

To: Scrutiny Committee

From: Chief Constable

Date: 12th September 2011

RESTORATIVE JUSTICE UPDATE

1. Purpose

- 1.1 To update the Committee on the implementation of Restorative Justice (RJ) practices within the Constabulary.

2. Background

- 2.1 Restorative Justice provides an alternative process to the traditional arrest and disposal options of reprimands, final warnings, cautions and charges. The appropriate application of RJ can deliver savings across the Criminal Justice system, a more satisfactory resolution for the victim and is particularly useful for dealing with young people. Whilst 'traditional justice' is about punishing offenders for committing offences, RJ centres on offenders making 'amends' for the 'harm' they have caused. The use of RJ produces individually tailored solutions to events. Victims are placed at the centre of the process and everyone has a stake in the outcome. Although RJ can be seen as a soft option, it is not as many offenders find it extremely difficult to face up to the impact of their behaviour.
- 2.2 The introduction of RJ practices within the Constabulary was agreed in December 2010 within the Chief Superintendents' meetings and Chiefs Officers Group. These practices have been mapped to respond to the recently published HMIC/HM Crown Prosecution report 'Exercising Discretion: The Gateway to Justice' - June 2011. This report identified that 'when out of court disposals are used effectively, particularly restorative justice where offenders are encouraged to repair the harm they have done, we found high levels of victim satisfaction, promising signs of a reduction in re-offending and minimal bureaucracy when the offender was dealt with quickly'.

3. Implementation

- 3.1 A monthly RJ Implementation Group has been formed. Initially four crime types were addressed: for offences of theft (maximum £50), criminal damage under £100, Common Assault (non domestic related) and s. 5 Public Order Act where the gravity score matrix was two or below.

- 3.2 The implementation is planned to be over a series of phases, allowing for assessment of the approach on performance, public confidence and service delivery.
- 3.3 The effective use of RJ practices is seen as one of the methods of supporting the delivery of the required reduction of 6,000 detainees through the custody estate by end of this calendar year, and the RJ Implementation Group therefore reports to the OP ReDesign Professional Judgement and Custody Project Boards.

4. Progress to Date

- 4.1 The RJ Implementation Group chaired by Inspector Human continues to meet monthly and includes a range of officers and staff from across the Constabulary. In June 2011 the range of offences where RJ could be applied as a disposal was increased to all offences where a gravity score of two or below could apply (excluding those involving drugs, weapons or sexual motivation). This was to ensure that the CJS was able to respond in a sophisticated way to such criminality.
- 4.2 A marketing and communications strategy is in place and indications so far are that the use of appropriate RJ disposals are popular both with officers and members of the public.
- 4.3 Performance is captured on the performance management system and is subject to scrutiny at the monthly Performance Board. To date there have been 487 RJ disposals, involving approximately 500 individuals. This performance adds a further 2.4% YTD performance to the force detection rate. Based on an average detention time of 9 hours and an average RJ disposal of 1 hour (national guidelines), this may have released 4,000 operational hours. Additionally, this will impact on and reduce cost for the Criminal Justice system and on courts.
- 4.4 Over 800 front line staff received one day of training in the application of RJ and the wider professional judgement agenda. This has included PCSOs, neighbourhood and reactive teams.

5. Next Steps

- 5.1 Discussions continue with the Youth Offending Service to deploy approximately 100 volunteers across the county in support of a delayed reparation scheme for young people following a needs assessment. The relevant parties are keen to take this forward.
- 5.2 The second phase of training of volume crime Detective Sergeants (DSs) is underway (a two hour input) and approximately one third of volume crime

DSs have received this training. This will provide opportunities to implement RJ disposals when investigating recorded crime beyond the initial point of contact with the victim.

- 5.3 The third phase of training (two hour input to all volume crime detectives) will roll out from 1st October 2011 onwards.

6. Summary

- 6.1 The implementation of RJ practices has been well received by staff and the public, and is not having a negative impact on force performance. It is also hoped that this will lead to increased public satisfaction.

7. Recommendation

- 7.1 The Committee is invited to note the contents of this report.

BIBLIOGRAPHY

Source Document (s)	Contact Officer	Location
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