EVALUATION OF SHEFFIELD CITY COUNCIL'S COMMUNITY JUSTICE PANELS PROJECT

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EXECUTIVE SUMMARY

Context

This report is the output of an evaluation commissioned by Sheffield City Council and undertaken by the Hallam Centre for Community Justice at Sheffield Hallam University. The evaluation was undertaken during October and November 2009 with the objectives of assessing the effectiveness of the Community Justice Panels project so far and providing recommendations for future development. The evaluation used an action research methodology and included documentary analysis, semi-structured interviews with strategic partners and stakeholders, wrongdoers and harmed persons, facilitator focus group and observation of the Panels.

Community Justice Panels were introduced in Sheffield in June 2009, following approval from Sheffield City Council with the objectives of:

- Reducing re-offending and involvement in anti-social behaviour and low-level crime;
- Improving victim satisfaction and community engagement;
- Making communities safer; and
- Increasing volunteering;
- Reducing police administration time.

The model adopted was based on the implementation of Community Justice Panels in Chard, Somerset. Initially conceived as a pilot covering Ecclesfield and Broomhill Safer Neighbourhood Areas, the project was extended in August to cover the whole of Sheffield. Community Justice Panels are a possible disposal for first-time, low-level offences can involve both criminal and anti-social incidents and can be referred from sources including police, and registered social landlords. They bring together the wrongdoer and harmed person, along with supporters, to discuss what has happened, how it has affected them and how all parties can move forward. Outcomes usually involve some form of reparation on behalf of the wrongdoer, to make good for the harm caused. The objectives of the Panels themselves are to:

- Provide face to face contact between the wrongdoer and harmed person;
- Give victims a voice
- Provide an opportunity for the wrongdoer to apologise;
- Enable agreement of reparation to mitigate the harm caused to the harmed person

Although there are other examples of similar projects in the UK, including the Chard model on which this was based[1], the pilot is particularly innovative in the UK context in its implementation in a city of the size of Sheffield.

At the time of the evaluation, the project had only been operational for a period of five months. Although clearly at a very early stage, the project has already made some significant achievements including:

- Roll out of the project across the whole of Sheffield
- Successful engagement at a strategic and operational level of key stakeholders and partners from a range of agencies
- Establishment of effective working practices and information sharing protocols
- Recruitment and training of 23 high quality facilitators from a diverse range of backgrounds
- Recruitment of a professional, committed and effective Community Justice Panels staff team
- Achievement of 20 referrals and five panels. This is in line with expectations based on the Chard model and co-ordinators have recently reported significant increases
- Well run, and effective Panels which were perceived as fair by participants
- Positive responses to most aspects of the Panels process by wrongdoers and harmed persons, including the quality of facilitation and support prior to and during the Panel;
- Positive impact of participation on wrongdoers and the majority of harmed persons, including (in the wrongdoers' case) an impact on future behaviour

The evaluation identified a number of key areas for development at both a strategic and operational level and these are summarised in the recommendations section below:

Key Recommendations

Strategic Recommendations

- The appointment of a strategic manager to lead the future development of the panels to lead the development of the Panels project
- Conducting a review of the roles of CJP co-ordinators (including possible recruitment of third co-ordinator) to ensure effective allocation of activities

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[1] See Chapter 3

- Conducting a review of Role of the Project Board to clarify purpose and future direction

- The development effective targets and performance measurement systems balancing a range of measures which support further strategic development of the Panels

- The creation of a Communications Strategy to support both internal and external communications

- The management of the impact of Street/Instant Restorative Justice to ensure accrual of mutual benefit

- The capture of learning from implementation programme (via formal review) and use to inform future projects

Operational Recommendations

- The development of a programme of reflection and learning for facilitators to refresh their training and underpin their development

- The consideration of additional roles to engage facilitators beyond panel attendance

- The redesign of follow up processes in the light of feedback from partners, facilitators, wrongdoers and harmed persons

- The review and streamlining of paperwork used by facilitators to manage Panels

- A review of the applicability and accessibility to young people of some aspects of the Panels

- A review of procedures involved in running a panel specifically relating to drawing up of agreements and negotiation of outcomes

- The development of additional training for referrers to ensure they fully understand the implications of informed consent

- The development of additional training for facilitators to support effective practice in Panels

CHAPTER 1: INTRODUCTION AND BACKGROUND

Sheffield City Council commissioned the Hallam Centre for Community Justice to conduct an evaluation of the Community Justice Panels Project which was launched in 2009. The evaluation consisted of two main components - a process evaluation to describe and assess the early stage of the Community Justice Panels (CJP) and to identify strengths, weaknesses and make recommendations for development and a comparative review to provide a comparison between this intervention and other similar restorative justice models both nationally and internationally.

The evaluation took place during October and November 2009. The evaluation used an action research methodology to ensure responsiveness to the emerging needs of the City Council and other stakeholders. The fieldwork undertaken as part of the evaluation consisted of:

- 14 face-to-face, semi-structured interviews with stakeholders from a range of agencies (see Appendix 1 for a full list of participating organisations);
- structured observation of the four community justice panels which took place during the evaluation period;
- follow up, semi structured telephone or face to face interviews with five wrongdoers and six harmed persons involved in the observed panels;
- a focus group with five panel facilitators;
- documentary analysis of key internal documents;
- comparative analysis of other CJP and Restorative Justice models

Data collected was analysed using a thematic framework approach, involving members of the research team in an iterative process to ensure validity of the results.

The output from the evaluation is this final report which is organised into the following main chapters:

- Chapter 1 looks at the background to the project and gives an overview of the operation of the Panels, using data gathered from the qualitative interviews and the documentary analysis;

- Chapter 2 explores the themes which emerged from the observation of the panels, the qualitative stakeholder, wrongdoer and harmed person interviews and the focus group;
- Chapter 3 examines comparative projects, nationally and internationally;
- Chapter 4 details the key recommendations emanating from this evaluation.

The evaluation comes at a very early stage in the Community Justice Panels project. Sheffield City Council felt it was important, in respect of their lead responsibility for the project, to take stock at this initial stage to ensure that the project is operating appropriately, as well as enabling an early assessments of its impact and ensuring that continued implementation of the project is informed by external assessments of possible areas for development.

The Chard experience[2] suggested that it takes between 12 and 18 months for referrals and panels to operate optimally and for referrals to reach a reasonable level. This early stage of this evaluation has thus been challenging for a number of reasons: the processes for referrals and the operation of the panels are still being embedded and it is therefore too early to establish tried and tested good practice. That said, we have used our review of comparative projects to draw out key learning points from other similar projects, both nationally and internationally. Making judgements on the success or otherwise of the project is difficult at such an early stage and with a limited number of panels having taken place. However, we have indicated major successes in the project so far and the key recommendations chapter highlights some possible areas for development.

Background to the Project

Community Justice Panels were introduced in Sheffield on 1st June 2009 with the objectives of[3]:

- Reducing re-offending and involvement in anti-social behaviour and low-level crime;
- Improving victim satisfaction and community engagement;
- Making communities safer; and
- Increasing volunteering.
- Reducing police administration time;

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[2] The Sheffield Community Justice Panels model is based on a model used in Chard, Somerset. Full details of the Chard project are included in Chapter 3.
[3] Creating Community Justice in Sheffield, Case to Sheffield City Council, 2008

In this way, they were designed to address directly a number of key Local Area Agreement targets including:

- Reducing first time offenders to the Youth Justice System
- Reducing perceptions of anti-social behaviour
- Increasing participation in regular volunteering

A key part of the Liberal Democrats 2008 local election manifesto was to directly involve the community in the 'fight against crime'[4], and Community Justice Panels are based on the premise that by giving the community and those directly involved in an incident of crime or anti-social behaviour more control over its resolution will result in a more effective way of preventing neighbourhood disputes and low-level offending from escalating and progressing to more serious and persistent criminal activity. Additionally, it is argued, that increased contact between members of the community and the resolution of 'conflicts' within the area in which it takes place will help to reduce perceptions of increased crime and improve feelings of safety and community cohesion by involving communities in community based restorative justice.

Following approval from Sheffield City Council, the project was initiated with the setting up of a project board, chaired by the Cabinet Member for Housing and Sustainable, Safer Communities, and including key stakeholders from police, probation, registered social landlords, courts and CPS. Initially conceived as a pilot covering Ecclesfield and Broomhill Safer Neighbourhood Areas, the project was extended in August to cover the whole of Sheffield.

In setting up the pilot project, the project team drew heavily on the implementation of Community Justice Panels in Chard, Somerset and used the model developed there as the implementation model for Sheffield.

The project team is led by the Head of Safer and Sustainable Communities. Day to day management of the project is handled as a small part of the Safer Neighbourhood Manager's role. There are two Community Justice Panel co-ordinators who are responsible for delivering the project, including communication, the organisation and management of panels, training and co-ordination of volunteer activities. A team of trained volunteer

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[4] The National Liberal Democrat Leader and local MP Nick Clegg assisted Sheffield's local Lib Dem Council in launching their new flagship anti-social behaviour and crime initiative.

facilitators undertake the chairing and facilitation of the panels and run the initial interviews with harmed persons and wrong-doers. The volunteers were recruited by giving information to existing community groups such as Tenants and Residents Associations and Community Safety Groups, as well as generating articles and features in the local media. At the time of the evaluation, a total of 23 facilitators had received facilitation training, delivered and accredited by the International Institute for Restorative Practice (IIRP).

Operation of Community Justice Panels

The following section gives a brief outline of the operation of Community Justice Panels in Sheffield. This was drawn from analysis of internal documents provided to the evaluation team. Community Justice Panels are an alternative disposal for first-time, low-level offences[5] that would normally attract a Reprimand or Final Warning for young offenders or a Caution for adults. CJPs can also be used to resolve incidents of harm where criminal sanction is not appropriate or viable. Due to the fact that cases involving both criminal and anti-social incidents can be referred to CJPs, referral may come from different sources. In criminal incidents referrals comes from the police. In cases involving anti-social behaviour or neighbourhood disputes cases can be referred from agencies such as Registered Social Landlords (RSLs), Sheffield Homes, the Neighbourhood Action Groups (NAGs), the out of hours noise team or the fire service.

CJPs bring together the wrongdoer and harmed person, along with supporters, to discuss what has happened, how it has affected them and how all parties can move forward. Outcomes usually involve some form of reparation on behalf of the wrongdoer, to make good for the harm caused. Reparation may be either direct or indirect. Direct reparation involves the wrongdoer making amends to the harmed person in the form of reparative work; indirect reparation may take place when the harmed person does not want the wrongdoer to directly repair the harm caused or where there is no easily identifiable victim. In this instance, reparation may be made to the community as a whole by performing reparative work for the benefit of the community.

Once an agreement has been reached, a Community Justice Agreement (CJA) is signed by both the harmed and the wrongdoer outlining the conditions to which the wrongdoer has to abide. If the wrongdoer completes the reparation the case will be closed. However, should

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[5] For example: common assault excluding domestic violence; minor ABH; criminal damage valued at £300 or less; threat to destroy the property of another; threatening, abusive or insulting words or behaviour likely to cause harassment, alarm or distress; and theft up to the value of £100 except where this is a breach of trust

the conditions of the CJA be broken, the case will be referred back to the original referring agency and dealt with through their normal procedures. While CJPs represent a way of dealing with low-level offenders without the imposition of a criminal record, they are not seen as a 'soft' option. Offenders have to acknowledge responsibility for the offence, explain why they committed the offence, hear what the impact of their actions was and take the necessary steps to 'repair' the harm caused.

Profile and Performance - Key Statistics

Despite the early stage of the project, it is important to give some indication of the scale of the activities undertaken by the project team so far. Clearly a large part of the set up and roll out phase of a project is in engaging stakeholders and communicating and presenting to potential referrers. The team has engaged referrers across a range of agencies and have introduced the Panels process to the following groups:

- 8 out of 10 SNA Police teams (2 pending),
- Violent crime teams at Ecclesfield, West Bar and Moss Way Police Stations,
- 6 out of 8 teams (inc ASB team) from Sheffield Homes,
- 2 RSL housing teams,
- YOS reparation supervisors

In terms of the number of referrals, from the beginning of the project until November 2009, there have been a total of 20 referrals in the period, 18 of these came from the police with one each from Sheffield Homes and Pennine Homes respectively. The majority of referrals were juveniles[6] .

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[6] n=14

The types of offences referred are broken down as follows:
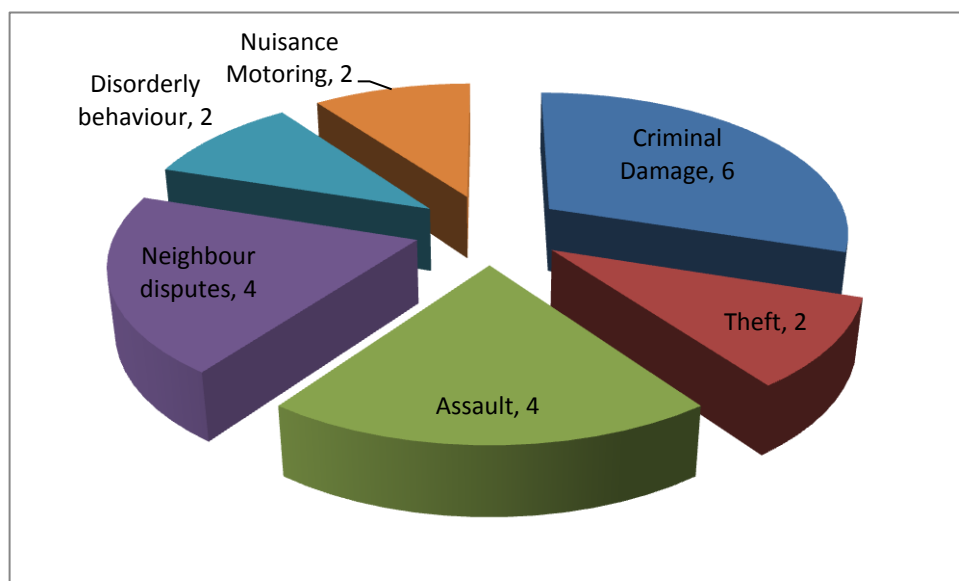
Figure 1: Breakdown of Offences referred

Note: One of the cases of neighbourhood disputes indicated above is now an assault.

Following these referrals, there have been a total of five panels; two for offences of theft; two for criminal damage and one for motor nuisance. In all five panels, the wrongdoers were young people. There is one panel pending for which the offence is criminal damage.

Seven of the referrals did not result in panels.[7] The reasons for this are described in the table below:

Resolved amicably prior to panel	1
Wrongdoer denied guilt	1
Wrongdoer or parent would not engage	3
Harmed person would not engage	1
Case dropped by prosecuting agency	1

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[7] A further seven referrals were in progress at the time of the evaluation so no outcome has been recorded yet

Figure 2: Referrals not resulting in Panels: Reasons

Of the five panels which have taken place, four were observed by the evaluation team and a detailed examination of the issues which emerged follows in the next chapter.

The figures above represent important activity and achievements during the first 6 months of the project and the following Chapter looks in detail at these and at the themes which emerged for stakeholders, staff, facilitators, wrongdoers and harmed persons during the course of the evaluation.

CHAPTER 2: MAIN FINDINGS

This chapter explores the issues which have emerged during the wrongdoer, harmed person strategic and operational stakeholder interviews, panel observations and facilitator focus groups[8] in relation to the implementation, operation, impact and development of the Community Justice Panels.

The chapter is divided into three sections:

- Section 1 - **Strategic Engagement** will explore the factors which have supported and hindered the achievement of the strategic objectives, the effectiveness of processes and issues around inter-agency co-operation and engagement.
- Section 2 on the **Community Justice Panels** themselves will look specifically on the issues emerging from the operation of the Panels, including perceptions of facilitators, wrongdoers and harmed persons.
- The final section on **Wrongdoer and Harmed Persons' Perspectives** will look specifically at the views of participants and the impact of attendance at Panels.

1) Strategic Engagement

This section explores the themes which emerged during the interviews with operational and strategic stakeholders. Where appropriate, it also draws on other fieldwork, including the facilitator focus group and panel observation. The issues which emerged were grouped into eight themes and these are explored in detail below:

a) the development of the project and the model,
b) issues of project management,
c) performance management,
d) leadership and governance,
e) staffing and resourcing,
f) communication,
g) partnership and inter-agency working,
h) the policing context.

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[8] See Chapter 1 for full details of the fieldwork undertaken

a) Development of the Community Justice Panel Model

There was strong support amongst the strategic stakeholders for the principles of restorative justice which underpinned the development of the Community Justice Panels. The agencies involved felt strongly that the Panels were, in many cases, a more challenging option for wrongdoers and more effective in reducing re-offending:

> *I think it's fantastic; I think there's a few issues – particularly around the Chard model but it's a really good concept; not criminalising children and young people and adults; enabling victims and those who've offending to put their views across and move forward, whereas the CJS doesn't allow that. (South Yorkshire Police)*

This was supported by the facilitators and interviews with wrongdoers which took place after participation in the Panels. More detailed information about wrongdoer, harmed person and facilitator perceptions can be found in the Panels section below.

The victim focus of the approach and the diversion of young people from the Criminal Justice system were particularly valued:

> *[Community Justice Panels are about] giving the victim a voice; someone who's been a victim themselves, someone gets arrested, goes to court, gets processed through the court that's it, especially if they plead guilty...no real closure. [With the Panels] the victim gets an opportunity to ask an offender why they did it – for most people that's enough; the punishment is secondary. They've had the opportunity to have their day in court if you like. From an offender's point of view, particularly young people it's about keeping them out of the CJS. Once they've got a criminal record they've got it for life. (Sheffield City Council)*

Importantly, the panels were also seen as being an important mechanism for increasing community engagement and confidence. In addition, the potential for Community Justice Panels to reduce bureaucracy for police and other referrers was welcomed as a mechanism for improving efficiency and cost effectiveness:

> *Efficiency – panels provide a mechanism for reducing police bureaucracy. If a police officer deals with a minor crime, eg criminal damage if the offender is known they'd have to take a statement from the victim; make contact with an offender; bring them into custody; book them into a cell; get a solicitor and/or appropriate adult (South Yorkshire Police).*

There was, however, more diversity of opinion on the decision to use Chard as the model for Sheffield's Community Justice Panels project. As would be expected, there was clear

support from the stakeholders who had been involved in the decision of which model to use who saw benefits of using the model in terms of speed of implementation and being able to avoid potential pitfalls by using a tried and tested approach:

> *Bearing in mind the groundwork's been done by Chard and we modelled it on their system; used their trainers; all mistakes in the system to start with have been ironed out. We're quite confident that everything is as good as we can get it. (Sheffield City Council)*

> *We saw a panel in process in Chard so we had it clear in our mind how it worked so that helped a lot. A lot of "how is it going to work" discussions didn't happen because we had seen it. (South Yorkshire Police)*

In addition, the use of the Chard model was felt to be the most cost-effective and economical solution:

> *Major issues identifying the system to be used – Chard most user friendly and economical and the model we've got is very cheap if you like - not costing the tax payers a fortune (Sheffield City Council)*

Other stakeholders were less convinced by the decision. Some were concerned that local expertise had not been fully drawn on in the decision making process and some felt that a merging of different models, experiences and expertise might have been beneficial. Others focused on the differences between Sheffield and Chard in terms of size, socio-economic diversity and community involvement:

> *Community outcomes – involves the community in the process –the jury's out at the moment. Works in Chard but that's the same size as 1 Sheffield ward. They had specific issues about local justice – the driver for Community Justice Panels was from the community – we're trying to sell this to the community whereas in Chard the community came to the statutory agencies. (South Yorkshire Police)*

> *We came under some criticism as regards to the number of referrals – they've used this model based on Chard. You cannot compare Chard with Parson's Cross – you're having a laugh...If we're talking about socio-economic diversity issues – trying to compare this to what worked down there won't work. The principles behind it great but people expected too much initially. (South Yorkshire Police)*

In recognition of some of these issues of the differences in scale between Chard and Sheffield, the initial aim of the project was to roll it out in two areas as a pilot scheme prior to rolling it out across the entire City. However, stakeholders reported that it quickly became

clear that in restricting it to two pilot areas, there would be insufficient volume of referrals The expansion to a City-wide focus was therefore welcomed by facilitators who were keen to maximise the potential for referrals and other stakeholders, particularly police referrers, though concern was expressed about the impact of extending the reach on such a small project team.

The police also supported the decision to extend the coverage of the Panels to address concerns relating to the potential for differential treatment of offenders based on location:

> *...don't want justice to be a postcode lottery of how things get dealt with – getting a criminal record in Woodhouse but not in Broomhill (South Yorkshire Police)*

There is, then, significant support amongst stakeholders for the principles of restorative justice and for the potential of the Panels project. Support for the model chosen was less clear cut though there were seen to be clear advantages to building on an existing, tried and tested model. There were some issues raised about the implementation of the model and these are explored in the Project Management section below.

b) Project Management

While there was an appreciation by stakeholders that a great deal had been achieved in a very short timescale, there was a perception that issues of project management during the inception stage of the project may have hampered the project in its early stages:

> *If we'd defined the project and the outcomes better...I do think we should have been much clearer about setting out a delivery plan; who is actioned to do what and by when. (South Yorkshire Police)*

In some cases, it was felt that the push to implement quickly and a lack of appreciation of the differences between implementing in Chard and Sheffield had impeded the effective delivery of the project in its early stages. The speed of implementation also impacted on the amount of material available to the co-ordinators to train and communicate to referrers and stakeholders. The team has worked hard to create the necessary materials alongside rolling out the project and this is an area which is still being addressed.

At a strategic level, a lack of dedicated resource meant that implementation of the project was being hampered by being delivered by staff who had other responsibilities and remit:

> *Chard is a very different context to Sheffield... [We] needed to tweak model to the context. In the initial design - parties were committed but there was no expertise. Restorative Justice was only part of a wider remit. (Sheffield City Council)*

Some of the obstacles to project delivery related to the unforeseen impact of the cultural issues in embedding the use of Panels and how much effort and time would be required in communicating to referrers

> *We dealt with process issues but didn't appreciate where the blockages would occur so we had to re-visit some of those. What we missed in hindsight were issues around culture; persuading people and selling it. I thought officers would go for it a lot easier than they did because I thought it was easier than doing it the other way. (South Yorkshire Police)*

The opportunities for continuing reflection on what is and is not working as the project develops was also felt to be limited and to have the potential for impacting negatively on effective development of the project:

> *I was not involved in any reviews of what the problems [are] - how can we make it better; improve it. That's disappointing (South Yorkshire Police)*

Clearly the team has achieved a great deal in getting the project up and running in such a short timescale. There is, however, learning which can be captured from the experiences of implementing the project. Some of this learning, particularly around the cultural barriers to restorative justice has already been used in the development of the Street/Instant Restorative Justice programme. The appointment of a full-time strategic project manager from the outset with a dedicated role in setting up and steering the project would have assisted in implementation but, as emerged, throughout the interviews, this is an ongoing need and is covered in more detail below.

c) Performance Management

The importance of effective performance management was strongly represented across the stakeholders interviewed. Clearly, there are numerous mechanisms in place for monitoring key statistics in relation to the operation of the panels (see Chapter 1). There are also evaluation forms which are completed by wrongdoers and harmed persons who participate in the Panels process. Participants in the facilitator training also complete evaluation forms to assess the effectiveness of the training. Additionally, informal feedback is gathered by the

Community Justice Panel co-ordinators during their contact with referrers and other participants. The commissioning of a formal evaluation (of which this report is the output) is a further example of assessing and monitoring performance. Finally, monthly reports are also submitted to the Project Board. Despite this, numerous concerns were raised. These ranged from concerns at the absence of performance management indicators and targets from the inception of the project, to deficiencies in ongoing communication of performance as the project has progressed. The early stage of the project was considered by some to be a mitigating factor in the lack of performance management information. Questions were also raised as to what appropriate performance measures should be and how these can fully reflect the success or otherwise of the Community Justice panels.

With regard to performance targets set as part of the project inception, there was no indication that these had been set and there was some acknowledgement that this was a weakness in the process:

> *...Not aware [of performance targets]... certainly never formally set out... Any target would have been guess work....this was a weakness in the planning. (Sheffield City Council)*

There was also an acknowledgement by some stakeholders that it would have been very difficult to set them at so early a stage:

> *Possibly too early - need time to bed in. (Housing Provider)*

Although no formal targets were set, and although performance is in line with that experienced in Chard, there is a perception amongst some stakeholders that the project is, in some way, not as advanced as it should be:

> *I don't think we established a baseline and not very clear about what success would be – whether success was entirely predicated on how many panels or successful outcomes. We can say how many panels we've done and the reasons why we've done it – probably at break even in efficiencies, and set up costs but I don't think we're very good at measuring it full stop...The success factors and performance measures weren't very good. I don't know if people even tried to set it up and failed. (South Yorkshire Police)*

While acknowledging that setting meaningful performance indicators and targets can be difficult to establish for a new service, not having formal measures makes it difficult to

manage and assess performance and demonstrate success. Even if a project is performing optimally, this can be difficult to establish. Setting targets and defining effective performance measures is thus a key recommendation.

In terms of communicating project activities and base performance data - eg numbers of panels and referrers etc, this is captured by the co-ordinators and reported to the steering group. This was reflected in interviews with steering group members who were more likely to be aware of performance data and to put any deficiencies down to a lack of activity due to the early stage of the project. Some referrers, however, were dissatisfied with the amount of performance data they had received and felt that this was impeding their abilities to manage and embed Community Justice Panels (see also section communication below):

> *Ongoing reviews keep people focused… For me I would like to know what impact is it making out there? I'd like to learn best practice from across the patch – what was a barrier and is no longer a barrier is really important. (South Yorkshire Police)*

The importance of performance management for embedding and increasing referrals was indicated as was the importance of having someone with responsibility for managing and leading this area:

> *The usage needs monitoring on a weekly basis - if [panels] are not used on offences this could be used for go back to them and do that every time. Need someone to take a lead on managing this...not sure it's had that clear responsibility. (Youth Offending Service)*

In terms of longer term reviews and evaluation, there was a sense that the evaluation had come too early in the process but that a robust 3 and 6 month review would have been beneficial in developing the project.

> *I probably got involved towards the rollout of the project..[There has been] no other review other than this evaluation – and I thought I would have been involved if there was one...potentially a 3 or 6 month review to have a scrum down around the table about what's good; what's not good and the way forward. (South Yorkshire Police)*

It was important that targets should not become the drivers of performance such that the focus becomes output rather than quality:

> *Success in the early days was defined as how many Community Justice Panels happened. This is not appropriate... [It's a] 'lazy target'. It is an important element but only the end bit. It does not cover referral process and support provided to all parties.*

> *We also need to measure successful referrals and qualitative measures derived from feedback from participants (Sheffield City Council)*

As this section of the report has highlighted, measuring, managing and communicating performance is a key requirement for ongoing success of the project and forms one of the key recommendations.

d) Leadership and Governance

One of the major areas for development of the Community Justice Panels project was in relation to its strategic leadership. While there was an appreciation of the hard work of the co-ordinators and the team in establishing the panels and in recruiting volunteers and working with wrongdoers and harmed persons, there was a strong feeling from all involved in the project that more strategic leadership from the outset was required to build on early successes and ensure that the project can embed and develop:

> *I think it needs to have the leadership to drive it on. We can become victims of our success but the 2 co-ordinators need to guide and co-ordinate across the board (South Yorkshire Police).*

This point needs to be viewed in the context of a project which is successfully engaging referrers, harmed persons and wrongdoers and is at a very early stage. The current management of the project and co-ordinators forms a very small part (estimated at approximately 10%) of the current project manager's role. Without a dedicated strategic manager, it is hard to see how the necessary strategic leadership can be provided and this is thus a key recommendation. Strategic management is also a key requirement to ensure effective communication and performance management (see above). It is particularly important in the context of the implementation of the police street justice project (see below).

Governance for the project is provided by a project board. The group is chaired by the Cabinet Member for Housing and Sustainable, Safer Communities and in addition to the Community Justice Panels project team has representatives from major stakeholders including police, probation, housing providers, CPS, youth justice and courts.

The project board is an important forum for engaging, involving and communicating with key partners. The opportunity to receive information about the project's progress and to

contribute and be involved was appreciated by stakeholders but concerns were expressed as to the purpose and decision making power of the group:

It's more like a briefing than a decision making process (South Yorkshire Police)

There needs to be more clarity on the decision making powers of the group and its purpose needs to be clearly articulated and communicated to its members. The role of the group is likely to need to change as the project becomes embedded and moves beyond its initial pilot phase and thus a formal review of this would be indicated in the next 6 months or so. For example, it may be appropriate to have a small group with governance, executive and decision making responsibilities and a separate larger partners' forum to encourage communication and engagement of strategic stakeholders.

e) Staffing and Resourcing

The project was generally felt to be well resourced There are currently two co-ordinators covering the whole of Sheffield. It is difficult to base the resource requirements for a mainstream project on the experience of a few months of operation of a pilot. There is a considerable amount of activity in set up, communicating and training which takes place early in the project but which may level off as the project becomes established. Conversely, the number of referrals and panels should increase.

The most critical resource requirement which seems to have emerged is the need for full-time strategic management. Many of the key recommendations relate to activities which could be undertaken by this role. The need for a third co-ordinator has also been raised and towards the end of the evaluation, the project was beginning to see a significant upturn in the number of referrals. It is crucial that there is sufficient resource to meet this demand in order that referrers and participants are not discouraged. An activity analysis did not form part of this evaluation so it would not be appropriate to comment on ratios of referrals to co-ordinators though the Chard project may provide some possible benchmarks.

In the light of increases in referrals, the implementation of Street/Instant Restorative Justice and the possible recruitment of a third co-ordinator , it may be appropriate for the project to look at how work is distributed amongst the co-ordinators and perhaps consider giving specific roles to each co-ordinator. The role of a 3rd co-ordinator could be targeted towards a volunteer management function in terms of recruiting, training, supervising and de-briefing

volunteer facilitators, recruited to National Occupational Standards[9] which would feed into wider LAA indicators around volunteering activity and based on best practice.

The National Occupational Standards for Volunteer Management include the following core competences:

- Develop & evaluate strategies & polices that support volunteering
- Promote Volunteering
- Recruit & induct volunteers
- Manage & develop volunteers
- Manage yourself, your relationships & your responsibilities
- Provide support for volunteering

The two co-ordinators could then be utilised on a geographical basis to link in with Safer Neighbourhood Areas, or on an agency basis in terms of understanding organisational cultures and working practices of partners.

The co-ordinators on the project are both secondees. They have been critical in establishing the panels so far and have had key roles, in recruiting and supporting facilitators, communicating and training referrers and setting up and organising panels. Their hard work, commitment, flexibility and professionalism were recognised and appreciated by the facilitators and operational and strategic stakeholders in the interviews conducted.

The police have committed to seconding a member of staff for the rest of the 09/10 financial year and for 2010/11. They expressed a need to see efficiency savings in order to continue support and this further points to the need for effective performance management as discussed above.

> *The resource we've given is a member of staff but we've not been asked for anything else. If we make efficiency savings we might look at contributing more. We committed for 6 months for the member of staff and committed for the rest of this financial year and the next. After that it might get tricky. If we can't demonstrate it's made a true efficiency in the current economic climate we're going to struggle but I think that would be true for the council as well. Probably on break even for workload at the moment because we've had unsuccessful panels. (South Yorkshire Police)*

There are real benefits in having staff seconded from other organisations acting as co-ordinators at this stage in the project. They provide important linkages into their host organisations and can help in identifying and breaking down barriers. While volumes and futures are uncertain, a secondment provides some security for members of the project team

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[9] http://www.volunteermanagers.org.uk/files/nosvm.pdf

It was recognised as important that seconded staff have the necessary skills and abilities to effectively co-ordinate the Panels. Identification of core competences and a formal recruitment or application process would help to ensure this.

f) Communication

Communication was felt to be a key area for the Community Justice Panels project. Communication was important, both in terms of performance and activity information for referrers (see above) but also in respect of encouraging participation and community involvement.

> *Once the project used more and the results publicised more, the more people will be willing to participate in it. (South Yorkshire Police)*

Although there was a news story published in the local press following the first panel, it has proved difficult to get more extensive media coverage. This is an important area as effective communication will help in recruitment of volunteers and in increasing public awareness of the panels. One of the key areas that any restorative justice project has to address is public perception. For example, the harmed persons who were interviewed generally viewed the Panel process (prior to their involvement) as being for the benefit of the wrongdoer rather than themselves or the Community.

> *Overall community knowledge – not as much as we'd like. Had some good media coverage one of those things that needs to keep drip feeding all the time. Started looking to do some stuff in school so the kids involved knows what it means to them. Education will take a while but we keep going. Just had a result but good news stories don't make good headlines. (Sheffield City Council)*

Similarly, communication with referrers and other strategic stakeholders is of fundamental importance in embedding the practice and ensuring future success. Communication was seen as a key part of the role of the project board and felt to be generally effective. At a more operational level, however, some stakeholders saw this as an area of weakness in relation to the roll out of the project and more widely:

> *Communication and the way it was rolled out was poorly managed. There was long periods prior to it where you didn't hear anything for a bit, then "we're going live now..no we're not" and people weren't kept in the loop and informed and understand the why's and wherefore's – win hearts and minds and buy into it. (South Yorkshire Police)*

The key areas for development in relation to communication, therefore, fall into two main categories - communication with the wider community and at the more operational level.

g) Inter-agency and Partnership Working

Prior to its roll out the project successfully engaged a range of partners and stakeholders and the range of these can be seen in the composition of the steering group. These relationships have been critical in establishing the project:

> *We got all the right people on board to start with; there may have been a couple of agencies we didn't include – as soon as we realised we brought them on board – for instance magistrates court brought the CPS on board. Sheffield homes led to other RSLs [getting] on board. (Sheffield City Council)*

Partnership working and relationships exist at different levels. For example, relationships with referral agencies are key to ensuring appropriate and sufficient referrals; relationships with organisations who are providing support in the form of staff secondments; strategic relationships within and beyond Sheffield City Council and operational relationships with referral and other staff on the ground. The project is at a relatively early stage so we would expect to see these relationships still developing and ways of working still being ironed out. Importantly, as the project develops, these partnerships are now starting to move beyond the steering group level, and are becoming embedded at a more operational level:

> *Lines of communication are getting better. At the start only lines were at project board level now getting more in-depth (Community Justice Panel Project Staff)*

This is a key area of development and also links into the section on Communication above. Clearly, some partners are more directly involved than others. The police are seen as a particularly influential partner, both at a strategic and operational level. Housing providers generally are less involved and do not consider themselves to be a major player. Expectations about the involvement of housing as potential referrers need to be clarified as there appears to be some disparity between the expectations of the police and some members of the project board and the housing providers themselves:

> *It needs to be recognised that Sheffield Homes are not a key partner. This process sits better with the police and CJS. (Housing Provider)*

The Youth Offending Service also expressed concerns about the extent of their involvement in the project as they had perceived that the project would explicitly contribute to their prevention targets of reducing first time entrants to the CJS. It was perceived that the financial benefits of engagement in the project had yet to be realised. Some of these concerns related to the effectiveness of identifying young people in need of support as part of the panels' process and this is covered in the Panels section below.

For effective partnership working to be achieved, it is important that expectations from all partners are clearly articulated and understood. Effective partnership working takes time to develop and embed, as does ensuring integrated approaches at an operational level. This project is being evaluated at a very early stage and clearly a lot of work has been done (and is continuing) to engage the full range of partners and extending this work will form a key part of strategic management of the service going forward.

A key part of partnership and multi-agency working is effective exchange of information. In general, information exchange between the agencies involved was felt to be effective and there had been no issues emerging as a result of inappropriate or insufficient information being transferred between agencies. The information sharing protocols are based on existing arrangements relating to the Crime and Disorder Act. Appropriate consents are sought during the Panels process and confidentiality forms a significant part of training. It was recognised that information sharing protocols might need to be reviewed as a result of the development of street restorative justice. It should also be noted that the project is at an early stage and thus, some stakeholders felt that data protection and related processes had not yet been fully tested.

h) Policing Context

A key theme emerging from the interviews with strategic stakeholders across the project was the importance of the policing context to the future of the project. As discussed above in the Multi-agency and Partnership Working section, the police are critical strategic and operational partners and, additionally, the imminent implementation of the police Instant Restorative Justice or Street Restorative Justice project will impact significantly on the Community Justice Panels project.

Restorative justice can be a contested area for the police. A recent article suggested that as many as a third of Chief Constables were opposed to the use of restorative justice[10]. Although supportive of the aims of restorative justice, a number of the police stakeholders indicated that there were a number of barriers which the project had encountered. For example, performance measurement in the police service had historically been about sanctioned detections. Since restorative justice interventions were counted as a secondary detection this had impacted on the buy in to projects such as the Community Justice Panels project. Facilitators also echoed this concern that police officers on occasion were not taking the Panels more seriously as they do not count against their figures. Although this landscape was felt, at more senior levels, to be changing, with an increased emphasis on outcomes rather than outputs and a focus on confidence and satisfaction, this was not yet universally embedded.

Police stakeholders felt that their colleagues were often resistant to restorative justice because it lacked an element of punishment and that cultural shifts were required to ensure that officers understood the role of restorative justice. This cultural change was felt to have been one of the most challenging features of implementing the Panels and was still being addressed.

> *There's inertia in the police – we're kind of comfortable doing it this way and for years have been hounded about detection rates and targets. They didn't like it in the beginning but now they can't break out of it –it's a cultural change for officers. Just providing a process isn't enough. This was never going to be a success in a week and was always going to take a bit of time. Once people start to see cases coming through and the outcomes they'll say this does work. Same with the community (South Yorkshire Police)*

Although it is clear that there is still some way to go in communicating and achieving buy-in to Community Justice Panels from police officers in Sheffield, significant progress has been (and continues to be) made. The learning from the implementation of the Panels has also provided useful insights and has been used to inform the Street/Instant Restorative Justice project.

The Street/Instant Restorative Justice project represents a key opportunity for the Community Justice Panels project. The Street/Instant Restorative Justice initiative is an important force-wide and national project.

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[10] Puffett, N (2009) One-third of police chiefs oppose restorative justice. *Children & Young People Now*. 11 Nov accessed at http://www.cypnow.co.uk/news/966366/One-third-police-chiefs-oppose-restorative-justice/ (20 November 2009)

I think the county wide roll out will help as there'll be pressure to make street RJ work as SYP will have invested heavily in street justice, with a significant push from the top across the county to make it work and that will drag Community Justice Panels with it. Where these things work, there's a range of solutions – Norfolk have Community Justice Panels and Street RJ as well as a number of other options. (South Yorkshire Police)

Aligning the Community Justice Panels project with Street/Instant Restorative Justice and ensuring that it is understood to be complementary to, rather than competitive with it, will be critical in maximising the benefits of both projects:

It isn't in competition with Community Justice Panels as officers have always had a range of options, e.g. FPN, arrest, report for summons; use panels, and this will be another solution depending on the offence, victim and offender. If they are right and all the people are there you'll do it there and then. If they're all there but there's a significant element of reparation required, I would suggest that's more suitable to go to the Community Justice Panel as it's a lot easier to get the YOS, probation involved if necessary as they have reparation toolkits available to them and is easier accessed at a later stage. Some offences you may want to give them time to think about it as they're angry when it's happened. They are complementary (South Yorkshire Police)

There are clear benefits to both projects in working together but ensuring that police officers on the ground are clear about the criteria, processes and benefits of each approach will be critical to successful alignment. Connections between the two projects have already been made at a strategic level and this will need to be a key area of focus for the strategic management of the project over the coming months.

The Community Justice Panels

This section draws together the perceptions of strategic and operational stakeholders, Community Justice Panels staff, facilitators, wrong-doers and harmed persons to examine issues and perceptions on the Panels themselves. This section is based on the stakeholder interviews, observation of four Community Justice Panels[11], a focus group with five facilitators[12], interviews with five wrongdoers[13] and six harmed persons[14].

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[11] All the panels that took place during the period of the evaluation fieldwork were observed

[12] Eight facilitators were expected but only five were able to attend on the day

[13] Wrongdoers from all the panels observed were interviewed (one panel involved two wrongdoers)

[14] The first panel observed involved five harmed persons; 3 of these were interviewed (2 declined); remaining panels involved one harmed person each (two were surrogates) all of whom were interviewed

Operation, Processes and Protocols

Referrals and Targeting

This section looks at the issues relating to referrals and targeting of wrongdoers for the panels. The issues raised here relate mainly to strategic and operational stakeholders but wrongdoer, facilitator and harmed person perceptions have also been included where appropriate.

Of the 20 referrals received during the period of operation of the panels, 18 came from the police and the remaining two from Sheffield Homes and Pennine Homes. This evaluation comes at a very early stage in the project and, the experiences in Chard suggest that it takes 12-18 months for the referral process to embed. In line with this, Community Justice Panels staff have reported a surge in referrals in the last week of the evaluation, with numbers of referrals rising sharply. There was universal support amongst stakeholders for the early decision to widen the remit from two pilot areas to the whole of Sheffield as the numbers of potential referrals would have been severely reduced had the original, pilot approach remained. As indicated above, there has been some disagreement amongst stakeholders about the role of housing providers, and in particular, Sheffield Homes in providing referrals for the project.

> *I'm disappointed Sheffield Homes haven't taken the bait; they said they would but haven't appeared to do so. They haven't referred anyone yet but there must be 20000 things that can refer for. (South Yorkshire Police)*

Sheffield Homes reported that there had been some discussion about the threshold for cases and that it had initially been police-driven and too high for Sheffield Homes to refer any cases. There was an agreement to review the threshold at six months and it has recently been lowered so this may have an impact on the number of referrals going forward. That said, as indicated above, there are disparities in the perceptions of key referral agencies about the extent to which referrals should come from the police or housing providers.

The process for identifying potential referrals was also raised. The Community Justice Panel co-ordinators have spent a lot of the early part of the project training and raising awareness of the Panels with referral agencies and this work is still ongoing. They have also reviewed police data on offences to identify possible referrals or where additional training or awareness raising may be required. This more proactive approach may be part of the reason

that referrals have started to rise sharply and this underlines the importance of the police secondment in terms of access to police and their systems. It was also felt to be important that identification of referrals cannot be a 'robotic' process and that building relationships and informal connections is equally important in generating referrals. The importance of continuing training and communication and monitoring will be important in ensuring that appropriate referrals continue.

The question of whether or not there were additional potential referral sources was raised by a number of stakeholders. Some suggested that Tenants and Residents Associations could be a referral source, as could Citizens Advice Bureaux and victims themselves. Although clearly there are other potential sources of referrals, this project is at an early stage and needs time to embed with its key referral agencies. There are benefits, at this stage in the project, to a more focused approach both in engaging referral agencies and in the type of offences targeted.

In terms of the referral process itself, this seemed to be well understood and to have been clearly articulated and explained to referrers:

> *The guys came back out, went through the process, the paperwork and highlighted just how easy it was to do. (South Yorkshire Police)*
>
> *Processes and procedures were easy to understand (Housing provider)*

There were some suggestions as to the type of offences for which Community Justice Panels could be used and also suggestions for further developments in this area. This will be a key strategic decision for and will need to be considered in the light of the Street/Instant Restorative Justice project. Most of the referrals[15] have been young people and the Youth Offending Service questioned the appropriateness of having adult referrals at all:

> *[One of the] main aims is to prevent people entering into the Criminal Justice System. I'm quite surprised they made it available to adults - I wouldn't have made it available to adults - it should be for young people and diverting them away from the first stage of the Criminal Justice System (Youth Offending Service)*

In terms of the types of offences referred, it was recognised that there may be further potential for expanding this to include other offences and again, the links with Street/Instant Restorative Justice will be critical here. The importance of establishing a good foundation

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[15] (n=14)

and resisting the temptation of trying to expand too quickly just to raise the referral numbers was recognised by strategic stakeholders:

> *At least at the moment we're building a proper foundation and we understand where we are with it and we might be able to add a load of stuff on later. (South Yorkshire Police)*

The experiences in Chard suggest that appropriate and successful referrals which can demonstrate the success and impact of the panels to referrers, communities, offenders and victims are more important at the early stages than achieving high numbers of referrals and this underlines the need to develop appropriate performance measures which look across a range of indicators of success, as well as effectively communicating progress.

Referrers also indicate that the decision of what is an appropriate referral requires assessment of a number of factors to ensure the right outcome:

> *How to make the choice about which way to go – panel or other disposal – like a final warning?...Some things have to apply... but have to look at the merits of each case...look at the offence, the individuals involved. (South Yorkshire Police)*

Clearly this is a learning process and one which could be complicated by the addition of other restorative justice options and again emphasises the importance of clarity for police referrers in the differences between the options available.

Of the referrals which have been received so far, seven of the referrals did not result in a panel (see Chapter 1 for full details). Where participants did not engage, this was, for the most part, a result of wrongdoers not engaging, rather than harmed persons. Although, this is a fairly small sample, given the stage of the evaluation, stakeholders felt that it was an indication that the approach does not represent a "soft option" for offenders.

> *For an offender the choice is RJ or some kind of record. Intuitively I'd say they'd go for RJ but they're not – it's harder –would you rather pay a FPN or have to say sorry? It's harder to sit in a room with someone – takes more guts. It's not a soft option. The soft option is to go the other route. (South Yorkshire Police)*

Where panels do not take place as a result of referrals, referrers reported that this can result in additional work as the wrongdoer then has to be taken through the conventional criminal justice process. The importance of appropriate referrals and the role of the facilitator and co-

ordinator in supporting participants through the process are key here and are discussed later in this section.

Timescales

The timescales for panels was raised by a number of strategic and operational stakeholders and also by facilitators. All agreed that it was important that panels took place in a timely manner and that delays in holding panels ran a clear risk of leading to participants disengaging from the process and of it losing credibility. There is a target of four weeks from receipt of referral to the panel. There has been variation in the length of time taken to set up panels with some held very promptly and one panel taking a number of months due to the number of harmed persons.

There is certainly a perception amongst the strategic and operational stakeholders interviewed that setting up a panel can be a protracted process:

> *Timescales for the panel – one of my sergeants – they seem to take quite a while to set up especially if more than one offender or victim. To me that loses credibility because 6 months in a young person's lifetime might as well be 6 years; it's lost its impetus. A key driver is that it should be swift. It's fresh in everyone's mind and people are still passionate about it. 6 months down the line you might have forgot about it. (South Yorkshire Police)*

The facilitators also felt that the panels needed to be set up promptly in order to retain credibility and were concerned that one had taken as long as five months. It should be noted that, at the time of the evaluation, only five panels had taken place and the fact that one had taken so long to set up may have disproportionately affected the perceptions of timescales. Interestingly, though based on a very small sample, none of the wrongdoers or harmed persons interviewed shared this concern and, indeed, two of the harmed persons involved in the panel which took five months to set up said that they appreciated the time that had elapsed between the incident and the panel as it allowed time for their anger to subside.

Clearly, there are a number of issues which can impact on the length of time it can take to set up a panel, which will invariably result in variations in the timescales and, as a result, it could be difficult to be prescriptive about how long they should take. Clearly there also needs to be enough time between the incident and the panel to enable wrongdoers and harmed persons to reflect. That said, one of the commonly cited reasons for lack of

confidence in the formal criminal justice system is the length of time it takes[16] and it is important that this does not become an issue for the Community Justice Panels process. It is therefore important that, if the target timescale is exceeded, there is regular communication with all participants to ensure they understand the reasons for the delays and that their engagement and confidence in the process is maintained.

Operation and Facilitation

This section reflects the perceptions of participants in the Panels process and, also the evaluation team's observations of four panels, and, where appropriate, input from stakeholder interviews.

The panels the evaluation team observed operated well and smoothly and were effectively managed by the facilitators. There were a very small number of procedural issues that were observed - one where the facilitator accidentally omitted to introduce two of the participants which caused some anxiety to the wrongdoer. A more significant issue occurred when the facilitator and co-ordinator left the harmed person and wrongdoer alone while the agreement was being drawn up. The participants began to re-visit the discussion about the incident and this could have undermined the work that had been done during the panel. This was also reflected by one of the facilitators in the focus group. It is strongly recommended, therefore, that the process by which agreements are drawn up is revised to avoid this possibility occurring in future panels.

All participants were satisfied with the pre-panel process. Harmed persons reported being comfortable with the information they received prior to the panel and with the opportunities to discuss any concerns prior to the panel. All the wrongdoers felt that the process had been explained carefully and understood that the implications of taking (or not taking) part. The panels themselves were viewed positively by all participants.

The only real area of concern for participants was in the follow up and support after the panels and the processes by which organisation and monitoring of the agreed outcomes were managed. The wrongdoers' concerns were that the process and timescales for setting up the community service was unclear. Harmed persons were concerned about being kept aware of progress. Facilitators were concerned about the support available after the

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[16] Page, B, Wake, R. and Ames, A. *Public Confidence in the Criminal Justice System.* Findings 221, London: Home Office

process - an issue that was also raised by the Youth Offending Service in the stakeholder interviews.

In terms of impact of the Panels, all wrongdoers and harmed persons reported a positive impact. It is too early in the project to draw conclusions on longer term impact on offending behaviour but police officers who had been involved in the process were positive:

> *I found it really interesting being an observer and distance myself from the CJS I thought it was a better outcome for the victim and the young person –bit of shoplifting; had been problematic in the area and his friends; agreed to keep away from the shop for 3 months and they shook hands, to be fair there's been no problems. Fantastic in terms of closure and in terms of enhancing future relationships. (South Yorkshire Police)*

The other expected impact would be savings in police officer time. Stakeholders reported that The Chard experience suggested a 75% reduction in officer involvement time and a reoffending rate down to 3%. Police stakeholders suggested that the impact on police time had not yet been felt as the project was still in its early stages but they were optimistic that it would in time show results.

These issues and the specific experiences of each of the participants are covered in detail in the sections below.

Role and Perceptions of Facilitators

Recruitment and training of facilitators was perceived as being a particular success of the Panels project and a total of 20 facilitators had been recruited and trained at the time of the evaluation. Recruitment of facilitators had been done across Sheffield via newspapers and community groups. The change to a City-wide focus was seen to have been beneficial in attracting a high quality and diverse group of volunteers.

> *One of my concerns originally was about volunteers which has been completely blown away. We've got some excellent volunteers (Sheffield City Council)*

Their recruitment from, and involvement in their communities was seen as being particularly valuable in engaging the wider community, fostering community involvement and ownership and communicating the value and purpose of the Panels.

The observation of the four panels undertaken by the evaluation team supported the view that the facilitators were highly committed, well-trained and effective. The facilitators were considered in all cases observed to have been supportive, fair and non-judgemental. They were felt to have run the panels well and in line with the processes set down in their training sessions. The wrongdoers interviewed reflected that the facilitator's role had made them feel reassured, safe and able to participate.   All the harmed persons interviewed commended the facilitators in their panels. They used the terms "fair", "in the middle" and "able to control the meeting" to describe the facilitator and reported that the facilitator kept things on track and handled the emotional impact of the process on participants effectively.

The facilitators themselves reported feeling well equipped to lead a panel and strongly agreed that the training had been very effective in preparing them to undertake the role:

The training was brilliant. You could ask them any questions you wanted (Facilitator)

One area of training which facilitators felt could have been improved was in preparing them to conduct the pre-panel interviews. They considered these to be a very important part of the process, in terms of explaining the process to everyone involved; giving them a chance to ask any questions, allay any fears and establish rapport. It was felt that the panel outcome should not come as a surprise if this process is completed effectively. The issues that facilitators felt the training was less effective in preparing them for were:

- Appropriate use of language
- Cultural issues
- Risk – mainly related to being in someone's home
- "Selling" the process, both to the harmed and wrongdoer (and the wrongdoer's carers if the wrongdoer is a young person)
- Engaging with the wrongdoer, particularly if they are a young person
- Dealing with anger
- Disclosure of other issues, e.g. substance misuse
- Consequences of the offence which are not directly related to the panel (for both wrongdoer and harmed)

As described above, there were indications from the facilitators that they considered that they had a role in "selling" the process to wrongdoers and harmed persons. In order to ensure informed consent, it is vital that participants fully understand and agree to the Panel prior to meeting the facilitator thus it is inappropriate that this forms part of the facilitators'

role. This suggests that additional training is required for referrers and facilitators as to their respective roles and the importance and nature of informed consent of participants.

In general, facilitators reported that they would appreciate more opportunities for reflection and sharing learning from the panels they have attended. For instance, in one panel, an absent victim wrote a letter and this had an impact on the wrongdoer; it was felt that sharing this was an example of good practice which would potentially benefit other facilitators.
In terms of the structure of the panel, the facilitators found the scripts, though prescriptive, useful - particularly in the early stages of getting to grips with running a panel. The paperwork required to run the panel, however, was less favourably regarded with one facilitator having developed her own paperwork which she then transfers onto the form. The lack of availability of electronic versions of the paperwork was also considered to be an issue. The amount of paperwork which had to be completed by facilitators was considered by them to be onerous and they felt that this had not necessarily been thought about enough in the recruitment process or the training in terms of ensuring that panel members have written communication skills and the extent to which they have to deploy those skills.

In terms of the Panels impact, facilitators felt strongly that panels led to very satisfactory outcomes and that they are not an easy option. Facilitators were very keen that more is done to educate the public about the power of this process. Their experiences in conducting Panels were that having to face the victim (and their parents if they are a young person) is very powerful.

Facilitators did not know whether it was appropriate to signpost the wrongdoer into other agencies, and would require further knowledge about what other agencies are out there and the additional support that could be offered both to the wrong-doer and their family, so that they could "signpost with confidence". The issue of support was also raised by the Youth Offending Service who were concerned that they were not involved sufficiently to ensure than any underlying issues would be addressed with young people participating in the Panels.

There was some concern about the lack of follow up for panel participants, particularly the wrongdoer. Facilitators would appreciate information relating to the effectiveness of the panels; however there was some debate about whether that should be the role of the facilitator to follow up, or other agencies who have been involved in ensuring the agreement is completed satisfactorily.

The facilitators who were involved in the focus group had, for the most part been involved with running a Panel. There is some concern that, given the number of referrals, a large number of facilitators will have been trained but not have the opportunity to use their skills for some time which would make them likely to disengage. This has been somewhat mitigated by the use of two facilitators in the early panels.

Wrongdoer and Harmed Persons: Perceptions and Impact

The following section examines the wrongdoer and harmed persons' perspectives on the Panels process and is based on interviews with six harmed persons and five wrongdoers who participated in the four panels observed by the evaluation team. The interviews took place after the Panels. Where possible time was left between the Panel and the interview to enable time for reflection on the process, however this was not always possible due to the short timescales involved in the evaluation. This was a particular issue for the wrongdoer interviews, most of which took place immediately following the panel. In all instances, the wrongdoers were young people and thus they were accompanied by parents, guardians or other responsible adults.

There were very positive responses from both harmed persons and wrongdoers to many aspects of the Community Justice Panels process. In general, however, the wrongdoers were more satisfied than the harmed persons and this was particularly evident in the outcomes of the panels. While this is a small sample, there are indications that there are some measures that could enhance the harmed persons' experience of the process and these are indicated in the key recommendations.

Motivations for Participation

For wrongdoers, the main motivation for participating in the Panel process was the opportunity to avoid criminal proceedings.

> *If I get a criminal record then when I go for a job when I'm older- it's not going to look very good is it?' (Wrongdoer).*

However, wrongdoers also expressed the importance of meeting the victim and the opportunity to explain their actions and apologise for them as an additional motivation for participation. Meeting and making reparation to people within the community was highlighted as being important:

If we didn't do this, it would be like bumping into him would be bad and him giving me dirty looks I'd be embarrassed, so I'm glad we are sorting it out' (Wrongdoer).

For harmed persons, putting across their point of view was the main motivating factor and ensuring that they understood the consequences of their actions and their impact on their victims. Understanding the motivation of the offender and a desire to "help" the wrongdoer or "give him a second chance" were also considered to be important:

They have one chance - this chance and from now on they have to behave (Harmed person).

Similarly, diversion of the wrongdoer from a criminal record and the longer term consequences of that also figured in harmed persons' decisions to participate, as did a lack of confidence that going through more formal criminal justice procedures would have been effective:

[It is important to 'try and stop young people who make a mistake ending up with a criminal record (Harmed person)

Although less frequently mentioned, hearing an apology and getting a sense of closure were also motivating factors for harmed persons' participation.

Function of the Community Justice Panel

Prior to attending the Panels, most of the harmed persons thought that the panel was mainly for the benefit of the wrongdoer as it prevented them from entering the criminal justice system and getting a criminal record. There was less support for the view that there would be a benefit to the harmed persons themselves and one of the harmed person's also thought it would benefit the community.   All of the wrongdoers saw the panels as benefitting both parties providing: a) the opportunity for victims to express their feelings about the event and b) the opportunity for wrongdoers to express their remorse and see and feel the effects of their actions on another.

Experience of the Panel Process

All wrongdoers and harmed persons had very positive experiences of the Panels process itself and the quality of the facilitation. All felt they had been given a fair hearing and felt that both sides had been given the opportunity to put their views across. All participants felt supported both prior to and during the Panel and had had opportunities to discuss any

concerns during meetings with the facilitators. Prior to the Panels, wrongdoers were anxious about meeting the victims but reflected that they felt reassured and safe with the facilitator's role of taking control of the proceedings. Harmed persons also expressed concerns about how the wrongdoers might react and possible reprisals following the Panel. They were reassured both by the approach of the facilitator and the attitude of the wrongdoers and their parents. These potential anxieties underline the importance of the pre-panel process, the skill of the facilitators and the appropriateness of the referrals, all of which have been very effective in the Panels we have observed as part of the evaluation. Amongst harmed persons, there was considerably less satisfaction with the outcomes of the panel than from the wrongdoers and this aspect is discussed below.

Following the panels, the experiences were less positive both from the harmed persons and the wrongdoers. Facilitators also expressed concern about the post panel process (see above). Some of the harmed persons were concerned that they had had no updates or contact following the panel and others at the length of time they were told that it would take to arrange the reparation (4 weeks). There was a strong sense that harmed persons were keen to be kept updated on progress following the panel but were unclear about if or how this would happen.

One of the wrongdoers and his family also reported being unsure as what the exact protocol was for following up the panel outcome and that this was proving unsettling. Although this was an issue for only one of the wrongdoers, the proximity of the interviews to the Panel hearings meant that the other wrongdoers had not experienced the post panel process. Ensuring that there is a clear process for ensuring that participants are kept informed of progress following the panels and that wrongdoers are clear about when and how their reparation will be organised is key to ensuring confidence in the Panels and their outcomes.

Outcome of the Panels

All the wrongdoers were positive about the reparation they were asked to undertake as a result of the Panel:

> I think it's fair enough what I got. They actually said they wanted me to do something to do with other people's property (Wrongdoer).

While a number of the harmed persons interviewed were satisfied with the outcome of the Panels, there was less satisfaction than from the wrongdoers. There was a sense in two of

the panels' participants that the outcome was pre-arranged and that the only possible outcome would be community service and that, in one case, the outcome was suggested before the Panel took place. One of the harmed people reported feeling rushed into making a decision and another felt that their views had not been fully taken into account in deciding the location of the reparation[17]

It is critically important to the success of the Panels that the harmed persons feel that they have sufficient time to reflect on the decision and that the outcomes are transparently negotiated during the Panel process.

Impact of the Panels Process

Two of the main objectives of the Community Justice Panels project are that it reduces reoffending and improves victim satisfaction. The impact of the Panels on participants is therefore a key measure.

Encouragingly, all five wrongdoers acknowledged that going through the panels process would have an effect on their future behaviour and make them think twice about becoming involved in criminal activity. Two wrongdoers, whose offences involved damage to their local environment, reported that going through the panel process had made them, not only think differently about the offence, but become more protective of their own area.

All but one of the harmed persons felt that involvement in the Panels had had a positive impact on them and all of them said they would recommend it to others. The impacts ranged from achieving closure by meeting the wrongdoer to having confidence that the wrongdoer would not reoffend. Seeing the wrongdoers' parents' annoyance at the wrongdoer's behaviour was also reported as having a positive impact on one harmed person. Only one harmed person felt that she had gained nothing from being involved in the Panels as she felt the options she had for reparation were too limited (see above).

It is very encouraging that participants in the process are positive about its impact on them. Although this was based on a small sample of cases given the early stages of the project, the continuing monitoring of impact and satisfaction as part of the Panels process will ensure that this can be maintained and used to help develop and communicate the Panels for the future.

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[17] The wrongdoer did not want to do her reparation activity near to her home as she would have been embarrassed to be seen by friends; the harmed person felt that this was an important part of the effectiveness of the reparation activity

It is clear, then, that the Community Justice Panels project has achieved a lot in a short time. The fieldwork that was conducted as part of this evaluation has indicated some possible areas for development and these are covered in the key recommendations chapter. Learning from other projects both nationally and internationally is also important and the next chapter examines this in more detail.

CHAPTER 3: A COMPARATIVE REVIEW AND BEST PRACTICE AND LEARNING FROM OTHER PROJECTS

Introduction

Restorative justice has become an attractive option for governments as they try to achieve the often competing aims of holding offenders to account (whilst being mindful of their rights) and responding to calls by victims to have a say in the outcome of their offence. Community Justice Panels (CJPs) in particular have been developed as a means to further engage the public in the administration of criminal justice for first-time, low-level offences thereby making it more responsive to public concerns and increasing confidence in the criminal justice system. Like other restorative processes, they represent a less formal, less costly alternative to formal courts; sessions are facilitated by a criminal justice professional, attendance is usually voluntary, and they are only used where the offending party or parties admit culpability and agree to participate in the process (Rogers, 2005).

This chapter provides a comparative review of restorative justice interventions similar to the Sheffield CJP project. Projects with similar aims and styles of operation to the CJP project are explored and processes compared in order to highlight salient points relevant to the Sheffield CJPs. A brief methodology for the review is presented first outlining evidence sources and rationale behind evidence inclusion and exclusion criteria. This is followed by an overview of the approach and structure of CJP initiatives internationally and domestically to provide the reader with an appreciation of the use of the model in different contexts with varying opportunities and constraints. The chapter concludes by presenting a comparative analysis and set of potential recommendations to inform the development of the Sheffield project. Importantly these recommendations recognise the importance of context (e.g. economic and socio-demographic issues) in understanding community interventions (as advocated by Pawson and Tilley, 1997) thus ensuring their relevance to Sheffield. A full bibliography is included in Appendix 2.

Methodology

The methodological approach during the data collection phase of this research involved desk top research consulting various institutional, academic, policy and media documents and websites to provide an overview of the various initiatives that had been developed both nationally and internationally. This was followed by telephone contact with co-ordinators from domestic examples (i.e. Chard and Ilminster, Wellington) to discuss the establishment of

CJPs in those areas; training and recruitment of volunteers and paid staff; stakeholder assessment; process; outcomes; and issues during implementation. While this latter methodological approach was not included in the brief it was felt that such interviews would provide a means to gain more depth and insight into the adoption of CJPs and the implementation process. Direct quotes have not been used and the interviews form part of the narrative on each of the sections dealing with those schemes. A list of interviewees is provided at the end of the document in Appendix 3, along with their position and date of interview.

The schemes covered in this report only reflect those that have a similar modus operandi to the Sheffield pilot. The remit of this review could have been extended to include schemes not directly linked to CJPs within the UK and further afield, however, it was felt that these did not hold any immediate insights for the model being implemented in Sheffield. Keeping the study focused on the model adopted by Sheffield City Council offers the best learning outcomes. However due to the fact that only two areas have successfully implemented CJPs in England, it was necessary to cast the net further afield. By extending the reach of this research internationally also had the benefit of comparison with schemes being provided to larger populations with more segregated communities, more accurately reflecting the Sheffield demographic than other UK-based examples. A limitation of this study was a lack of information on evaluation which has made it difficult to create a catalogue of the benefits and pitfalls associated with these schemes.

Relevant Initiatives

The following section traces the international development of restorative CJPs and the transfer of this approach to United Kingdom, providing relevant examples and drawing out salient points.

International Examples

The Victim Offender Reconciliation Programme[18] - Canada and United States (selected states) 1977 onwards

Rationale:
Ineffectiveness of sanctions and increasing levels of recidivism

Requirements:
Individuals who have admitted guilt and consent from both parties

Operation:
Most cases are referred by the courts, but referrals are also taken from the police and in some cases the victims and offenders themselves. Both victim and offender are contacted separately which allows them an opportunity to express their feelings about the incident and to make an informed decision about whether or not to participate in the process. Trained facilitators, generally a community volunteer are responsible for chairing structured meetings. Importantly participants rather than facilitators are responsible for devising outcomes. Both victims and offenders are encouraged to relay the incident from their perspectives, the impact and its implications and to listen to the viewpoints of the other. Following this, they both write down what has been agreed (generally some form of restitution, community work and/or limits on behaviour) and sign it. Compliance is monitored by professional staff and should any breaches arise, appropriate steps are taken to rectify them. Some programmes hold final victim-offender meetings to bring final closure to the case once agreements have been fulfilled.

Benefits:
Benefits of the process are the opportunity for the victim to 'get the facts' and for the offender to be confronted with the consequences of their actions. These encounters assist in breaking stereotypes, reducing fear of repeat victimisation, holding offenders accountable for their actions and addressing the root causes of the offending thereby empowering those involved.

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[18] See Zehr (1990) for a detailed discussion of the origin and subsequent development of the schemes.

Pennsylvania's Youth Aid/Community Justice Panels – Pennsylvania (US) 1960s onwards

Rationale:
An alternative to the formal youth justice system to hold offenders to account, to give victims a voice and to effectively reintegrate offenders back into their communities as productive, law-abiding citizens (Bender, 1999). Initially established to save limited resources of the criminal justice system by diverting minor offences; they have subsequently evolved and now focus on repairing the harm done to victims and communities. Panellists share a commitment to paying 'balanced' attention to the accountability of the juvenile, to the protection of the community, and to the development of competencies necessary to prevent the offender from committing future.

Requirements:
First-time offence, although there does not appear to be a restriction on the seriousness of the offence.

Operation:
Community volunteers form the backbone of the panels and have participated in a number of variations since the 1960s. Volunteer coordinators notify the victim in all instances that the case has been referred to a CJP and to provide them with an opportunity to comment. A single point of contact is given along with an information leaflet about the process, the role that the victim may play and additional victim services that are provided. This panel differs from other CJPs in that it is not mandatory for the victim to participate in order for the panel to convene. All victims are provided the opportunity to submit a written impact and financial loss statement; to address the panel in the absence of the offender; and to receive notification of the outcome should they not wish to participate. Volunteer panel coordinators facilitate the participation of all parties – victim, offender, and community – in defining the harm caused by the crime, addressing how the harm can be repaired, and providing support/assistance to offenders as they fulfil their responsibility to repair the harm done to both the victim/s and the community (Bender 1999). If the contract is completed successfully, the youth avoids being adjudicated delinquent of the charge(s) and does not have to pay the court-related fines. Orientation and training programmes have been standardised across the county and existing volunteers receive ongoing training for the duration of their participation in CJPs. Pennsylvania hold two non-mainstream activities to support outcomes of CJP meetings including mentoring and involvement in charity events.

Benefits:
The process is seen as being less time-consuming than traditional court hearings; providing a greater opportunity for the victim to participate; immediate consequences for the juvenile offender; and a more personal resolution of the harm caused.

> **Victoria's Community Justice Panels - Australia, 1991 onwards**
>
> **Rationale:**
> CJPs seek to minimise the use of a formal criminal justice response to offending behaviour by Aborigines and to facilitate a culturally sensitive approach in those cases in which a formal response is unavoidable.
>
> **Requirements**:
> Aboriginal offenders
>
> **Operation:**
> Volunteers are drawn from the local indigenous community and their role is to work with the police to support Aboriginal offenders. The panels take custody of indigenous offenders, arrange legal advice for offenders, liaise with the offender's family, and provide information about an offender's background and other relevant information to judicial officers at sentencing (Marchetti and Daly, 2004).
>
> **Benefits:**
> The CJPs in Victoria provide an excellent example of a consultative, liaison exercise that successfully brings together police and the community and which has been effective in reducing the number of Aboriginal people arrested in centres which have the program (Payne, 1992).

Vermont's Community Justice Panels – United States, 1994 onwards

Rationale:
Widespread public disillusion with Vermont's criminal justice system.

Requirements:
Low-level offences such as shop-lifting, vandalism and cheque-forgery.

Operation:
The process involves the offender being given the option of meeting with a group of community volunteers (between three and six) who develop and monitor 90-day probation sentences that require offenders to make up for the harm caused by their actions.

Benefits:
They enjoy widespread public support and are perceived as fair and effective by those who come into contact with them (Rogers, 2005).

Burlington Community Justice Centre (CJC) Community Justice Panels – Vermont (US) 1998 onwards

Rationale:
To help repair the damage caused by crime and conflict.

Requirements:
Low-level offending such as party noise, vandalism, low-level crime, youth and offenders returning from prison.

Operation:
Governed by a multi-agency Community Advisory Committee (CAC) composed of community members, representatives from local service groups and City and State Officials who meet monthly to discuss CJC programs and priorities. Cases are referred to the CJP either from the Burlington Police Department or from the courts as part of the offenders' sentence. The Panel holds the offender directly accountable to the victims and community they harmed. They discuss the circumstances and impact of the crime and ways the offender can avoid making similar mistakes in the future. The victim is contacted in every case by a Victim Liaison Volunteer who explains the process, supports his/her participation and assists with necessary referrals. The victim may either participate directly or ask the Liaison Volunteer to represent him/her at the panel. Should the victim opt to not be directly involved, the Liaison Volunteer keeps him\her informed as the case progresses and of its final outcome. The meeting provides the victim the opportunity to ask the offender questions and to share the impact of the offence. Following this interaction, the panel discusses and decides jointly with the victim and the offender how the offender will make amends for his/her actions. Once the panel has agreed on a plan, a Restorative Justice Agreement is completed and signed by all participating in the process and the offender has 45 days to complete commitments. The panel convenes during the duration of the Agreement to review progress, solve problems and finally to celebrate successful completion.

Benefits:
The variety of outcomes possible support either individual benefits (e.g. apology; financial restitution) or the community (e.g. community service; repairing damaged property; assisting the community or local organisations).

Domestic Examples

Chard and Ilminster Community Justice Panels (CICJP) – UK, 2005 onwards

Rationale:
Residents frustrated by a perceived lack of justice for offences committed in their area due to the fact that magistrate courts had been removed from their locality to more urban areas and local newspapers could no longer report on their outcomes. This coupled with a perceived increase in crime, a decreasing sense of community and increasingly strained relations with the police led to alternatives being sought.

Requirements:
Offences eligible for this process are first-time low-level crimes such as drunk driving, speeding, criminal damage, drunk and disorderly behaviour, vandalism and neighbourhood disputes. All parties must agree to participate.

Operation:
Volunteers are recruited from the local community through safety days. All volunteers undergo CRB checks and are interviewed by the co-ordinator during the vetting process. Those who successfully complete this process receive a 3 day training course accredited by the International Institute for Restorative Practice (IIRP) and includes communication skills, introduction to the criminal justice system, role-plays and asking restorative questions (not sure what questions would be). Thirty police officers including PCSO'S have been trained alongside volunteers.

When the perpetrator is caught by the police, he/she is given the option of following the normal adversarial route or signing an admission of guilt and attending a panel (the decision to refer, however, remains firmly with the police). Referrals may also be taken from the police, South Somerset Homes, parish councils, district councillors, and schools. The CICJP and South Somerset police have developed a Protocol in order to streamline the referral process covering information provision, consent and training. Following referral, a volunteer facilitator interviews both the victim and the offender. The purpose of the interview is not to establish guilt but rather to explain the CJP process and to make firm arrangements (dates, times and ground rules) for the meeting to occur. Both parties are offered the opportunity of bring supporters with them.

Chard and Ilminster Community Justice Panels (CICJP) – UK, 2005 onwards (..continued)

One volunteer facilitator chairs the meeting and following the IIRP script throughout the process. Additionally, trained volunteers sit with representatives from the referring agency, the victim, offender and their supporters and discuss the incident, its impact and the steps that can be taken to resolve the harm caused. Once both the victim and the offender have reached an agreement on how the case should be dealt and the duration that the offender has to complete the requirement an acceptable behaviour contract (ABC) is signed by both parties. The referral agency is responsible for monitoring the contract. Should the offender breach (most often in neighbourhood disputes) the panel is notified and depending on the circumstances the panel may be reconvened or the case referred back to the referring agency for resolution through the normal processes. Support from the main agencies is vital to the success of the project.

Benefits:
Figures from a study establishing public views and ascertaining the level of fear of crime compared to actual police numbers indicate a lowering of the fear of crime, better relations with the police and a reduction in police workload by around 75% (Rogers 2005). By March 2007 the project had dealt with 107 cases with only one person reoffending. Current figures show that 330 cases have now been dealt with and that the panels have enjoyed a 98 percent success rate.

Wellington Community Justice Panels – UK, 2007 onwards

Rationale:
Perceived increase in crime in the area

Requirements:
Offences typically involve criminal damage, theft, common assault and to a lesser extent neighbourhood disputes.

Operation:
All volunteers undergo a CRB check, an interview and the three day IIRP training by the panel co-ordinator. Referrals are predominantly taken from the police; however, there is also provision to take referrals from other partners such as housing and schools. The operation is the same for that as Chard and Ilminster due to the training being delivered by the co-ordinator and seconded police officer from that scheme.

Benefits:
Outcomes typically include an apology and some form of reparation as this is most often what victims want plus positive feedback from participants

Comparative Analysis and Recommendations

This concluding section of the chapter presents a comparative analysis of salient points followed by related recommendations for consideration by the Sheffield CJP project. As mentioned at the outset the analysis bears different contexts of interventions in mind and as such some potential recommendations are not seen as suitable. These are made clear at the appropriate point.

Performance monitoring of interventions is vital for development and improvement. It can take a variety of formats from basic statistical analysis of outputs etc. to staff performance and quality oversight and assurance. In relation to performance, clear indicators are necessary to allow for measurement. Limiting the time-scales of the contract under which the offender has to complete responsibilities (as in Burlington, US) may allow for this (as well as providing a more realistic and focused agreement at the end of the panel).

Focussing on quality assurance. One of the suggestions that came out of speaking to the volunteer co-ordinator for Wellington was the establishment of a council, commission or group that could oversee practice and develop best practice standards for Somerset as a whole. This has been developed in Pennsylvania which has resulted in a mainstream response and one that may be of benefit in Sheffield considering the size of the population that each CJP developed will serve (each Community Assembly area which panels will be aligned has a population of around 70,000). The amount of cases that may be dealt with by CJPs should the Sheffield pilot be successful is substantial and deviations from established 'best practice' from Chard would need to be monitored as will the likelihood of adapting the process, approach or training to reflect the population and demands of the diverse Sheffield population (including the mobility of residents resulting from the two Universities in the area). The development of a Community Advisory Committee similar to that in Burlington may be a good way of allowing the needs and priorities of the local Assembly areas to feed back into the agenda of the city as a whole. It may be worth exploring whether volunteer facilitators can play any role here - further expanding the notion of community engagement.

Volunteers play a critical role across all examples. The use of **additional volunteering activities** to complement the CJP process in Pennsylvania is something that could also be considered in the Sheffield context due to the stark distinction between the income and education levels in Assembly areas. The development of mentoring schemes and charity drives for these areas may increase or further develop community cohesion and to develop

the skills of offenders or to make use of the skills that offenders may have to improve the local community. It is imperative that CJPs do not become another impersonal, rapid disposal for offenders as this will miss the potential of a truly restorative response that seeks to address both the causes and consequences of offending.

CJPs should not be unidirectional and the process and aims to be flexible so as to allow the needs of the community to determine the nature and scope of their remit. The CJP in Victoria, although restricted to advising and dealing with low-level offences by the Aborigine community, provides a useful example of where a **community scheme interacts with formal system.** This approach could easily be replicated to serve disadvantaged areas included in the Sheffield CJP or, other identifiable segments of the population in Sheffield such as students. Allied to this CJPs may provide the opportunity to relieve pressure on the existing CJS. The use of a trained Victim Liaison volunteer and expanding the remit of panels to include referrals from the court may further reduce the pressures on the limited resources of the criminal justice system and result in a more balanced approach to offenders and victims. This is the case in Burlington, Vermont.

The biggest difference between the schemes discussed above is the size of the community that they serve, although none come close to the size of Pennsylvania which has a juvenile population of more than two million. Furthermore, the communities that these schemes have developed in are close knit with strong bonds of informal social control and community cohesion. In each area, it was individuals from that community that sought to implement responses to low-level offending which received wide support from both criminal justice agencies and the wider public from the outset. Preliminary findings from the evaluation in Sheffield indicate that there may be some resistance to the idea of CJPs from the police and other agencies in Sheffield, possibly a result of a deficit in training. The evidence from the review conducted here suggests that **garnering support from all levels in the police** is paramount in delivering a successful intervention.

Across all examples **support for participants** is a clear and important feature. International examples provide possibilities in terms in terms of additional support that may add value to the Sheffield project – such as holding further panels to report on progress and the use of a final panel to 'celebrate' successful completion. These are minor additional activities that could easily be developed without demanding large additional resources that would reduce the perception that CJPs are a conveyer belt much like the formal system of justice. Any such activity though would need to be carefully balanced with the wishes of victims. CJPs represent a form of closure for some participants – whether they would then want to

'celebrate' compliance would need careful consideration. One route may be to offer such activities as an optional part of the process.

Increasing and maintaining numbers of referrals and subsequent panels is vital to all the schemes reviewed. One mechanism for doing this is in Pennsylvania is that it is not mandatory for the victim to participate. This results in an increased amount of cases that may be considered for the process. However whilst this removes a barrier to some panels to adopt this method in the British context may not be advisable. Such 'non-attendance panels' would reflect the young person's Referral Order which has been criticised for its low victim participation rates and 'conveyer belt' type approach to sanctioning.

In sum then, this comparative research has highlighted the following recommendations emanating from perceived 'best practice':

1. Performance monitoring ;
2. Limiting time-scales of offender contracts (not necessarily good behaviour, but rather reparation activities);
3. The development of an oversight committee to provide ongoing support and training to facilitators and coordinators as well as a forum through which to deal with issues of best practice and community needs;
4. The establishment of further community development projects that both volunteers and CJP participants can engage with to facilitate further community cohesion);
5. The appointment of Victim Liaison officers to support the victim throughout the process and to act as a representative for the victim should they not feel able to participate directly in the CJP process;
6. Expanding the routes of referral to include the courts;
7. A consultation process to ensure that all agencies are on board with the use of CJPs, particularly the police, and to develop support and training structures through which criminal justice personnel can provide and receive feedback on the process; and finally,
8. The opportunity to hold 'final panels' to celebrate successful completion where this is wanted.

CHAPTER 4: KEY RECOMMENDATIONS

This chapter draws together the key recommendations which have emerged during the fieldwork and highlighted in Chapter 2. They are intended to provide useful indicators for further development of the Community Justice Panels. The recommendations are divided into Strategic and Operational recommendations.

Strategic Recommendations

Recommendation 1: Appointment of a strategic manager to lead the future development of the panels

This is a key recommendation as it underpins a number of the other recommendations below. This role is critical if the Community Justice Panels are to continue to grow and develop beyond what has been achieved so far. This would seem to be more of a priority at this stage than the recruitment of a third co-ordinator. In addition to the day to day management of the team, the role should have provide a primary focus on the development and implementation of the communications strategy and the creation and management of key performance indicators.

Recommendation 2: Role of CJP co-ordinator (including possible recruitment of third co-ordinator)

As the Community Justice Panels project develops it would be an opportune time to look at the organisation of the work of the co-ordinators – particularly if the proposed recruitment of a third co-ordinator goes ahead. The role of a 3rd co-ordinator could be targeted towards a volunteer management function in terms of recruiting, training, supervising and de-briefing volunteer facilitators, recruited to National Occupational Standards[19] which would feed into wider LAA indicators around volunteering activity and based on best practice. The two co-ordinators could then be utilised on a geographical basis to link in with Safer Neighbourhood Areas, or on an agency basis in terms of understanding organisational cultures and working practices of partners.

In terms of recruitment of future co-ordinators: capturing the core competences required by co-ordinators and the introduction of a more formal recruitment/appointment process based on these will assist in the identification of appropriate candidates for the role.

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[19] http://www.volunteermanagers.org.uk/files/nosvm.pdf

Recommendation 3: Review of Role of the Project Board

There is some dissatisfaction amongst project board members about the role and function of the project board, and, indeed, we would expect the role of this board to change as the project becomes fully operational. There needs to be more clarity on the decision making powers of the group and its purpose needs to be clearly articulated and communicated to its members. It may be appropriate to have a small group with governance, executive and decision making responsibilities and a separate larger partners' forum to encourage communication and engagement of strategic stakeholders. This review could be taken forward by the strategic manager in consultation with stakeholders.

Recommendation 4: Development of effective targets and performance measurement systems

Key to being able to manage performance and communicate successes is the development of effective performance measurement processes and systems. It is vital that in designing these a balanced portfolio of measures is used to enable the management of the Panels across a range of measures, not just crude output measures such as the number of referrals. That is not to say that there is no value in monitoring these things, rather that they should be linked with other elements that drive achievement of the strategy. One possible approach might be to use an approach similar to the Performance Prism[20] which is based on five distinct but logically interlinked perspectives on performance across five areas:

- Stakeholder Satisfaction – *Who are the key stakeholders and what do they want and need?*
- Strategies – *What strategies do we have to put in place to satisfy the wants and needs of these key stakeholders?*
- Processes – *What critical processes do we require if we are to execute these strategies?*
- Capabilities – *What capabilities do we need to operate and enhance these processes?*
- Stakeholder Contribution – *What contributions do we require from our stakeholders if we are to maintain and develop these capabilities? (Neely, Adams and Crowe)*[21]

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[20] Neely, A. and Adams, C. Perspectives on Performance: The Performance Prism
http://www.som.cranfield.ac.uk/som/dinamic-content/research/documents/prismarticle.pdf

[21] Neely, A. Adams, C. and Crowe, P. Performance Prism in Practice. http://www.som.cranfield.ac.uk/som/dinamic-content/research/documents/prisminpractice.pdf

The identification of answers to these questions, usually in a workshop, is used to drive the creation of a meaningful set of performance measures. There are other methods and tools which can be used to create effective performance measurement - what is key here is that the measures used identify key impacts where successful performance might be demonstrated (for example, in reductions in offending; improvements in community cohesion) not just outputs - eg number of referrals.

Recommendation 5: Creation of a Communications Strategy

Effective communication was identified by many of the participants in the evaluation process as a key requirement. The creation and implementation of a communications strategy should be undertaken to address internal and external communications. Internal communications include communication with referrers, facilitators, partners and other stakeholders; external communications include the wider community, including awareness raising with local groups, and press/media coverage. The use of case studies and success stories to illustrate success and the recruitment of facilitators and those who have participated in the Panels could also be considered to ensure that messages about the Panels' purpose and impact are clearly understood. This may require a budget for professional advice in effective media targeting, (unless this is available without cost in-house) or for the design, printing and distribution of marketing materials.

Recommendation 6: Managing the Impact of Street/Instant Restorative Justice

The implementation of Street/Instant Restorative Justice next year represents a unique opportunity for the Community Justice Panels as long as the two initiatives are clearly aligned and that the projects work together to ensure that training and publicity materials are complementary. Clearly articulated decision trees which indicate which intervention is suitable in what context will be required. The alignment of these two projects requires continuation of the strategic negotiations (which have already begun) and the identification of opportunities to leverage the work being done to implement these for the mutual benefit of both projects. The roll out of Street/Instant Restorative justice may also indicate the need to review Community Justice Panel's documentation and materials.

Recommendation 7: Capture learning from implementation programme and use to inform future projects

The implementation of the project has not been without difficulties and a formal "after action review" would enable Sheffield City Council to capture learning from the project to inform future development of the Community Justice Panels and projects more generally. This is

already happening more informally as stakeholders use their experiences in being involved in the project in their organisations. A more formal event would ensure that the experiences can be shared more widely and strategically.

Operational Recommendations

Recommendation 8: Develop programme of reflection and learning for facilitators

Facilitators indicated that they would appreciate the opportunity to attend regular meetings - perhaps quarterly - which could be set up in advance for the year and would enable them to refresh their knowledge, share with each other good practice and learning from the panels and provide mentoring and support for new facilitators

Recommendation 9: Role of facilitators beyond panel attendance

There are a large number of trained facilitators and so far there have been relatively few panels. Although there is clear evidence that referrals have increased recently and a necessity to ensure that panels are not delayed by the unavailability of facilitators, it is important that facilitators do not become disengaged. Some ideas which facilitators were keen to develop were:

- Involvement in future training
- Communicating and promotion of the project in their local communities
- Becoming more involved in case work or follow up to panels (with appropriate support and training)
- Formation of a community of practice with other facilitators (within and beyond Sheffield) to develop good practice and share experiences; peer review/observation of panels to ensure quality and redesign of materials

Recommendation 10: Redesign of follow up processes

This was a key point which was raised by stakeholders, facilitators, wrongdoers and harmed persons and gives rise to a number of recommendations:

- The signposting or provision of support for participants in the Panel process. some of this might involve other agencies - eg Youth Offending Service, or additional training for facilitators to enable them to signpost to other support services
- The creation of a robust procedure regarding arrangements and contacts for reparation activities, including written details of requirements and clear timescales

- The creation of a robust procedure whereby harmed persons can be kept informed of the progress of the reparation if desired
- Follow up work with wrongdoers to assess longer term impact of participation

Recommendation 11: Review of facilitator paperwork

The paperwork which facilitators use to manage the Panels process was found to be unwieldy in practice. A redesign of the paperwork is recommended, in consultation with the facilitators to ensure that it is fit for purpose. The dissemination of electronic copies of the paperwork is also recommended.

Recommendation 12: Review applicability to young people of some aspects of the Panels

There were a number of issues raised about the applicability of evaluation form and the approach to young people. One wrongdoer's parent felt that asking young men particularly how they felt was not very helpful at all. Research in this area also highlights that young men in particular find it difficult to express their emotions[22]. This parent felt that the question formula could be amended to support these young men perhaps by offering multiple choice questions or at the pre-panel meetings with facilitators

Recommendation 13: Review procedures involved in running a panel

There were a number of specific issues which came up relating to the running of a Panel. These are indicated below:

Wrongdoers and Harmed Persons should not be left unattended while the agreement is being drawn up. In other areas, an administrator is responsible for this task and additional support, either an administrator or co-facilitator, is therefore a necessary part of this process.

Ensure that harmed persons have adequate time for reflection on the decision. Consider the appropriateness of holding a single panel for multiple harmed persons; consider a victim liaison role (see Chapter 3, best practice)

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[22] Deborah Ritchie (1999) "Young men's perceptions of emotional health: research to practice", *Health Education*, 99 (2), 70-75.

Recommendation 14: Conduct additional training for referrers

There were indications from the Facilitators that they considered that they had a role in "selling" the process to wrongdoers and harmed persons. In order to ensure informed consent, it is vital that participants fully understand and agree to the Panel prior to meeting the facilitator thus it is inappropriate that this forms part of the facilitators' role. It does, however suggest additional training might be required for referrers to ensure they fully understand the rationale behind the Panels process and the importance and nature of informed consent of participants.

Recommendation 15: Conduct additional training for facilitators

Facilitators identified a number of additional training points which could be added to the formal training of facilitators to equip them better to handle a panel:

- Appropriate use of language
- Cultural issues
- Risk – mainly related to being in someone's home
- Engaging with the wrongdoer, particularly if they are a young person
- Dealing with anger
- Disclosure of other issues, e.g. substance misuse
- Consequences of the offence which are not directly related to the panel (for both wrongdoer and harmed)

In the light of recommendation 14 above, follow up training on the role of facilitators in relation to encouraging participation is also indicated.

APPENDIX 1: STAKEHOLDER INTERVIEWS - LIST OF PARTICIPATING ORGANISATIONS

South Yorkshire Police

South Yorkshire Criminal Justice Board

Sheffield City Council

Youth Offending Service

Sheffield Homes

Pennine Housing

Court Service

Probation Service

Crown Prosecution Service

APPENDIX 2: BIBLIOGRAPHY AND REFERENCES FOR CHAPTER 3

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APPENDIX 3: INTERVIEWS CONDUCTED FOR COMPARATIVE REVIEW - CHAPTER 3

Jan Hart is the co-ordinator for CJPs in Wellington and Wiveliscombe. An interview was conducted on the 30th October.

Martha Prangnell is a support officer for the Crime and Disorder Reduction Partnership that includes Taunton Deane, Sedgemoor and West Somerset Council and Avon and Somerset Police. An interview was conducted on the 20th October.

Bob Cronk is the Head of Community Services for Norwich City Council. A brief discussion was had with Mr Cronk about the outcome of the prospect of setting up CJPs in Norwich. He advised that the idea was introduced by a Councillor but not progressed at district council level as it was felt that it was for the police and other criminal justice agencies to implement should they see fit. He advised that no further action had been taken.

Julia Cook is the assistant co-ordinator for CJPs in Chard and Ilminster. An interview was conducted on the 28th October.