim-focused restorative justice (RJ) to be available at all stages of the criminal justice system (CJS) in England and Wales." To measure success in reaching this vision, the Action Plan provides three broad objectives:

(1) Equal access: to ensure RJ is available to victims at all stages of the CJS irrespective of: whether the offender in the case is an adult or a young person; where in England and Wales the victim lives; and the offence committed against the victim.

(2) Awareness and understanding: to raise awareness of RJ and its potential benefits and ensure a consistent understanding of what RJ entails and its place in the CJS (messages to reach key target groups including victims, offenders, criminal justice policy developers, leaders and practitioners, the media and the general public); and to work with PCCs, NPS, YJB and prisons to ensure that local mechanisms are in place so that victims and offenders know how to access RJ and can make informed decisions about participating in RJ.

(3) Good Quality: to ensure RJ is safe, competent (in line with the EU directive on victims' rights), focused on the needs of the victim and delivered by a facilitator trained to recognised standards so that it only takes place where an assessment by the facilitator indicates that this would be an appropriate course of action for all relevant parties.

The Government is currently preparing a progress report to the Action Plan for publication.[4]

5. According to the Ministry, restorative justice can be delivered in many ways, including:

- Victim-offender conferencing - this involves bringing the victim(s), offender(s) and supporters (such as a partner or family members) together in a meeting. This may be facilitated over distance by use of telephone or video conferencing.
- A community conference - this includes bringing together the members of a community which has been affected by a particular crime and some or all of the offenders.
- "Shuttle RJ" - this consists of a trained restorative justice facilitator passing messages back and forth between the victim and offender. The participants do not meet.
- Neighbourhood justice panels - this involves trained volunteers from a local community facilitating meetings between victims and offenders for low level crime and antisocial behaviour.
- "Street RJ" - also known as "level 1 RJ" is usually facilitated by police officers between offenders, victims and other stakeholders in attendance at the time of the incident. This is often used in combination with a community resolution or a conditional caution.[5]

3 Ibid
4 Ministry of Justice, RJU0060
5 Ministry of Justice, RJU0024, Annex A, Part A

The landscape of restorative justice

6. Restorative justice can be initiated by either victims or offenders. Victim-initiated restorative justice is primarily provided by Police and Crime Commissioners, or third sector organisations. Offenders can access restorative justice through organisations including the National Probation Service, prisons and Community Rehabilitation Companies. In the youth system, restorative justice is primarily provided by Youth Offending Teams.

Recent developments in the restorative justice landscape

7. There have been a number of recent Government initiatives aimed at increasing the availability of restorative justice services. On 19 November 2013 the Coalition Government announced it would be making at least £29 million available, over the following three years, to Police and Crime Commissioners and charities to help deliver restorative justice services to victims.[6] While the funding provided to PCCs was earmarked for restorative justice, it was part of a wider pot to provide victims services and was not ring-fenced, so that, in the Ministry's words, PCC's "can make decisions about the services that best meet local need."[7] The Ministry provided a breakdown of the funding provided to Police and Crime Commissioner per annum, which is allocated on a population based formula.[8] Similarly the Ministry has also provided funding to the Youth Justice Board to build and maintain capacity to provide restorative justice services in Youth Offending Teams. Between 2011 and 2016 the Youth Justice Board has distributed around £3.5million of Ministry of Justice funding to Youth Offending Teams. Initial funding was used to train staff as trainers in Restorative Justice Conference Facilitation before cascading such training to referral order panel members.[9]

8. Between 2011 and 2014, the National Offender Management Service (NOMS) embarked on a restorative justice capacity building programme. This programme sought to increase awareness and build capacity to deliver restorative justice conferencing in both prisons and probation.[10] NOMS provided a grant of £0.5 million to Restorative Solutions CIC,[11] match-funded by the Monument Trust. Thames Valley Partnership[12] were also provided with £170,000 to deliver parts of the programme.[13]

Entitlements under the Victims' Code

9. The Victims' Code, modified in October 2015, provides some entitlements relating to restorative justice. These entitlements differ based on the age of the offender. Victims whose offender is an adult are entitled to receive information on restorative justice, including how they can take part.[14] Victims of youth offenders[15] are entitled to be offered restorative justice by the Youth Offending Team operating in their area, where

6 Ministry of Justice, New victims' funding for restorative justice, Ministry of Justice press release, 19 November 2013
7 Ibid
8 Ministry of Justice, RJU0060,
9 Youth Justice Board, RJU0023
10 Ministry of Justice, RJU0024, para 14
11 Restorative Solutions CIC describe themselves as an organisation committed to supporting frontline practitioners, managing innovative programmes and delivering training to enable the use of restorative practice.
12 Thames Valley Partnership is a registered charity who describe themselves as being at the leading edge of restorative justice in the UK through its Thames Valley Restorative Justice Service (TVRJS)
13 Ministry of Justice, RJU0024, para 14
14 Code of Practice for Victims of Crime, chapter 2, part A, section 7, para 7.7
15 In this report by "youth offender" we mean an offender who is under the age of 18

it is appropriate and available.[16] There are also various duties under the Code on service providers of restorative justice; principal among them is a duty for the police under which they must pass a victim's details to the organisation that is to deliver restorative justice to victims, unless asked not to do so by the victim.[17]

16 Code of Practice for Victims of Crime, chapter 2, part A, section 7, para 7.9
17 Ibid, chapter 2, part B, section 7.3

2 The evidence base for restorative justice

10. The Ministry of Justice explains that it supports victim-focused restorative justice because it has been shown to provide significant benefits to victims, and it has also supported the availability of restorative justice to offenders because of its potential in reducing recidivism.[18] There are thus two separate claims: that restorative justice provides benefits for victims and that there are also benefits to offenders in discouraging reoffending. In this chapter we examine both of these claims.

The effectiveness of restorative justice in reducing reoffending

11. A commonly cited claim with regard to restorative justice is that for every £1 spent, the criminal justice system saves £8. The source for this claim arises from a 2008 report by Professor Joanna Shapland.[19] One of the schemes considered in that report, run by the Justice Research Consortium (JRC), provided victim-offender conferencing only, across three sites.[20] The study found the following value for money results across the JRC sites:

Table 1: Value for money calculations based on reconviction

Scheme	Money saved for every £1 spent (rounded to the nearest pound)
JRC London	£14
JRC Northumbria	£1
JRC Thames Valley	£2

Source: Shapland et al, Does restorative justice affect reconviction? Centre for Criminological Research University of Sheffield, 2008, p 64

12. An average across the JRC sites yields a benefit of £8 for every £1 spent.[21] The other schemes considered in the Shapland report, which included interventions other than victim-offender conferencing, did not produce value for money in terms of reduced reconviction. It is clear that the £8 figure is primarily as a result of the figure of £14 generated from the London site[22], and only applicable to victim-offender conferencing and caution should therefore be taken not to place undue reliance on this figure. Dr Theo Gavrielides of the IARS International Institute argued:

> More research needs to be done, looking at the variants of each crime. If we are going to look at theft, let us look at the variants for theft. If we are going to look at murder, let us look at the variants for murder. I still question whether the evidence is there to make a valid argument that restorative justice costs less.[23]

18 Ministry of Justice, RJU0024, para 1

19 Shapland *et al*, Does restorative justice affect reconviction? Centre for Criminological Research University of Sheffield, 2008. This report was the fourth in a series of reports on three restorative justice schemes funded by the Home Office in 2001.

20 The sites were London, Northumbria and Thames Valley

21 The total amount in benefits, under "Method 3", was £9,042,208. The cost for restorative justice group cases was £1,096,722.

22 If one considers only the Northumbria and Thames Valley sites, the figure is £1.6.

23 Q34

Brian Dowling, a restorative justice practitioner who was an operational manager of one of the randomised control trial sites for restorative justice, told us that the findings from Shapland were robust but the money savings found are specific to the RCTs and must be considered "ball-park" for crimes that were not included in the trails. He believed restorative justice for cases of murder or domestic violence would be more costly and the savings were "more emotional than material for the criminal justice system."[24]

13. The Ministry of Justice's analysis of this research has suggested that restorative justice conferencing can reduce reoffending by 14%.[25] Surrey County Council pointed to their own *Youth Restorative Intervention,* a restorative informal out of court disposal.[26] An independent evaluation of that programme found it provided an 18% reduction in reoffending and saved the wider system £3 for every £1 spent.[27] An analysis of ten studies on restorative justice conferencing found that the effect on repeat arrests or convictions varied across the 10 experiments, between a 7% and 45% reduction.[28]

14. Jon Collins, the Chief Executive of the Restorative Justice Council, claimed that, while the Shapland study "tentatively" found that victim offender conferencing was the best model in terms of victim satisfaction and efficacy, there are nevertheless real benefits from indirect forms of restorative justice.[29] A 2007 report by Lawrence and Strang found that, when indirect restorative justice models were put to controlled trials, it had reduced recidivism in both the adult and juvenile system, "but not consistently so".[30]

15. The value for money figures provided in the *Shapland* study relate exclusively to savings to the criminal justice system arising from reduced reconviction. Ray Fishbourne, from Thames Valley Restorative Justice Service, suggested that monetary benefits of restorative justice extend beyond simply reconviction and indeed the criminal justice system itself:

> One has to look at the health benefits, particularly to victims, and, I assume—I do not think research has been done—the lesser demands that are made on GPs, counselling, psychotherapeutics and post-trauma stress services. All that stuff is a benefit as a result of restorative justice.[31]

Benefits to victims

16. Restorative justice trials have consistently shown high victim satisfaction. The evaluation of the pre-sentence RJ pathfinder[32] reported that, on a ten-point scale, 77% of participants ranked their experience either nine or ten.[33] Professor Shapland's review of

24 Mr Brian Dowling, RJU0054
25 Green Paper Evidence Report: Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders, Ministry of Justice. December 2010, para 5.59; Ministry of Justice, RJU0061
26 Surrey County Council, RJU0029
27 Alan Mackie *et al,* Youth Restorative Intervention Evaluation Final Report, Get the Data, 2014
28 Heather Strang, *et al,* Restorative Justice Conferencing (RJC) Using Face-to-Face Meetings of Offenders and Victims: Effects on Offender Recidivism and Victim Satisfaction. A Systematic Review, Campbell Systematic Reviews, November 2013
29 Q7
30 Lawrence W Sherman and Heather Strang, Restorative justice: the evidence, 2007
31 Q35
32 The pre-sentence pathfinder was a 12 to 15 month programme offering pre-sentence restorative justice to victims and offenders in ten Crown Courts in England and Wales
33 Amy Kirby and Jessica Jacobson, Evaluation of the Pre-Sentence RJ Pathfinder, Institute for Criminal Policy Research, 2015

the Home Office schemes found that 85% of victims were 'very' or 'quite' satisfied with their victim offender conferences.[34] Restorative justice has also been found to provide health benefits to victims. A randomised control study found that restorative justice helped alleviate post-traumatic stress symptoms for victims of robbery or burglary[35] and Dr Mark Walters argued that restorative justice can have therapeutic benefits for the family members of homicide victims.[36]

17. Even when a restorative justice process does not take place, witnesses have argued that the experience can nevertheless be a satisfying one for victims. Restorative Cleveland asserted that, even if a victim decides they do not wish to progress with restorative justice, the conversation may have been "positive in assisting the victim in their recovery."[37] Dan Molloy, a restorative justice practice manager from Cumbria and Lancashire CRC, stressed that, if victims are given a choice in engaging in restorative justice, it could be empowering to say no.[38]

18. **We conclude that restorative justice, particularly victim-offender conferencing, has the potential to offer clear and measurable benefits to the criminal justice system and to wider society, but we agree with Dr Gavrielides that arguments relating to the cost-effectiveness of restorative justice are "thin". In particular undue reliance should not be placed on the claim that £8 is saved for every £1 spent on restorative justice. This is because it arose due to a high performing site within the Home Office trial, applies only to victim-offender conferencing and does not take account of differing levels of cost and effectiveness across different types of offences. These points notwithstanding, there is clear evidence that restorative justice can provide value for money by both reducing reoffending rates and providing tangible benefits to victims.**

34 *Shapland et al*, Restorative justice: the views of victims and offenders, 2007
35 Angel *et al*, Short-term effects of restorative justice conferences on post-traumatic stress symptoms among robbery and burglary victims: a randomized controlled trial, 2014
36 Dr Mark Walters, RJU0005
37 Cleveland Police and Crime Commissioner and Restorative Cleveland, RJU0033
38 Q123

3 The effectiveness of the restorative justice landscape

The objectives of the Ministry of Justice Action Plan

19. Witnesses to our inquiry were broadly supportive of the high-level objectives of the Ministry of Justice Action Plan.[39] The Action Plan has three objectives; equal access, awareness and understanding, and good quality.[40] Vera Baird stressed to us there had been a shift in approach for restorative justice, which had moved from being "historically" offender-led to being focused on victims.[41] Michael Spurr, the Chief Executive of NOMS, told us:

> We are now very clear that it is about victim satisfaction, from a victim-initiated point, even where we would not necessarily have targeted resources because we thought it was the best way of tackling reoffending.[42]

The then Minister for Policing, Fire and Criminal Justice and Victims, Rt Hon Mike Penning MP, also emphasised the focus on victims, telling us "Putting victims at the front of the criminal justice system is absolutely vital."[43]

20. **We support the aims and objectives of the Ministry's Restorative Justice Action Plan. In particular we welcome the Ministry's focus on ensuring restorative justice services are high quality and victim-focused.**

Equal access

21. The Ministry of Justice envisages under its Action Plan victims having access to good quality restorative justice at any part of the criminal justice system regardless of the type of offence, the age of the offender or their geographic location.[44]

Geographic access

22. Because the delivery of restorative justice services is not mandatory, their availability is inevitably subject to the regional buy-in of bodies responsible for commissioning restorative justice. We received evidence of numerous organisations across the system who had made a strong commitment to delivering high quality restorative justice. Greater Manchester Police explained that restorative justice is their most commonly used alternative to a charge/summons;[45] Leeds Restorative Hub made reference to HMP Leeds and Leeds YOS, both of whom have achieved the Restorative Services Quality Mark[46] and several Police and Crime Commissioners made submissions about the nature and quality

39 Q73 [Ben Byrne, Ali Wigzell]; Restorative Justice Council, RJU0041; Restorative Solutions CIC, RJU0012
40 See para 4
41 Q9
42 Q238
43 Q206
44 Ministry of Justice, 2014 Restorative Justice Action Plan for the Criminal Justice System, November 2014
45 Greater Manchester Police, RJU0036
46 Leeds Restorative Hub, RJU0035. The Restorative Justice Quality Mark is a quality mark administered by the Restorative Justice Council for restorative services who demonstrate they meet the Council's Restorative Services Standards.

of the services provided in their area.[47] A recent mapping exercise of restorative justice provision commissioned by the Restorative Justice Council concluded that such activity is growing and becoming increasingly coordinated.[48] Despite this, it is clear that service availability still varies by area. The Criminal Justice Alliance described the availability of restorative justice services as being a "postcode lottery".[49] Restorative Solutions told us that "the reality is that there are currently large areas of England and Wales where an RJ service is not available to victims".[50] The Victims' Commissioner's recent review into restorative justice provision also found that the services accessible varied by PCC area.[51] In oral evidence the Minister explained to us that the Ministry monitored PCC spending against grant allocations but it had no plans to assess the effectiveness of this spending, citing the recent reports produced by the Victims' Commissioner, the Restorative Justice Council and Why me?[52] In a follow up letter we received on 30 June, the Minister helpfully provided us with an annex of how PCCs had spent their grants in relation to restorative justice.[53] In his letter the Minister stressed that some PCCs also funded RJ services through their main policing grant and the annex would therefore not represent a comprehensive picture. In their report on spending by Police and Crime Commissioners, *Valuing victims*, Why me? argue that there needs to be transparent and publicly available information on how money on restorative justice is being spent by PCCs and whether value for money is being achieved.[54]

23. **Progress has been made in expanding the availability of restorative justice service across England and Wales. While we appreciate that some variation in restorative justice provision is inevitable, the objective of equal access regardless of geographic location has not yet been achieved.**

24. **Information relating to how Police and Crime Commissioners are spending money allocated to them for restorative justice is helpful in assessing progress being made against the Ministry's Action Plan. *We recommend the Ministry works with Police and Crime Commissioners to publish information on how money is being spent to provide restorative justice on a yearly basis. The first such publication should be in the Ministry's Action Plan progress report.***

25. In their written submission, the Office of the Sussex Police and Crime Commissioner advocated ring-fenced funding for restorative justice in order to prevent the "post-code lottery" nature of the current system.[55] Vera Baird QC also suggested that, if the Ministry wanted to focus PCCs' attention on providing restorative justice services, ring-fencing the funding to PCCs "would be a good thing to do".[56] The Minister was firmly against such a proposal; he argued:

47 Association of Police and Crime Commissioners, RJU0028; Avon and Somerset Office of the Police and Crime Commissioner, RJU0010; Cleveland Police and Crime Commissioner and Restorative Cleveland. RJU0033; Merseyside Police & Crime Commissioner's Office, RJU0009; Office of the Police and Crime Commissioner, Humberside, RJU0006; Office of the Sussex Police and Crime Commissioner, RJU0011

48 Report of a mapping exercise of restorative justice provision in England & Wales for the Restorative Justice Council, Institute for Criminal Police Research, March 2016

49 Criminal Justice Alliance, RJU0021, para 4

50 Restorative Solutions CIC, RJU0012

51 Victims' Commissioner, A Question of Quality: A Review of Restorative Justice Part 1 - Service Providers, March 2016, para 6.2.2

52 Ministry of Justice, RJU0060

53 Ministry of Justice, RJU0062

54 Why me? RJU0059

55 Office of the Sussex Police and Crime Commissioner, RJU0011

56 Q9

> It is wrong to assume that there is only one way of doing this, which is to ring-fence it and say, "Right, you must spend all of that within the year. That's the only way you can spend it." We know that that money is spent wrongly at times.[57]

In his letter of 30 June the Minister further stressed that because of the fact that restorative justice requires the voluntary agreement of the offender, it is difficult to properly allocate indicative budgets.[58]

26. **We understand the attraction of ring-fencing funding to ensure that Police and Crime Commissioners spend money on restorative justice provision, but we agree with the Minister that there are serious difficulties with such an approach. In particular, due to the entirely voluntary nature of participation in restorative justice, it is difficult to predict with certainty how much should be allocated to it. *We recommend that the Ministry continue to provide long-term funding for restorative justice to Police and Crime Commissioners, but this money should remain part of a wider pot of funding for victims' services to provide PCCs with the flexibility to meet local needs.***

Different stages of the criminal justice system

27. The Action Plan calls for victims to have access to restorative justice services at every stage of the criminal justice system. Indeed the Crime and Courts Act 2013 made explicit that sentencers can adjourn cases to allow for pre-sentence restorative justice to take place.[59] Despite this, opportunities seldom exist for restorative justice provision in all parts of the criminal justice system. The Victims' Commissioner found that some PCC areas only offer restorative justice services at certain stages of the criminal justice system and in particular post-conviction.[60] Gary Stephenson, the Chief Executive and Director of Restorative Solutions CIC, pointed out that the ambition for restorative justice to be available in all parts of the criminal justice system was impeded by tensions within Government policy:

> Basically, the legislation says that a sentencer can adjourn or defer sentence for the purpose of a restorative conference. That conference takes place within six weeks. Its outcome is then reported back to the sentencer, so that they can make a smarter sentencing plan. That has been absolutely snookered by the fact that the Courts and Tribunals Service has introduced Better Case Management, which practically outlaws any adjournments or deferments.[61]

28. **The goal to make restorative justice available to victims at every stage of the criminal justice system is a laudable one, but further work is need before it will be a reality. *The Ministry should consider if there are tensions between the aims of the Action Plan and wider criminal justice policy, particularly in relation to any tension between provision of pre-sentence restorative justice and the requirements of Better Case Management.***

57 Q194
58 Ministry of Justice, RJU0062
59 Schedule 16, Part 2, Crime and Courts Act 2013
60 Victims' Commissioner, A Question of Quality: A Review of Restorative Justice Part 1 - Service Providers, March 2016, para 6.2.2
61 Q36

Types of offence

29. Although the Action Plan has called for restorative justice not to be excluded from particular types of offence, we have heard evidence that this is in fact happening. The Victims' Commissioner has found that PCC areas can be broadly split into three categories; the first offer restorative services irrespective of the offence, the second do not pro-actively offer RJ for cases of domestic abuse, hate crime or sexual offences but provide them on victim request, and the final category exclude RJ for those types of offences.[62] The areas that provided restorative justice in such cases subject them to heightened risk assessments.[63] The recent mapping exercise from the Restorative Justice Council confirmed that some service providers exclude certain types of offences.[64]

30. The position that restorative justice should be available regardless of the type of offence (subject to risk assessment) has proved controversial, particularly for domestic abuse, sexual offences and hate crime. Women's Aid provided the following explanation of the concerns felt about restorative justice in domestic abuse:

> Domestic abuse is a serious and violent crime with often long-lasting devastating impact on the victim. The majority of victims will experience coercive control and have their mental health impacted by the abuse. For many victims it will have been going on for many years and will have long term effects on their lives and in some cases survivors may experience Post Traumatic Stress Disorder or other related illnesses. It is for these reasons that restorative justice can be potentially harmful for victims of domestic abuse and can be another way for a perpetrator to continue their control and abuse.[65]

31. Refuge argued that restorative justice is never appropriate in cases of intimate partner violence. In particular they raised concern that it would provide offenders with a means of maintaining control and that, for example, facilitators might not be familiar with what a particular look or gesture might mean.[66] The then Home Secretary, Rt Hon Theresa May MP, recently criticised the use of restorative justice by police in cases of domestic violence, saying that it does not follow "common sense" to "sit vulnerable victims" in the same room as the perpetrator.[67] When we put these comments to the Minister, Rt Hon Mike Penning MP, he said:

> The Home Secretary was absolutely right to make the comments that she made. The police are on a journey as well, particularly around domestic abuse. Some would argue that they are not far enough down that journey. This was a Home Secretary with a size 10 boot saying that the mindset that was there before has to change. I reiterate that it is absolutely wrong for anybody, whether it be the police or any other part of the criminal justice system, to push and cajole

62 Victims' Commissioner, A Question of Quality: A Review of Restorative Justice Part 1 - Service Providers, March 2016, para 6.2.5
63 Ibid, para 6.2.6
64 Report of a mapping exercise of restorative justice provision in England & Wales for the Restorative Justice Council, Institute for Criminal Police Research, March 2016, p52
65 Women's Aid, RJU0027
66 Refuge, RJU0057
67 Home Secretary's Police Federation Conference 2016 speech

> someone into restorative justice. It has to be right for them as part of a package. As the Home Secretary said, it should not mean putting you in a room with the perpetrator. That must have been horrendous.[68]

32. While acknowledging the risks, several witnesses argued that the use of restorative justice had potentially significant benefits to victims, particularly in empowering them. Jon Collins quoted a victim of domestic abuse who had engaged in restorative justice as saying:

> When I walked out of that meeting, I felt as if I could knock out Mike Tyson. I could have taken on anything or anyone. In the days and weeks afterwards, it was as if a massive weight had been lifted off my shoulders. I had been carrying it for so long that I did not even notice it anymore, so when it disappeared it was amazing. I felt completely empowered.[69]

33. We heard robust criticism of the approach taken in practice in cases of domestic abuse and sexual violence. Diana Barran, the Chief Executive Officer of SafeLives suggested that:

> Deciding to make it available before ensuring that the system works properly in terms of training for facilitators and taking into account safety and potential re-victimisation feels like we might be putting the cart before the horse.[70]

Polly Neate, the Chief Executive of Women's Aid told us that the whole practice of restorative justice was being applied differently in different areas and that women were being pressured into taking part in restorative justice "regularly".[71] A specific concern was raised that restorative justice was being used inappropriately by some police forces. Professor McGlynn told us:

> We find that all police forces in England, Wales and Northern Ireland are using what they call restorative justice or community resolutions in cases of domestic abuse, but the majority of those are street-level disposals. Our view is that we must never use that sort of street-level restorative justice or community resolution in cases of domestic abuse. Those might be some of the sorts of cases that are coming through to the women's aid organisations, because you could easily have those sorts of coercion.[72]

A study drawing on freedom of information requests by Professors McGlynn and Westmarland found that "Level One"[73] restorative justice was being used in cases of domestic abuse by police forces.[74] This is despite police guidance expressly stating that it should not be used in such cases.[75] The Minister told us here was "aware of that concern" and:

> It is fundamentally wrong if officers are doing that. I say that as the Police Minister, as well as the Criminal Justice Minister. It is happening less and less,

68 Q174
69 Q29
70 Q92
71 Qq 95, 100
72 Q101
73 Guidance from the Association of Police Chief Officers describes Level One RJ as being "an instant or on-street disposal where police officers or PCSOs use restorative skills to resolve conflict in the course of their duties"
74 Professor Clare McGlynn and Professor Nicole Westmarland RJU0017; RJU0055
75 Q103

> but there is still concern about it. The College of Policing has to get its guidance and training right the way through to the guys and girls on the frontline, as they deal with these issues.[76]

34. **It is a matter of great concern to us that "Level One" restorative justice is being used by police forces in cases of domestic abuse. This risks bringing restorative justice into disrepute. It is crucial that frontline police officers are fully informed of the risks for vulnerable victims in such cases.** ***We recommend that it be reaffirmed that "Level One" restorative justice is not appropriate for cases of domestic abuse and the Ministry of Justice work with police forces to ensure officers have proper guidance to avoid using restorative justice in inappropriate circumstances.***

35. In their written evidence SafeLives said that successful restorative justice in cases of domestic abuse is likely to be time - and resource - intensive. They called for it to be "genuinely victim-led" and include "robust and medium-term wraparound support for the victim."[77] Gary Stephenson noted that support and work done after the conference is just as important as the preparation for such cases.[78] Polly Neate explained that Women's Aid were currently working with the Restorative Justice Council to develop specific training for restorative justice facilitators in cases of domestic abuse.[79] The Office of the Police and Crime Commissioner for Somerset suggested that the Ministry of Justice should fund training for those working with victims of domestic abuse and sex offences.[80]

36. **We agree in principle that restorative justice should be available for all types of offence. While restorative justice will not be appropriate in every case, a bright-line exclusion rule is contrary to the aims of the Restorative Justice Action Plan. Despite this, given the clear risks of restorative justice for certain types of offence, we understand why some service providers have restricted use of restorative justice for certain types of offence, particularly domestic violence and sexual offences.** ***In order to help promote the use of safe restorative justice in such cases, we recommend the Ministry of Justice work with the Restorative Justice Council to create and fund training and promote guidelines of best practice for facilitators in such cases.***

Age of the offender

37. The Restorative Justice Council in their written submission stated that "real progress" had been made in the youth justice system but there was "much to be done".[81] The Council's mapping exercise of the youth justice system concluded that "our analysis of the data suggests that restorative justice is embedded within youth justice practice."[82] On the subject of the capacity of youth offending teams to provide restorative justice services, Lord McNally, the Chair of the Youth Justice Board, told us:

76 Q175
77 SafeLives, RJU0042
78 Q40
79 Q113
80 Avon and Somerset Office of the Police and Crime Commissioner, RJU0010
81 Restorative Justice Council, RJU0041
82 Report for the Youth Justice Board of a mapping exercise of restorative justice provision in England & Wales, Institute for Criminal Police Research, March 2016

> I think it has got better, but it is work in progress. We are a long way from where it is in Northern Ireland or in states in Australia where it is absolutely embedded in the system. We are still convincing people."[83]

38. We heard some criticism of the current operation of referral orders,[84] which was described to us as the principal way restorative justice is delivered in the youth system.[85] The Standing Committee for Youth Justice (SCYJ) stated that, while referral orders could have a strong restorative element, they were often not run according to restorative principles and the victim was rarely involved.[86] When asked why this was the case, Ali Wigzell, the Deputy Chair of the SCYJ, pointed to the requirement for youth offending panels to be convened within twenty days, including to access victims' details, contact them and properly prepare them.[87] Ben Byrne claimed that referral orders are a "hotch-potch, hoping for the best of both worlds."[88] Christine Walker-Booth, the Senior Manager of the Cornwall & Isles of Scilly Youth Offending Service, contended that the twenty day time requirement for panels was in order to maximise the impact of the intervention, emphasising the focus is on offenders rather than victims.[89]

39. Both the SCYJ and the Restorative Justice Council argued that the model of youth restorative justice should be based around that found in Northern Ireland.[90] The Northern Ireland Youth Conference service was launched in 2003 and referral can occur pre-conviction (diversionary youth conferencing) or post-conviction (court-ordered conferencing).[91] A conference is attended by the offender, victim (or a representative), professionals and others. The purpose of the conference is to discuss the offence and its consequences.[92] The SCYJ cited greater levels of victim satisfaction in Northern Ireland and lower youth reoffending rates.[93] Ben Byrne described restorative justice as being "integral" in the Northern Ireland youth justice system while in the England and Wales system it operated as more of a "bolt on".[94] Ali Wigzell suggested that one of the reasons for the success of the system in Northern Ireland lay in its inclusion of highly skilled facilitators. She contrasted training received by those facilitators, who are trained for about nine weeks, with facilitators in England and Wales, who may have only had three days of training. She did, however, caution against seeing it as a perfect system, citing significant delays between offences being committed and conferences taking place.[95]

83 Q72
84 A referral order is a court ordered disposal which, depending on the circumstances when it is available, may be either a mandatory or discretionary disposal. For most cases, where a young offender has pleaded guilty and it is their first offence, the court must make a referral order. Under a referral order an offender must make and comply with a contract agreed with a youth offender panel.
85 Standing Committee for Youth Justice, RJU0044
86 Ibid
87 Q62
88 Ibid
89 Cornwall & Isles of Scilly Youth Offending Service, RJU0043
90 Restorative Justice Council RJU0041; Standing Committee for Youth Justice, RJU0044
91 Jessica Jacobson and Penelope Gibbs, Making Amends: restorative youth justice in Northern Ireland, Prison Reform Trust, 2009
92 Standing Committee for Youth Justice, RJU0044
93 Ibid
94 Q86
95 Q87

40. **Restorative justice is more fully embedded in the youth justice system than in the adult system, but there is further progress to be made and particular effort should be made to improve victim participation.** ***We recommend that the Government continue to embed restorative justice in the youth justice system and in particular consider following the model of youth conferencing used in Northern Ireland.***

Data sharing

41. Several witnesses in our inquiry drew our attention to difficulties in data sharing. Thames Valley Restorative Justice Services said data sharing represented one of the main obstacles to universal access for victims.[96] Ray Fishbourne told us:

> It just is not working. I do not want to sound too pessimistic; maybe it will be delivered this time, but, currently, NPS cannot share information readily with CRCs, and CPS does not share information readily with NPS. It is incredibly difficult.[97]

42. Not all providers of restorative justice reported encountering difficulties with data sharing. Dan Molloy stated that the multi-agency hub models that included Cumbria and Lancashire CRC meant that they had not encountered issues.[98] Similarly Jim Barton of the National Probation Service told us they "routinely share information."[99] The Office of the Sussex Police and Crime Commissioner stated that while data sharing "is often a blockage", this is overcome by a dedicated information sharing agreement signed by all participating agencies in Sussex Restorative Partnership.[100] Ray Fishbourne suggested that even if local agreements are in place, difficulties are encountered when parties to a restorative justice process live in other areas and "you immediately hit the rocks once you start contacting other areas."[101]

43. Why me? argued that simplifying the processes around information sharing was needed to improve the delivery of restorative justice.[102] In their report on barriers to restorative justice, they advocated the creation of a national information-sharing template, endorsed and promoted by the Ministry of Justice.[103] Lucy Jaffe explained to us the advantage of such a template:

> As a small provider, we could point to a standard agreement that could be pulled down and used as a template for us to become a trusted third-party provider with both statutory agencies and commissioned, contracted-in agencies. It would mean that we did not have to reinvent the wheel. We deal with cases from all over the country. That is 43 cases, just in terms of the PCCs. We have all the community rehabilitation companies as well. It would make our lives a lot easier if we had one template.[104]

96 Thames Valley Restorative Partnership RJU0020
97 Q49
98 Q159
99 Ibid
100 Office of the Sussex Police and Crime Commissioner, RJU0011
101 Q51
102 Why me? RJU0032
103 Barriers and Solutions to Restorative Justice delivery in England and Wales, Why me?, October 2015
104 Q25

This recommendation was also made by the Restorative Justice Council.[105] Ray Fishbourne was of the view that this could only be fixed via legislation mandating the sharing of information for the purposes of restorative justice.[106] The Minister, however, argued that the legislative grounds for data sharing were already present and the key challenge was in "changing the mind-set" towards sharing data because too many say "we shouldn't share, because of data protection" rather than "why shouldn't we?"[107]

44. **Data sharing has presented a persistent obstacle to the delivery of restorative justice.** ***We agree with the recommendations of Why me? and the Restorative Justice Council that the Ministry of Justice should produce and promote within the criminal justice system an information sharing template to speed up the agreement of data sharing protocols. We do not recommend legislation at this juncture to require data sharing, but this is an option which should not be excluded if non-legislative measures do not prove effective. The issue of data sharing is one which the Ministry should make specific reference to in its Action Plan progress report.***

Awareness and understanding

45. Public knowledge and understanding of restorative justice has shown modest growth in the past few years. Two polls commissioned by the Restorative Justice Council showed that in October 2013, 22% of people had heard of restorative justice and in April 2015 this figure had risen to 30%.[108] A third poll commissioned by the Restorative Justice Council, taken between 22 April and 9 May 2016 showed that 28% of the public are aware of restorative justice. The same poll also found that 80% of respondents thought victims should have the right to meet their offender.[109] The Restorative Justice Council acknowledged that there was a lot of room for progress in relation to awareness of restorative justice.[110] The Ministry of Justice pointed to awareness campaigns it had engaged in during the Restorative Justice Weeks of 2014 and 2015, with Police and Crime Commissioners and local service providers.[111] Gary Stephenson stated that these campaigns had an impact over the short time they were done but "one-off events" were not enough and there was a need for a "systemic, sustained campaign to make victims aware of their rights and of the opportunities that are there for them."[112] In a similar vein, several witnesses argued that the Ministry of Justice should engage in or provide funding for a national awareness raising campaign to improve the public's understanding of restorative justice.[113]

46. Ray Fishbourne suggested to us that:

> Raising awareness is on two levels. The MOJ has good reach into other criminal justice agencies, but they do not have any deep reach into communities. In Thames Valley, we find that following restorative justice week we have a spike in the number of people ringing us wanting to become volunteers and work

105 Restorative Justice Council, RJU0041
106 Q52
107 Q245
108 Restorative Justice Council, RJU0041, para 20
109 Restorative Justice Council, 2016 Ipsos MORI Poll Summary
110 Restorative Justice Council, RJU0052
111 Ministry of Justice, RJU0024, para 7
112 Q41
113 Restorative Solutions CIC, RJU0012; Restorative Justice Council, RJU0041; Thames Valley Partnership, RJU0020

> with us, but we do not see any spikes in the number of victims. From some of the specialist projects in Thames Valley I am involved in, I know that getting into communities requires boots on the ground. [114]

Brian Dowling argued that programmes to raise awareness had not been robustly tested to measure their impact. He cautioned against a "scattergun" approach to marketing which would reach individuals who were not victims at the time and may indeed have forgotten about restorative justice if they became a victim of crime.[115] Dr Gavrielides told us:

> Public awareness is one thing, but ads on buses will not work for restorative justice. It is not another L'Oréal product. If we are going to talk about public awareness, the money that the Ministry of Justice wants to invest should go to judges, the legal profession and the police—to those who should be offering restorative justice to individuals, so that they know first about restorative justice. Then we can expect the public to know about it.[116]

Are victims being informed about restorative justice?

47. As explained in Chapter 1, victims of adult offenders are entitled to receive information about restorative justice from the police or other organisation who delivers restorative justice services, and the police must also pass on a victims' details unless they are asked not to do so. This means the police are well placed to inform victims of crime about restorative justice. Despite this, we received mixed views about how effectively entitlements under the Code are being delivered.

48. The APCC Standing Group for Supporting Victims and Reducing Harm argued that "victims are receiving their entitlements under the Code"[117] and Cumbria and Lancashire Community Rehabilitation felt the entitlements under the Victims' Code are working well.[118] Conversely, Lucy Jaffe of Why me? argued that, despite the requirements on police to ensure victims are fully informed about restorative justice, and then pass on their details, "this is not happening."[119] The Office of the Police and Crime Commissioner for Humberside stated that they have been "less than impressed" with the number of referrals being made into the restorative justice service by the local police service and suggested that this was because victims did not seem to be receiving information on restorative justice from the police.[120] A recent report from the Victims' Commissioner found that there was inconsistency in making victims aware of restorative justice, or that their details would be passed on to a service provider.[121] Thames Valley Restorative Justice Service suggested that many police officers were unaware of their duties under the Code and that, anecdotally, they needed more information and support in how to have these conversations with victims.[122] Charlotte Calkin, of the Restorative Justice Forum, claimed "… so many victims are still not being told about restorative justice; they do not know that

114 Q41
115 Mr Brian Dowling, RJU0054
116 Q41
117 Association of Police and Crime Commissioners, RJU0028
118 Cumbria and Lancashire Community Rehabilitation Company, RJU0053
119 Q15
120 Office of Police and Crime Commissioner for Humberside, RJU0006
121 Victims' Commissioner, A Question of Quality: A Review of Restorative Justice Part 1 - Service Providers, March 2016, para 6.1.4
122 Thames Valley Restorative Justice Service RJU0020

it is an option."[123] When we asked the Minister about this, he stated that, while he had no means by which to assess how effectively the police were meeting their duties under the Code, "as with any other requirement that has to be met 100% of the time, there will be room for improvement."[124]

49. It was also suggested to us that there was a role for other bodies within the criminal justice system in providing information about restorative justice to victims of crime. For example, Michael Spurr, the Chief Executive of NOMS, suggested that there was a role for Victim Liaison Officers:

> If an offender is convicted, it is the responsibility of the victim liaison officers in the National Probation Service to make contact with victims and to ensure that they understand what their rights are. That provides an additional opportunity, when victims have gone through the court process, to reinforce that restorative justice is an option for them.[125]

Dan Molloy told us that victims should be able to go to anyone in the criminal justice system and that, ideally there would be someone "trained up" in police stations, probation offices, prisons and courts.[126]

50. **The Ministry of Justice has an excellent reach with criminal justice organisations, but we are not convinced it is as effective in reaching victims, both potential and actual. While greater public awareness of restorative justice would be welcome, the priority must be in ensuring that victims of crime are properly informed about restorative justice and how they can access it.** ***We recommend the Ministry, rather than engage in broad national awareness raising campaigns, should instead focus its resources on ensuring restorative justice is well understood by bodies within the criminal justice system who can then convey this information to victims. The Ministry should also provide support and funding to providers to enable local awareness campaigns.***

51. **While there are several bodies within the criminal justice system who can and ought to be able to provide victims with information on restorative justice, we believe the police are well placed to ensure victims are informed about restorative justice in the first instance. But we have received evidence of inconsistency in making victims aware of restorative justice.** ***We recommend a rigorous system be introduced to improve compliance with the police's requirement to inform victims about restorative justice. For example, forms for victim impact statements could have a box which reads "I have had restorative justice and how I can take part explained to me by the officer." Other criminal justice bodies also have a role to play in improving victim awareness of restorative justice.***

123 Restorative Engagement Forum Ltd, RJU0015
124 Ministry of Justice, RJU0060
125 Q213
126 Qq 148 and 149

Quality

Standards of restorative justice provision

52. Concern was raised about the level of training and qualification of restorative justice practitioners. Thames Valley Partnership claimed that there were varying levels of quality of qualification, drawing our attention to "inconsistency" in the level of training facilitators receive. In particular they argued that NVQ Level 4 and RJC direct accreditation required greater coverage of practice skills than the BTEC qualification, but all allowed a practitioner to say they were "qualified".[127] To alleviate concerns of mixed quality restorative justice practice, the Restorative Justice Council suggested that it should be mandatory that those in receipt of statutory funding to provide restorative justice work towards the Restorative Services Quality Mark,[128] Dan Molloy agreed that there should be mandatory quality standards[129] and the Criminal Justice Alliance recommended that "all publicly-funded restorative justice services be required to demonstrate compliance with the Quality Mark's standards."[130]

53. Others were not convinced of the value of specific mandatory standards. Dr Gavriliedes argued that such a proposal would "kill restorative justice"[131] and Gary Stephenson, while agreeing there should be mandatory standards, felt it was "too soon for the sector."[132] The Victims' Commissioner preferred "working together" rather than laying down a "carte blanche mandatory framework".[133] In the Victims' Commissioner's report, one PCC described the Restorative Services Quality Mark as requiring "additional funds and time–at this stage both are better used to deliver the service." The report further stated that some PCC areas used the principles of the Quality Mark even though they had not actually achieved it.[134] The Association of Police and Crime Commissioners was of the view that if the Ministry of Justice Grant Agreements specified a minimum levels for RJ services, this would help improve consistency across the country.[135] From the perspective of the National Probation Service, Jim Barton stated there were a number of quality assurance mechanisms available, such as contract management or service specification[136] and Michael Spurr explained that NOMS had "a very clear set of specifications" but it was unclear whether they "matched the Restorative Services Quality Mark".[137]

54. **It would be too prescriptive to mandate that publicly-funded RJ services should attain the Restorative Services Quality Mark. Nevertheless there is value to ensuring a consistently high quality of delivery.** ***We recommend that publicly-funded bodies should be required to demonstrate compliance with standards comparable to those Restorative Services Quality Mark (RSQM). We also recommend that NOMS review its service specifications against the RSQM.***

127 Thames Valley Partnership, RJU0020, para 1.24
128 Restorative Justice Council, RJU0041
129 Q119
130 Criminal Justice Alliance, RJU0021, para 12
131 Q39
132 Ibid
133 Q117
134 Victims' Commissioner, A Question of Quality: A Review of Restorative Justice Part 1 - Service Providers, March 2016, paras 3-5
135 Association of Police and Crime Commissioners, RJU0028
136 Q121
137 Q241

Measuring effectiveness of restorative justice provision

55. Charlotte Calkin argued that the effectiveness of restorative justice provision was being measured by reference to inappropriate criteria. In particular she contended that assessing the success of restorative justice programmes simply by the number of victim-offender conferences failed properly to reflect the value victims gained from those services.[138] She further suggested that Police and Crime Commissioners had generally been expecting "instant results".[139] Dan Molloy expressed concern to us that chasing targets, such as the number of victim-offender conferences, could end up "re-victimising the victim".[140] The Victims' Commissioner was of the view if restorative justice was target driven, it would "take another turning and that is not what restorative justice is about."[141] Why me? along with several witnesses, agreed that focus on measurements such as victim satisfaction was preferable.[142] Lambeth Mediation Service argued that important criteria "are victims' satisfaction, reduction in victims' fear of retaliation, victims' and offenders' sense of fairness."[143] The Office of the Avon and Somerset Police and Crime Commissioner recommended that the Ministry of Justice should establish guidance on success factors for restorative justice and provide both expert advice and funding to PCCs.[144]

56. **It has been made clear to us that judging the effectiveness of a restorative justice programme simply by reference to the number of conferences held is a poor measurement and could encourage counter-productive incentives.** ***We recommend the Ministry of Justice, with the Restorative Justice Council, publish and promote clear guidance for commissioners of restorative justice services of what constitutes a successful restorative justice scheme, including measurements relating to offenders and victims such as victim satisfaction.***

Offender management services

The NOMS Capacity Building Programme

57. The NOMS Capacity Building Programme was launched in January 2012 and coincided with a time of great change in both prisons and probation. These challenges included the implementation of Transforming Rehabilitation, benchmarking in prisons and the introduction of Fair and Sustainable contract terms for prison officers.[145] The programme comprised five days of training delivered by Restorative Solutions: a three day training course, followed by two mentoring sessions months after the training. The programme also included 'Train the Trainer' courses to train experienced facilitators with the skills to train others. The intention was to provide 100 five-day courses and 18 'Train the Trainer' courses.[146]

138 Restorative Engagement Forum Ltd, RJU0015, para 7.3
139 Ibid, para 7.2
140 Q123
141 Ibid
142 Why me? RJU0059; Q124
143 Lambeth Mediation Service, RJU0026
144 Avon and Somerset Office of the Police and Crime Commissioner, RJU0010
145 Prison Reform Trust, RJU0031
146 Alexandra Wigzell and Mike Hough, The NOMS RJ Capacity Building Programme

A study of the quality of participant and implementation experiences, Institute for Criminal Policy Research, March 2015, p 1

58. By the end of July 2014, 74 three-day courses and 124 mentoring days had been delivered and the number of 'Train the Trainer' courses was downscaled from 18 to four, owing to the smaller number of conferences taking place.[147] The independent evaluation of the programme found that 2,643 cases went through the scheme, of which:

- 153 (6%) went to conference;
- 230 (9%) resulted in an alternative restorative outcome;
- 1128 (43%) were ongoing; and
- 1132 (43%) were terminated without a restorative outcome.[148]

59. While acknowledging the difficulties caused by ongoing reforms, the Ministry of Justice argued the programme was in fact a success, with over 150 conferences taking place, 77 staff trained as facilitators, 30 staff trained as trainers and increased awareness of services to victims and offenders.[149] It also pointed to two legacy products, the "Wait 'til Eight" guide, which provides eight checklists identifying critical elements of a successful restorative justice scheme, and the "Guide to Providing a Supportive Environment", which provides prison governors with advice ensuring their prisons are able to facilitate external providers of restorative justice.[150] The independent evaluation found that, while the programme would have been far more successful if it had not taken place during a time of great upheaval, there were benefits to the programme, in particular for the over 300 participants in restorative justice conferences and in increased awareness and support for restorative justice amongst staff and managers in prison and probation.[151] Gary Stephenson described the programme as a success, saying:

> Not only did we develop a capability-cum-capacity, but we conducted 153 face-to-face restorative conferences in the course of the programme. From our perspective, it was a success. It takes time to see the real successes coming through.[152]

60. Thames Valley Restorative Justice Services suggested that prisons and probation staff were paradoxically more aware of restorative justice now, but less able to deliver it. They further suggested that, in hindsight, the programme might have been more effective if it had focused on training facilitators in the voluntary sector and raising awareness among prison and probation staff.[153] Two Offices of Police and Crime Commissioners told us that the Capacity Building Programme had assisted them in the creation of restorative justice hubs.[154] Sussex said it helped "increase momentum" while Humberside said the programme was now fully integrated within their RJ hub. [155]

147 Ibid
148 Ibid, p 6
149 Ministry of Justice, RJU0024, para 14
150 Ibid, para 16
151 Alexandra Wigzell and Mike Hough, op. cit., p 60
152 Q42
153 Thames Valley Partnership, RJU0020, para 3.4
154 Restorative justice hubs are multi-agency partnerships of multiple stakeholders in or providers of restorative justice services
155 Office of the Sussex Police and Crime Commissioner, RJU0011; Office of the Police and Crime Commissioner, Humberside, RJU0006

61. **The results of the NOMS Capacity Building Programme were hindered by concurrent organisational changes in both prisons and probation, but there were benefits from the programme, in particular the legacy products. In hindsight, it is likely the programme would have been more successful if it had focused on training voluntary sector workers.**

62. The Ministry explained that there was a £175k underspend from the programme, owing to a reduced demand for training. This money came from the Monument Trusts' funding and will be used to pilot a whole-prison approach to management of conflict based on restorative principles.[156] This echoes a recommendation made by the Prison Reform Trust, that restorative principles should be applied to the prison estate more generally.[157] Michael Spurr described the aim of the pilot to us:

> It is being spent now, in agreement with the Monument Trust, to build a restorative approach to conflict resolution, effectively. Can we use restorative approaches in prisons to resolve some of the issues that are happening there in terms of violence and so on? We are piloting that at two establishments, Onley and Buckley Hall. It is due to report in 2017.[158]

63. **We have made clear in previous reports our serious concern about levels of violence in prisons. We will therefore be particularly interested in the findings of the pilot of restorative approaches to conflict resolution in prisons.**

The role of offender management services

64. The current landscape of restorative justice has led to confusion around the roles of various organisations involved in delivering or commissioning of RJ. This is particularly acute regarding the roles of CRCs and the National Probation Service. The Ministry of Justice, lapsing into thankfully rare bureaucratese, said in its written evidence that "the NPS has been working to identify its forward role within the partner-matrix of restorative justice delivery."[159] Jim Barton, a Deputy Director of the National Probation Service translated this for us as meaning that the National Probation Service did not see themselves as a provider of restorative justice. Rather, their role was two-fold; first, to promote restorative justice through their links with victims, and secondly to facilitate restorative justice by providing support to victims or managing offenders.[160]

65. The Office of Merseyside Police and Crime Commissioner explained to us that they had been contacted by a number of partners working with offenders seeking funding for restorative justice, and they suggested the Ministry clarify which agencies were responsible for offender-led restorative justice.[161] Derbyshire, Leicestershire, Nottingham and Rutland Community Rehabilitation Company similarly recommended that the Government

156 Ministry of Justice, RJU0024; RJU0060
157 Prison Reform Trust, RJU0031
158 Q237
159 Ministry of Justice, RJU0024
160 Q142
161 Merseyside Police and Crime Commissioner's Office, Para 2.12, RJU0009

clarify what services PCCs and CRCs were expected to provide.[162] The Restorative Justice Council's recent mapping report found that the picture of restorative justice remains "unclear" following the *Transforming Rehabilitation* reforms.[163]

66. **The Ministry of Justice is well placed to take a leadership role in restorative justice and set out a clear overall vision for how it expects restorative justice services to be delivered. We understand the Ministry will not wish to be too prescriptive on a matter primarily driven by local priorities, but we believe there is scope for a clear direction as to how the system is expected to work.** ***We recommend that the Ministry of Justice, when publishing its Action Plan progress report, provide an explanation of how they envisage restorative justice taking place across the criminal justice system. This should include what the roles of different organisations are, how they interact with one another and what support the Ministry of Justice will provide them. Clarity is particularly important in relation to probation services.***

162 Derbyshire, Leicestershire, Nottingham and Rutland Community Rehabilitation Company, RJU0051

163 Report of a mapping exercise of restorative justice provision in England & Wales for the Restorative Justice Council, Institute for Criminal Police Research, March 2016, p60

4 The Victims' Code and the Victims' Law

Entitlements under the Victims' Code

67. The majority of witnesses to our inquiry suggested that the entitlements to restorative justice needed to be strengthened, either under the Code or through the expected Victims' Law. The Association of Police and Crime Commissioners noted there was a disconnect between the Ministry of Justice's vision of good quality restorative justice being available at every stage of the criminal justice system and the entitlements under the Victims' Code. They also referred to the discrepancy between the entitlements in the adult system compared to the youth system.[164] Jon Collins similarly questioned why the entitlements under the Victims' Code differed depending on the age of the offender.[165]

68. **In our view, there is no good reason for entitlements under the Victims' Code being of differing strength depending on the age of the offender, as is the case now, with entitlements for victims of youth offenders being stronger.** ***We recommend that the Ministry strengthen the entitlements of victims of adult offenders under the Victims' Code so they are equal to that of victims of youth offenders.***

69. Some witnesses advocated the entitlements under the Victims' Code be strengthened in a variety of ways. The Restorative Justice Council argued that victims should, initially through the Victims' Code, have an entitlement to access restorative justice.[166] Thames Valley felt an onus needed to be placed on Police and Crime Commissioners to deliver restorative justice services.[167] The Association of Police and Crime Commissioners, while not in favour of creating statutory rights, felt there was a case for "rethinking" the entitlements under the Victims' Code and strengthening them.[168]

The Victims' Law

70. The 2016 Queen's Speech confirmed an intention, first set out in the 2015 Queen's Speech, to pass legislation to "increase the rights of victims of crime."[169] The Government had intended to publish a green paper on the Victims' Law for May 2016 but has missed that deadline.[170] The Minister committed himself in evidence to us to "publish it as soon as I possibly can"[171] but refused to indicate what proposals might be included in the consultation.[172] In a debate in the House of Commons on 6 July, the Minister pledged to "publish a Green Paper on a victims' law before the summer recess".[173] We would welcome publications by that time, although when we agreed our report it had not been published. Several witnesses to our inquiry suggested that there should be a legislative right to access restorative justice services. Lucy Jaffe felt that such provision would give

164 Association of Police and Crime Commissioners, RJU0028, paras 20-25
165 Q11
166 Restorative Justice Council, RJU0041
167 Thames Valley Partnership, RJU0020, para 2.1
168 Association of Police and Crime Commissioners, RJU0028, para 24-7
169 Queen's Speech 2016
170 Q232
171 Ibid
172 Ministry of Justice, RJU0060
173 HC Deb, 6 July 2016, Col 1016

victims' entitlements "more weight".[174] Ben Byrne of Surrey County Council argued that a right to restorative justice under legislation would ensure victims knew they had a right to restorative justice, "whatever their particular politics or PCC at that time."[175] The APCC Standing Group on Supporting Victims and Reducing Harm however were sceptical of the value of there being a legal right to restorative justice. In particular, they questioned how such a right would be enforced, what liability would arise from breaches of such entitlements and the potential cost of monitoring compliance.[176] Brian Dowling was also unconvinced. He believed that the restorative justice sector did not presently have the capacity to deliver restorative justice services to all victims of crime and that providing an entitlement, either under the Code or through legislation, was untenable and would require service providers to have at least 2-3 years notice and ring-fenced funding.[177]

71. It was suggested to us that it was important to give proper consideration to the enforcement of any rights for victims. Dr Gavrielidies asked "what are we doing to empower the individual themselves to request and demand those rights?"[178] The Restorative Justice Council argued that the Victims' Commissioner should have powers to adjudicate on disputes arising from the Victims' Code and any future Victims' Law.[179] Vera Baird QC cautioned against creation of a legislative right to restorative justice, citing issues around enforcement. In particular she voiced opposition to the Victims' Commissioner having a role in adjudicating on such matters.[180] The Minister stated that there "There is no point in having laws that are not enforced."[181]

72. **We are convinced that there is value in strengthening the existing entitlements under the Victims' Code. In particular we find the proposal of providing an entitlement to restorative justice an attractive one. On the other hand we have already pointed out concerns about the capacity of the system to provide restorative justice services, particularly for certain types of offences.** ***The Ministry should consult Police and Crime Commissioners and other stakeholders to assess capacity within the system and whether it is feasible to provide an entitlement under the Code for victims to access restorative justice services, with a corresponding duty on PCCs to provide those services. Depending on the results of that assessment, it might be prudent to exclude certain categories of offences from that entitlement, with an intention to include them in due course.***

73. **Because of the issues of capacity we have already set out, we believe it is too soon to introduce a legislative right for victims to access restorative justice services, but we believe such a goal is laudable and should be actively worked towards.** ***The Ministry should, in its consultation on the Victims' Law, seek views on a legislative right to restorative justice and how such a right would be enforced. Our view is that the Victims' Law should include a provision for victims to have a legislative right to access restorative justice services but this should not come into force immediately. Instead it should be a Commencement Order, which should be brought by a Minister only once he or she has demonstrated to Parliament that the system has sufficient capacity to provide restorative justice services to all victims.***

174 Q19
175 Q82
176 Association of Police and Crime Commissioners, RJU0028, para 25
177 Mr Brian Dowling, RJU0054
178 Q48
179 Restorative Justice Council, RJU0041
180 Q21
181 Q223

Conclusions and recommendations

The evidence base for restorative justice

1. We conclude that restorative justice, particularly victim-offender conferencing, has the potential to offer clear and measurable benefits to the criminal justice system and to wider society, but we agree with Dr Gavrielides that arguments relating to the cost-effectiveness of restorative justice are "thin". In particular undue reliance should not be placed on the claim that £8 is saved for every £1 spent on restorative justice. This is because it arose due to a high performing site within the Home Office trial, applies only to victim-offender conferencing and does not take account of differing levels of cost and effectiveness across different types of offences. These points notwithstanding, there is clear evidence that restorative justice can provide value for money by both reducing reoffending rates and providing tangible benefits to victims. (Paragraph 18)

The effectiveness of the restorative justice landscape

2. We support the aims and objectives of the Ministry's Restorative Justice Action Plan. In particular we welcome the Ministry's focus on ensuring restorative justice services are high quality and victim-focused. (Paragraph 20)

3. Progress has been made in expanding the availability of restorative justice service across England and Wales. While we appreciate that some variation in restorative justice provision is inevitable, the objective of equal access regardless of geographic location has not yet been achieved. (Paragraph 23)

4. Information relating to how Police and Crime Commissioners are spending money allocated to them for restorative justice is helpful in assessing progress being made against the Ministry's Action Plan. *We recommend the Ministry works with Police and Crime Commissioners to publish information on how money is being spent to provide restorative justice on a yearly basis. The first such publication should be in the Ministry's Action Plan progress report.* (Paragraph 24)

5. We understand the attraction of ring-fencing funding to ensure that Police and Crime Commissioners spend money on restorative justice provision, but we agree with the Minister that there are serious difficulties with such an approach. In particular, due to the entirely voluntary nature of participation in restorative justice, it is difficult to predict with certainty how much should be allocated to it. *We recommend that the Ministry continue to provide long-term funding for restorative justice to Police and Crime Commissioners, but this money should remain part of a wider pot of funding for victims' services to provide PCCs with the flexibility to meet local needs.* (Paragraph 26)

6. The goal to make restorative justice available to victims at every stage of the criminal justice system is a laudable one, but further work is need before it will be a reality. *The Ministry should consider if there are tensions between the aims of the Action*

Plan and wider criminal justice policy, particularly in relation to any tension between provision of pre-sentence restorative justice and the requirements of Better Case Management. (Paragraph 28)

7. It is a matter of great concern to us that "Level One" restorative justice is being used by police forces in cases of domestic abuse. This risks bringing restorative justice into disrepute. It is crucial that frontline police officers are fully informed of the risks for vulnerable victims in such cases. *We recommend that it be reaffirmed that "Level One" restorative justice is not appropriate for cases of domestic abuse and the Ministry of Justice work with police forces to ensure officers have proper guidance to avoid using restorative justice in inappropriate circumstances.* (Paragraph 34)

8. We agree in principle that restorative justice should be available for all types of offence. While restorative justice will not be appropriate in every case, a bright-line exclusion rule is contrary to the aims of the Restorative Justice Action Plan. Despite this, given the clear risks of restorative justice for certain types of offence, we understand why some service providers have restricted use of restorative justice for certain types of offence, particularly domestic violence and sexual offences. *In order to help promote the use of safe restorative justice in such cases, we recommend the Ministry of Justice work with the Restorative Justice Council to create and fund training and promote guidelines of best practice for facilitators in such cases.* (Paragraph 36)

9. Restorative justice is more fully embedded in the youth justice system than in the adult system, but there is further progress to be made and particular effort should be made to improve victim participation. *We recommend that the Government continue to embed restorative justice in the youth justice system and in particular consider following the model of youth conferencing used in Northern Ireland.* (Paragraph 40)

10. Data sharing has presented a persistent obstacle to the delivery of restorative justice. *We agree with the recommendations of Why me? and the Restorative Justice Council that the Ministry of Justice should produce and promote within the criminal justice system an information sharing template to speed up the agreement of data sharing protocols. We do not recommend legislation at this juncture to require data sharing, but this is an option which should not be excluded if non-legislative measures do not prove effective. The issue of data sharing is one which the Ministry should make specific reference to in its Action Plan progress report.* (Paragraph 44)

11. The Ministry of Justice has an excellent reach with criminal justice organisations, but we are not convinced it is as effective in reaching victims, both potential and actual. While greater public awareness of restorative justice would be welcome, the priority must be in ensuring that victims of crime are properly informed about restorative justice and how they can access it. *We recommend the Ministry, rather than engage in broad national awareness raising campaigns, should instead focus its resources on ensuring restorative justice is well understood by bodies within the criminal justice system who can then convey this information to victims. The Ministry should also provide support and funding to providers to enable local awareness campaigns.* (Paragraph 50)

12. While there are several bodies within the criminal justice system who can and ought to be able to provide victims with information on restorative justice, we believe the police are well placed to ensure victims are informed about restorative justice in the first instance. But we have received evidence of inconsistency in making victims aware of restorative justice. *We recommend a rigorous system be introduced to improve compliance with the police's requirement to inform victims about restorative justice. For example, forms for victim impact statements could have a box which reads "I have had restorative justice and how I can take part explained to me by the officer." Other criminal justice bodies also have a role to play in improving victim awareness of restorative justice.* (Paragraph 51)

13. It would be too prescriptive to mandate that publicly-funded RJ services should attain the Restorative Services Quality Mark. Nevertheless there is value to ensuring a consistently high quality of delivery. *We recommend that publicly-funded bodies should be required to demonstrate compliance with standards comparable to those Restorative Services Quality Mark (RSQM). We also recommend that NOMS review its service specifications against the RSQM.* (Paragraph 54)

14. It has been made clear to us that judging the effectiveness of a restorative justice programme simply by reference to the number of conferences held is a poor measurement and could encourage counter-productive incentives. *We recommend the Ministry of Justice, with the Restorative Justice Council, publish and promote clear guidance for commissioners of restorative justice services of what constitutes a successful restorative justice scheme, including measurements relating to offenders and victims such as victim satisfaction.* (Paragraph 56)

15. The results of the NOMS Capacity Building Programme were hindered by concurrent organisational changes in both prisons and probation, but there were benefits from the programme, in particular the legacy products. In hindsight, it is likely the programme would have been more successful if it had focused on training voluntary sector workers. (Paragraph 61)

16. We have made clear in previous reports our serious concern about levels of violence in prisons. We will therefore be particularly interested in the findings of the pilot of restorative approaches to conflict resolution in prisons. (Paragraph 63)

17. The Ministry of Justice is well placed to take a leadership role in restorative justice and set out a clear overall vision for how it expects restorative justice services to be delivered. We understand the Ministry will not wish to be too prescriptive on a matter primarily driven by local priorities, but we believe there is scope for a clear direction as to how the system is expected to work. *We recommend that the Ministry of Justice, when publishing its Action Plan progress report, provide an explanation of how they envisage restorative justice taking place across the criminal justice system. This should include what the roles of different organisations are, how they interact with one another and what support the Ministry of Justice will provide them. Clarity is particularly important in relation to probation services.* (Paragraph 66)

The Victims' Code and the Victims' Law

18. In our view, there is no good reason for entitlements under the Victims' Code being of differing strength depending on the age of the offender, as is the case now, with entitlements for victims of youth offenders being stronger. *We recommend that the Ministry strengthen the entitlements of victims of adult offenders under the Victims' Code so they are equal to that of victims of youth offenders.* (Paragraph 68)

19. We are convinced that there is value in strengthening the existing entitlements under the Victims' Code. In particular we find the proposal of providing an entitlement to restorative justice an attractive one. On the other hand we have already pointed out concerns about the capacity of the system to provide restorative justice services, particularly for certain types of offences. *The Ministry should consult Police and Crime Commissioners and other stakeholders to assess capacity within the system and whether it is feasible to provide an entitlement under the Code for victims to access restorative justice services, with a corresponding duty on PCCs to provide those services. Depending on the results of that assessment, it might be prudent to exclude certain categories of offences from that entitlement, with an intention to include them in due course.* (Paragraph 72)

20. Because of the issues of capacity we have already set out, we believe it is too soon to introduce a legislative right for victims to access restorative justice services, but we believe such a goal is laudable and should be actively worked towards. *The Ministry should, in its consultation on the Victims' Law, seek views on a legislative right to restorative justice and how such a right would be enforced. Our view is that the Victims' Law should include a provision for victims to have a legislative right to access restorative justice services but this should not come into force immediately. Instead it should be a Commencement Order, which should be brought by a Minister only once he or she has demonstrated to Parliament that the system has sufficient capacity to provide restorative justice services to all victims.* (Paragraph 73)

Formal Minutes

Tuesday 19 July 2016

Members present:

Robert Neill, in the Chair

Alex Chalk	John Howell
Philip Davies	Dr Rupa Huq
Mr David Hanson	Marie Rimmer

Draft Report (*Restorative justice*), proposed by the Chair, brought up and read the first time.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 73 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 7 September at 9.15am

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the inquiry publications page of the Committee's website.

Tuesday 19 April 2016	*Question number*
Lucy Jaffé, Director, Why me?; **Jon Collins,** Chief Executive Officer, Restorative Justice Council, and **Vera Baird QC**, Chair, Standing Group on Supporting Victims and Reducing Harm, Association of Police and Crime Commissioners	Q1–32
Gary Stephenson, Chief Executive, Restorative Solutions CIC, **Ray Fishbourne,** Chair, Thames Valley Restorative Justice Services Steering Group, Thames Valley Partnership, and **Dr Theo Gavrielides,** Founder and Director, IARS International Institute	Q33–52
Wednesday 4 May 2016	
Rt Hon Lord McNally, Chair, Youth Justice Board, **Ali Wigzell,** Deputy Chair, Standing Committee for Youth Justice, and **Ben Byrne,** Head of Youth Support, Surrey County Council	Q53–89
Polly Neate, Chief Executive, Women's Aid**, Clare McGlynn,** Professor of Law, Durham University, and **Diana Barran,** Chief Executive Officer, SafeLives	Q90–113
Tuesday 24 May 2016	
Baroness Newlove, Victims' Commissioner, **Jim Barton,** Deputy Director, National Probation Service, and **Dan Molloy,** Restorative Justice Practice Manager, Cumbria and Lancashire Community Rehabilitation Company	Q114–162
Rt Hon Mike Penning MP, Minister for Policing, Fire and Criminal Justice and Victims, and **Michael Spurr,** Chief Executive, National Offender Management Service	Q163–251

Published written evidence

The following written evidence was received and can be viewed on the inquiry publications page of the Committee's website.

RJU numbers are generated by the evidence processing system and so may not be complete.

1 Association of Convenience Stores (RJU0025)

2 Association of Panel Members (RJU0030)

3 Association of Police and Crime Commissioners (RJU0028)

4 Association of YOT Managers Ltd (RJU0038)

5 Avon and Somerset Office of the Police and Crime Commissioner (RJU0010)

6 Cleveland Police and Crime Commissioner and Restorative Cleveland (RJU0033)

7 Communities Empowerment Network (RJU0002)

8 Cornwall & Isles of Scilly Youth Offending Service (RJU0043)

9 Criminal Justice Alliance (RJU0021)

10 Crown Prosecution Service (RJU0048)

11 Cumbria and Lancashire CRC (RJU0053)

12 DLNR CRC (RJU0051)

13 Dr Mark Walters (RJU0005)

14 Greater Manchester Police (RJU0036)

15 Kent, Surrey & Sussex CRC Ltd. (RJU0056)

16 Lambeth Mediation Service (RJU0026)

17 Leeds Restorative Hub (RJU0035)

18 London Community Mediation Council (RJU0039)

19 Merseyside Police & Crime Commissioner's Office (RJU0009)

20 Ministry of Justice (RJU0024)

21 Ministry of Justice (RJU0060)

22 Ministry of Justice (RJU0061)

23 Ministry of Justice (RJU0062)

24 Mr Brian Dowling (RJU0054)

25 MR Mark Brain (RJU0046)

26 Ms Deirdre Leask (RJU0001)

27 Office of the Police and Crime Commissioner, Humberside (RJU0006)

28 Office of the Sussex Police and Crime Commissioner (RJU0011)

29 Prison Reform Trust (RJU0031)

30 Professor Clare McGlynn (RJU0055)

31 Professor Clare McGlynn and Professor Nicole Westmarland, Durham University (RJU0017)

32 Refuge (RJU0057)

33 Restorative Engagement Forum Ltd (RJU0015)

34 Restorative Justice Council (RJU0041)
35 Restorative Justice Council (RJU0052)
36 Restorative Solutions CIC (RJU0012)
37 Royal College of Speech and Language therapists (RJU0047)
38 SafeLives (RJU0042)
39 School of Law, University of Hertfordshire (RJU0008)
40 SCYJ (RJU0044)
41 Surrey County Council (RJU0029)
42 Thames Valley Partnership (TVRJS) (RJU0020)
43 The Forgiveness Project (RJU0040)
44 The Griffins Society (RJU0019)
45 The Howard League for Penal Reform (RJU0016)
46 The IARS International Institute (RJU0049)
47 Toby Abbs (RJU0004)
48 Transition 2 Adulthood (T2A) Alliance (RJU0014)
49 Why me? (RJU0032)
50 Why me? Victims for Restorative Justice (RJU0059)
51 Women's AId (RJU0027)
52 Youth Justice Board for England and Wales (RJU0023)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the publications page of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2015–16

First Report	Draft Allocation Guideline	HC 404
Second Report	Criminal courts charge	HC 586 (HC 667)
Third Report	Appointment of HM Chief Inspector of Prisons and HM Chief Inspector of Probation	HC 624
Fourth Report	Criminal Justice inspectorates	HC 724 (HC 1000)
Fifth Report	Draft sentencing guideline on community and custodial sentences	HC 876
Sixth Report	Prison Safety	HC 625
First Special Report	Women offenders: follow-up: Government response to the Committee's Thirteenth Report of Session 2014–15	HC 374
Second Special Report	Criminal courts charge: Government Response to the Committee's Second Report of Session 2015-16	HC 667
Third Special Report	Criminal justice inspectorates: Government Response to the Committee's Fourth Report of Session 2015-16	HC 1000

Session 2016–17

First Report	Reduction in sentence for a guilty plea guideline	HC 168
Second Report	Courts and tribunals fees	HC 167
Third Report	Pre-appointment scrutiny of the Chair of the Judicial Appointments Commission	HC 416