

## Restorative Justice Work within the Youth Offending Service

<b>Committee name</b>	Residents, Education and Environmental Services Policy Overview Committee
<b>Officer reporting</b>	Lynn Hawes, Early Intervention & Prevention Services
<b>Papers with report</b>	None
<b>Ward</b>	N/A

### HEADLINES

This report details the delivery of restorative justice practice within the Youth Offending Service including the legal and policy requirements and expectations, the local delivery process and the outcomes for both victims and young perpetrators.

### RECOMMENDATIONS:

**That the Committee notes the information in the report regarding the application of restorative justice principles and practice as one of the central components of the work carried out by the Youth Offending Service.**

### SUPPORTING INFORMATION

#### 1. What is restorative justice in a youth offending context?

- 1.1 The majority of definitions of Restorative Justice (RJ) centre on bringing those who have been the victim of an offence, and those responsible together to explore how the harm caused might be repaired. Victims take an active role in the process, meeting or communicating with the young person to explain the real impact of their crime, whilst the young person has the opportunity to take responsibility for their actions and make amends.
- 1.2 The Youth Offending Service (YOS) aims to provide a sensitive and supportive service to those who have been affected by offending from young people in the borough. It seeks to ensure victims have informed consent about what restorative justice is and how their voice can be heard. It enables young people to make up for the harm they have committed not only to direct victims but also the wider community, recognising that restorative processes can be an important tool in supporting rehabilitative processes and community safety.

#### 2. Requirements and expectations re: it's application

- 2.1 Application of Restorative Justice within a Youth Offending context is informed by a range of legislation and guidance including;
  - The Crime and Courts Act (2013)
  - HM Government's Victim Strategy (2018)

- The Code of Practice for Victims (2015).
- Ministry of Justice National Standards for Youth Justice Services (2013),

In Hillingdon the practices and processes are also influenced by;

- the Principles of Effective practice for Youth Justice
- the Restorative Justice Council's (RJC) Restorative Standards and by
- Training and literature from the International Institute for Restorative Practice (IIRP).

2.2 In both youth and adult justice settings, restorative justice is entirely voluntary for victims and offenders however the right for '*Informed Consent*' by victims is enshrined within the Victim Code.

2.3 In practice Hillingdon's restorative offer includes:

- Restorative Conferences (*A face-to-face meeting*)
- Family Group Conferences (*Involving extended family members*)
- Indirect restorative justice (*Letters of apology, videos, pieces of artwork or other gesture*)
- Direct or indirect reparation (*Unpaid work*)
- Shuttle mediation

## **SUPPORTING INFORMATION**

### **3. RJ in practice - how we apply the process locally**

3.1 The journey to direct and indirect restorative outcomes is a multi-layered process. Beginning with young people who have offended, all those with direct victims will complete a restorative justice screening at the earliest opportunity to assess their level of remorse and suitability to engage in all forms of restorative justice at the earliest opportunity

3.2 The police will seek permission from the victim to share their details with the YOS in order that contact can be made to discuss restorative justice activity and its potential benefits to the victim. Information packs are provided to all victims with an overview of RJ processes so they are able to make an informed choice about engaging with the process. Home or community visits are available for all victims who are considering engaging with the process and these are mainly carried out by a trained volunteer.

3.3 The decision about whether or not to participate can take some time and usually more than one meeting or discussion is needed. It has been YOS experience that victims will often use the contact to share their wider concerns about having been a victim of an offence and there have been occasions where signposting to other sources of support has been necessary.

3.3 All direct work is risk assessed and in certain instances the YOS may not offer services to victims depending on safety & wellbeing, risk of harm and safeguarding concerns.

3.4 Victims who decline direct reparation are given the opportunity to select from a reparation menu of indirect projects which may be completed during an order. All reparative projects evidence benefit to Hillingdon community. Supervised reparative donations to local

charities such as Michael Sobell Hospice and Hillingdon Mind have also been previously completed subject to the personal circumstances of those involved.

3.5 In addition to its practice with victims and offenders, the YOS has also delivered a significant amount of training to partner agencies to embed restorative principles and reduce first time entrants into the Criminal Justice System. This has included:

- Six days of Restorative Approaches Training has been delivered to a number of local Care Homes in an effort to support the decriminalisation of children and young people looked after by the Local authority through the use of RJ practices in managing challenging behaviour.
- The same training has been delivered to the Young Peoples Academy and the Skills Hub.
- In 2016 14 bite-size training sessions were provided for LBH Police to ensure every Officer on the Borough has an introduction to restorative justice.
- A three-day accredited Conference Facilitation Course (IIRP Europe) was provided to 3 safer schools officers, a Youth Partnership Sergeant, a Safer Transport Officer, the Deputy Head Teacher of Hillingdon's Pupil Referral Unit and a local volunteer in January 2017.

#### **4. RJ outcomes - how the process makes a difference to both victims and perpetrators (case studies)**

4.1 Since April 2015 the YOS has supported more than 26 direct restorative meetings between victims and young people who have offended. With respect to the impact of this work the reoffending rate following direct intervention is under 10 percent, in contrast to 43% for the population as a whole (last data available is for the Oct15-Sept 16 cohort). .

4.2 In recognition of the quality of the work Hillingdon delivers the Service was ask to present at the Youth Justice Board Effective Practice Forum in June 2016. Following this Hillingdon was approached by Merton, Camden and Sutton to support to provide advice and guidance on imbedding restorative practice in their services.

##### **Case 1**

A 17 year old young woman seriously assaulted a husband and wife on a bus. After engaging in the restorative process the female victim gave the following feedback to the YOS:

*"The service were kind and compassionate and showed a real interest in how we felt. I cannot tell you how much it meant to us to discuss how the attack affected us. We then met the offender as we felt it would help us to gain closure and give them the opportunity to fully understand that their actions had consequences. "*

*"Neither of us were looking forward to it but we are both so pleased to have participated, as we found the whole experience positive, uplifting and empowering. My husband and I both feel that restorative justice is and will be incredibly beneficial for other victims and have offered to act as victim ambassadors."*

The young person said *"I felt better afterwards knowing that I'd apologised for what I done. I also think they felt better too and it helped both of us to move on."*

### **Case 2**

A 17 year old male who committed offences of Aggravated Vehicle Taking, No Licence, No Insurance

The young person completed direct and indirect RJ with a victim through conference and restorative canvas. The young person became highly emotional during the meeting describing it as the moment that his actions became *"really real"*.

The victim spoke about how the offence had affected her children and her ability to "see the good" in people. She explained that the meeting had helped changed her mind on this and she praised the young man for having the courage to meet and apologise.

### **Case 3**

A 17 year old female who committed offences of Affray, Actual Bodily Harm and Assault by beating.

This young person was supported by the local authority as a Child in Need (CIN) and was previously part of Hillingdon Sexual Exploitation Matrix. She engaged in direct and indirect RJ with her Victims through conference and restorative canvases. The conference was not only a strong factor for desistance but also appeared to be a protective factor for safety and wellbeing concerns as it strengthened the relationship between her and her social worker.

### **Case 4**

A 16 year old male who committed offences of ABH and Criminal Damage. This young person was described as having high functioning Autism and had a history of past violent behaviour against his family. His parents were the victims and they elected to proceed with an RJ conference as they had *"tried everything"*.

The conference included extended family and a creative canvas was given with the apology. 3 sessions of supervised reparation were also completed in the family home.

A key outcome from the conference was the young person agreeing to take medication after realising how upset his actions had made other people. In the victims evaluation both the direct and indirect RJ was described as *"very helpful"*. This was significant as his parents stated they were considering signing section 20 at beginning of his court order in order to place him in local authority accommodation.

### **Case 5**

A sixteen year old male who had committed offences of criminal damage and violence against the person, in a residential unit. Rather than prosecute the young person through the court the police agree to conditionally caution him.

During the conference the young person expressed that he was very upset on the day in question as he had been thinking about how both his parents are deceased and that he had "*no choice*" about where he lived. The residential worker noted that he had not realised the young person's feelings about being placed in care and explained that staff wanted best for him.

The young person apologised in full and stated the process had made him think people did "*really care*".

This conference contributed to YOS delivering wider training at the residential unit.

### **Case 6**

A fifteen year old male with learning needs offended in school environment.

The conference appeared to have a significant impact on young person's ability to see teacher who was the victim as a person beyond their profession which appeared to be a strong factor for desistance. Completing a restorative canvas for victim also appeared to lead to improved self-esteem

The meeting subsequently led to the YOS delivering two days of training for two special needs schools in the Borough

### **Case 7**

A young woman who committed offences of obstructing police, resisting arrest and assaulting a police officer.

The conference took place at Hayes Police Station.

The YOS staff member observing the proceedings noted that what made this conference most impactful was the genuineness with the Officer spoke with to the young and her mother. The individual spoke as a Police Officer but also displayed heartfelt emotion as to the impact on her own family. Specifically she became tearful in explaining how difficult it was explaining to her two young children why she came home with bruises after the incident. This had a clear impact on the young person and her mother. Although the Officer was honest and direct with young person regarding her unacceptable behaviour she also modelled forgiveness and thanked her for having the courage to meet.

The young person maintained in control of her emotions throughout the conference but repeated several times how sorry she was for her actions and that she would "*take them back if she could*"...She also stated it was particularly hard to hear the impact "*...on you and your family*".

After the young woman had apologised and this had been accepted by the Officer, she passed her completed art canvas to the victim. For her part the Officer expressed how "*touched*" she was and how "*lovely*" this was. She also explained that she would show this to her own children and that her daughter would like the sparkles.

## **Implications on related Council policies**

A role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

## **How this report benefits Hillingdon residents**

It is hoped that the case studies provided adequately demonstrate how the RJ work carried out by the YOS benefits local victims of youth crime in Hillingdon and promotes desistance of further offending by young people. Its application in other environments such as schools and residential units can also support behaviour management policies and reduce the need for formal police involvement in these establishments.

## **Financial Implications**

None. This work is carried out within the existing YOS budget.

## **Legal Implications**

None. The legal framework for service delivery is noted in 2.1.

## **BACKGROUND PAPERS**

None.