



National Offender  
Management Service

# WAIT 'TIL EIGHT

AN ESSENTIAL START-UP GUIDE TO  
NOMS RJ SCHEME IMPLEMENTATION

Prepared by Thames Valley Partnership

in collaboration with Restorative Solutions and funded through the  
NOMS Restorative Justice Capacity Building Programme



RESTORATIVE  
SOLUTIONS

reducing harm, resolving conflict

Thames Valley  
Partnership

Working for safer communities



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The NOMS Restorative Justice Capacity Building programme is potentially one of the most significant developments to occur in the criminal justice system in recent years. It gives the opportunity to embrace the restoration of both victims and offenders and to put it at the heart of the way in which communities seek to ameliorate the impact of crime. For this reason there is a need to follow the evidence base and design schemes, with care, in a measured and consistent manner. This **Wait 'til Eight** guide is part of that process.

The guide has been funded through the NOMS Restorative Justice Capacity Building programme and prepared by the Thames Valley Partnership, which is responsible for the Thames Valley Restorative Justice Service (TVRJS). The materials aim to give start-up guidance on the minimum foundations that need to be in place before trained staff can be expected to undertake effective and sustainable RJ Conference practice. As part of the implementation process Thames Valley Partnership provides a help desk to give further advice about specific implementation issues. The help desk can be accessed via email on [rjqs@thamesvalleypartnership.org.uk](mailto:rjqs@thamesvalleypartnership.org.uk) and is described in more detail below.

**Wait 'til Eight** is based on the 12 years' practice experience of TVRJS's delivery of community and custody based RJ conferences. It offers a framework for a methodical approach to planning and implementing an RJ scheme.

Organisational culture and local context will provide the backdrop to the development of any scheme and for these reasons this guide should be seen as a springboard and not a prescription. It is designed to signpost and inform thinking at the introduction and early implementation stages. It has a generic relevance for RJ conference implementation in whatever setting and at whatever stage of the criminal justice process.

Eight checklists identify the critical issues that need to be addressed in order to create the minimum 'supportive environment' necessary to nurture the development of effective RJ conferencing practice. Each checklist is supported by accompanying text and includes examples of pro-forma that have been designed and refined over the years and which have been found to be functional in a TVRJS context. The material is capable of straightforward adoption, or revision and adaptation to fit local circumstances.

In Thames Valley it has taken 12 years to tease out such matters and issues and it is hoped that TVRJS's experience will help other schemes to embed RJ conferencing into local criminal justice systems. This start-up guidance will lay the foundations of a robust scheme, ensuring quality and sustainable provision.

This **Wait 'til Eight** guide derives its name from the key message it seeks to convey, i.e. that it is essential to address these eight critical sections before sending staff for training. This approach maximises the prospects of sustainability and success in delivering RJ in Probation Trusts and Prison Establishments.

**Help Desk:** The purpose of the help desk is to provide advice to Probation Trusts and Prisons in relation to management and delivery issues confronted by managers during the process of implementation. Specific practice and case-related questions should be directed to Restorative Solutions via their advice line: [enquiries@restorativesolutions.org.uk](mailto:enquiries@restorativesolutions.org.uk).

Managers who wish to seek advice concerning management and delivery issues should send an email describing the problem to [rjqs@thamesvalleypartnership.org.uk](mailto:rjqs@thamesvalleypartnership.org.uk). Please give your contact details, availability and preferred method of contact. The query will be allocated to an Associate with relevant professional experience and responded to within three working days.

## CONTRIBUTORS



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## ACKNOWLEDGEMENTS

Thanks to over 700 anonymous victims and offenders in Thames Valley who have consented to participate in prison- and community-based restorative justice conferences. Without their preparedness to participate it would have been impossible to identify the practice issues that have informed the content of this guide.

Thanks also to the commitment of all the TVRJS conference facilitators. It is their openness and willingness to examine practice that has enabled us to identify the learning points that form the basis of this guide.

Thanks also to colleagues from other pioneering schemes and from academia who have worked with us and shared their expertise in order to develop a sustainable RJ scheme.



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# **SECTION 1.**

## **MANAGEMENT AND PLANNING GROUP**



**CHECKLIST 1.**

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

**NOMS RJ Implementation: Management & Planning Checklist**

<b>CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST</b>		
Name of responsible manager:		
Contact details (location):		
Telephone number:	Email address:	
Date of project commencement:	Date of 'sign off':	
<b>CHECKLIST</b>		
Action	Date achieved	Notes
<input type="checkbox"/> Responsible Senior Manager identified		
<input type="checkbox"/> Convening a RJ Planning Group		
<input type="checkbox"/> Developing a communication strategy		

## 1. Appointment of a Senior Management Team Member

- A Senior Management Team member should be designated as having responsibility for leading on the design of the RJ scheme and for ensuring that all the necessary policies, procedures and processes are put in place to enable effective and efficient service delivery.
- This person should have the direct authority to allocate and commit sufficient staff, time and agency resources to ensure effective and efficient service delivery of RJ conference practice.
- Such a person will be in a position to be seen by the wider organisation as the RJ ‘driver’ and become a beacon for RJ culture as it embeds itself into organisational practice.

## 2. Convening a RJ Planning Group

- A decision will need to be made as to whether a single agency or multi-agency planning group is to be convened.
- The planning group will have responsibility for identifying the strategic aims of the scheme, developing a delivery plan (**Appendix 1A** refers) and identifying and solving the operational challenges involved in embedding RJ conference practice into existing criminal justice agency systems.
- It is recommended that the planning group is chaired by the designated Senior Management Team RJ lead, who will have responsibility for ensuring that the group addresses all the key implementation issues necessary to establish an effective and credible RJ scheme.
- It is recommended that the planning group establishes the principle that the RJ scheme will have equal responsibility for the restoration of both victims and offenders. This degree of impartiality is important in terms of public perception and confidence. Probation Trusts and Establishments have a long history of being focused on offenders and it is important to ensure that RJ is not seen solely in terms of an offender intervention.
- The benefit of a single-agency planning group is that it is potentially ‘tight’ and focused, and involves a number of operational representatives actually involved in the development of the practice. However, the weakness of a single-agency planning group is that it excludes those partner agencies on which any successful RJ scheme depends. It potentially neglects the nurturing of the wider ‘supportive environment’ amongst Police, Courts, CPS, Establishments, Victim Support Scheme (VSS), Local Authority and Health partners. Such a model also has the potential to encompass both Criminal Justice and wider neighbourhood models of RJ delivery.
- A multi-agency planning group is the recommended vehicle for establishing a RJ scheme. Such an approach is more likely to secure partner agency ‘buy-in’. The combination of statutory and voluntary organisations requires them to work together in a way that best serves their respective service users and creates wider benefits for the community. It is also more likely to achieve systemic ownership of the scheme.
- In the context of a multi-agency planning group it is advisable for there to be an agreed designated ‘lead agency’. It is recommended that a NOMS-based agency takes on this role in the context of this NOMS RJ Capacity Building programme.
- The role of the ‘lead agency’ is to take responsibility for leading, for example, on those occasions when a named individual ‘body corporate’ is required for such purposes as bidding for new funding opportunities.
- The ‘lead agency’ can also exert influence at a strategic level with the other constituent stakeholders to commit a level of proportionate financial or other in-kind resources necessary to ensure the success of the scheme. In-kind resources might include, for example, the secondment of a staff member to the RJ scheme.
- A multi-agency planning group can be particularly helpful in establishing effective information sharing protocols and developing ‘joined-up’ organisational processes.
- A multi-agency planning group should be responsible for compiling the scheme’s Risk Issues Log and Contingency Plans. Membership of the planning group should be pitched at a sufficiently senior level so that in the event of problems, blocks or obstacles being identified, the appropriate representative is able to negotiate and deliver practical solutions.



- It is recommended that any mixture of agencies contains the key established CJ Agencies. RJ is about infusing new processes into existing systems and to do that successfully you need the weight, knowledge and credibility of such agencies. The involvement of a supportive and local Crown Court judge in the early planning stages can be particularly helpful in terms of shaping and influencing the attitudes of local sentencers.
- The involvement of voluntary agencies gives schemes a wide base and should include Victim Support (VSS). The potential for other local voluntary agencies to play a role will be determined by local circumstances. For example, in some schemes local mediation services may be involved in the delivery of conference facilitation and it may be important for them to be represented in the planning group.
- Consideration to be given to the planning group meeting at least every 6 weeks in the early stages of the scheme.
- The main issues to be taken into account when designing such a multi-agency planning group model are:
  - Are there clear objectives?
  - Is there respect and understanding of each partner's role and responsibility?
  - Is there the will and support from each agency at a sufficiently high management level?
  - Are the people involved able to exert influence within their own agencies and overcome difficulties or break down barriers when necessary?
  - How will effective communication be maintained?
  - How will the group ensure that the values that underpin RJ are the same as those that underpin the working of the group?
- There is 'value added' benefit to a service delivery that is underpinned by a collaborative partnership commitment across a range of statutory and voluntary agencies involved in the criminal justice system.
- Once the planning group has overseen the successful implementation of the RJ scheme, consideration can be given to it becoming a permanent multi-agency Steering Group whose task is to ensure and safeguard the sustainability and ongoing development of restoration of victims and offenders.
- A multi-agency planning/steering group will require terms of reference, or a protocol, to regulate how it operates and make clear the purpose, functions and lines of accountability for the member organisations. An example of terms of reference for such a group can be found at **Appendix 1B**.

### **3. Developing a Communications Strategy**

- The planning group should ensure that a comprehensive communications strategy is developed to promote and explain the purpose, values, aims, operating processes and intended outcomes to:
  - all key partner agencies and stakeholders, including union representatives and other interested parties;
  - all internal staff members;
  - all those directly and indirectly involved in the delivery of the scheme;
  - all participants and potential participants;
  - the local media and other opinion formers.
- Consideration should be given to the key messages to be delivered and the means by which those messages should be conveyed. This should include a wide range of media so that all sections of the community are included.

TASK/MILESTONE	ACTION REQUIRED	BY WHOM	BY WHEN	EVIDENCE OF COMPLETION	PROGRESS	COMP. DATE	NOTES
Planning process determined	Responsible senior manager identified and planning process agreed			Named senior manager in place with clear brief			
Planning team in place	Planning team set up with clear terms of reference			Membership and terms of reference			
Key principles and values agreed	Discussion and agreement of key principles and values			Statement of key principles and values			
Key aims identified	Discussion and agreement of key aims			Statement of key aims			
Delivery plan in place	Delivery plan discussed and agreed with key milestones			Delivery plan			
Need for RJ identified	Scoping exercise undertaken			Number of cases in scope and estimate of throughput			
Outline business process agreed	Discussion and planning of process of RJ service delivery			Outline business process map and co-operation of relevant departments			
Key outcomes defined	Discussion and agreement of key outcomes, including how they will be measured			Statement of key outcomes and description of how they will be recorded and measured			
Staff time required for delivery identified	Using results of scoping exercise and estimate of attrition, make calculations to estimate staff time required for service			Staffing need described for full service including admin, supervision and management time			
Priorities of need identified	Scoping exercise revisited to determine priorities within eligible cases			Statement of priorities to determine how cases will be engaged			
Staff roles suitable for RJ Facilitators identified	Discussion and agreement of staff roles suitable for RJ Facilitation			List of staff roles			
RJ role inserted in relevant job description	Discussion and agreement of RJ job description and how it will be included in amended job description for key staff			Sample amended job descriptions			



TASK/MILESTONE	ACTION REQUIRED	BY WHOM	BY WHEN	EVIDENCE OF COMPLETION	PROGRESS	COMP. DATE	NOTES
Match resource available to need	Use evidence from scoping exercise and estimate of available resource to plan scope of service			Statement of available staffing and estimated case throughput, linked with agreed priorities			
Identify other costs	Undertake detailed costing in relation to non-staff costs, including staff travel, participant travel, venue cost and refreshments			Detailed non-staffing cost estimates			
Identify rooms, accommodation and other materials	Identify rooms required for staff to work in and for conferences to take place in, which may be on- or off-site			Accommodation plan			
Select staff for training	Apply selection process to identify best people for the role			List of selected staff and evidence of fair selection process			
Select first cohort of cases	Paper sift to identify eligible and suitable cases, picking well-motivated ones if this can be identified			List of cases			
Send staff for training	Bring staff together, allocate cases and inform them of plan and process			Brief note of meeting			
Process first cohort of cases	Use staff selected to interview, assess and engage first cohort of cases. Progress of cases will continue to conference in line with training schedule			List of first cohort of cases with records of interviews and record of assessment of suitability and progress to conference			
Learn lessons from first cohort of cases	Meet with trained staff, record progress and analyse blocks and difficulties to efficient processing of cases			Record lessons learnt and amend draft processes, policies and procedures.			
Prepare standard documentation and detailed policies	Amend draft processes, policies and procedures in light of lessons learned			Final process maps, standard documentation, policies and procedures			
Publish procedures and launch scheme as part of communication strategy	Publish procedures and launch scheme, and develop communications strategy			Details of launch on organisation's local communications systems and processes.			

**1. Name**

The project shall be called the Blankshire Adult Restorative Justice Service.

**2. Legal Status of the Service Provision**

In the interest of clarity and transparency it is to be understood that the Service Provider is not a body corporate and has no separate legal personality, nor is it a registered charity. The Service is a collaborative partnership between agencies working together in pursuit of shared aims. Because of the diversity of its membership, the decentralisation of its activities and the range of disciplines from which its personnel are drawn, it is desirable to set down the administrative framework and regulating procedures in this memorandum of understanding.

**3. Restrictions of Powers**

- a) Any contracts (even if agreed by the Steering Committee) are subject to acceptance within the framework of Financial Instructions of the Lead Authority.
- b) No purchase or disposal of land or other fixed assets can be made.
- c) Legal action on behalf of or against the Service Provider will be the responsibility of the seconding organisation from which the relevant member of staff originates.
- d) Any staff working with the Service Provider do so on a seconded basis from an employing body. Any staff to be recruited will be sourced (on a secondment basis) from a member body of the Service Provider.
- e) The Lead Authority maintains all accounting records and handles all financial transactions.

**4. Lead Authority**

A Lead Authority shall be designated from the member agencies and shall be responsible for the maintenance of accounting records, processing of financial transactions and provision of financial information in relation to the Service Provision.

The Lead Authority shall be Blankshire Probation Trust, in the first instance. The Steering Committee must give six months written notice to the Lead Authority of any intention of wishing to change the Lead Authority.

The Lead Authority will appoint a person to act as Treasurer to the Steering Committee.

**5. The Steering Committee**

- a) The development and oversight of the service, delegated by the Blankshire Criminal Justice Board, shall be the responsibility of the Steering Committee.
- b) Business to be transacted by the Steering Committee shall include:
  - Strategic direction setting and operational target setting, within parameters set by the Blankshire Justice Board.
  - Approval of year plan.
  - Allocation of pooled resources.
  - Review of financial performance.
  - Role of seconded staff.
- c) Each agency shall be entitled to appoint one representative to the Steering Committee.
- d) Any representative not able to attend meetings of the Steering Committee may nominate a substitute to attend in his or her place, and should if possible give notice to the Service Provider Manager beforehand.



e) **Terms of Reference**

- i. The Steering Committee will meet at least six times a year. Minutes will be kept of each meeting.
- ii. The Steering Committee will:
  - Guide, advise and direct the Service Provider Manager, via the Chair, and receive reports from the Service Provider Manager at each meeting.
  - Oversee the financial management of the service provision and prepare future funding bids.
  - Facilitate staff secondments to the Service Provider and ensure that staff, including the Service Provider Manager, receive appropriate support and supervision.
  - Approve Service Provider policy, and ensure that agreed practice and policy is implemented by staff.
  - Promote the service provision and facilitate communication within the collaborating agencies.
  - Ensure the service provision is adequately resourced and Health and Safety legislation adhered to.
  - Receive and approve the service's Annual Report each June.
  - Ensure the provision of a performance report to the Blankshire Criminal Justice Board twice each year.

**6. Steering Committee Chair**

At the Annual General Meeting, the Committee will elect a Chair. He/she must be proposed and seconded and receive a majority of the votes of the members present and voting.

**7. Quorum**

No business shall be transacted at any meeting of the Steering Committee unless at least three members are present.

**8. Voting**

All questions shall be determined by a majority of members present and the method of voting shall be at the discretion of the Chair. In the case of any equality of votes, the Chair or other member presiding at the Steering Committee meeting shall have a casting vote.

**9. Notice**

Members wishing to formally raise an issue at the Steering Committee should, wherever possible, give notice to the Service Provider Manager in advance of the meeting.

**10. Urgency**

Urgent matters may be raised by any member of the Steering Committee as 'any other business' up to the date of the Steering Committee subject to the approval of the Chair.

**11. Agenda**

The Agenda for meetings of the Steering Committee will be prepared by the Service Provider Manager in consultation with the Chair and circulated in advance of the meeting.

**12. Vacancies**

Should a vacancy occur, the Steering Committee will as soon as convenient choose one of their members to fill the vacancy for the remainder of the current year.

# SECTION 2.

## CASE IDENTIFICATION AND RJ PROCESS





## CHECKLIST 2.

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

### NOMS RJ Implementation Checklist: Case Identification and RJ Process

CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST		
Name of responsible manager:		
Contact details (location):		
Telephone number:		Email address:
Date of project commencement:	Date of 'sign off':	
CHECKLIST		
Action	Date achieved	Notes
<input type="checkbox"/> Identify sustainable legal, 'business', assessment, referral and planning processes to undertake RJ casework		
<input type="checkbox"/> Prepare draft process map(s) and guidance for staff		
<input type="checkbox"/> Use scoping exercise to identify potential cases		
<input type="checkbox"/> Approach and engage potentially suitable cases		
<input type="checkbox"/> Selected staff to prepare anonymised case material for discussion of 'their' cases at RJ training		
<input type="checkbox"/> Devise means to ensure that lessons are learned from practice for future engagement with offenders and victims		
<input type="checkbox"/> Adjust processes in light of early experience and learning		

## 1. Identify sustainable legal, 'business', assessment, referral and planning processes to undertake RJ casework

- 1.1 Establishments and Trusts need to identify a process which is relevant to their population and which enables them to achieve a sustainable throughput of eligible and suitable cases within available resources. A range of possibilities exist. Examples of such processes are set out below. The list is not exhaustive. A delivery model should be developed to suit local needs and circumstances.

**Table 1. Examples of possible RJ Delivery Models**

AGENCY & SETTING	VICTIM OR OFFENDER INITIATED	STAT/ VOL*	VEHICLE	PROCESS
Multi-agency initiative, e.g. to create a restorative Blankshire	Victim and offender	Both	A range of vehicles developed as needs identified including self-referrals	CJ processes (see below) as part of range of RJ methods used to meet local need
Probation: Community Sentence	Offender	Statutory with informed consent	Specified Activity Requirement	Proposed at PSR Stage for all eligible and suitable offenders, delivered post-sentence
Probation: Pre-sentence	Offender/Victim	Statutory with informed consent	Deferred Sentence	RJ wholly undertaken during deferment
Probation: Pre- & Post-Sentence (Comm)	Offender	Statutory with informed consent	Deferred sentence – RJ Conference Community Sentence	RJ Conference takes place during deferment while reparation takes place during community sentence
Probation: Community Sentence	Offender	Voluntary	Part of community sentence on voluntary basis by offender	OM offers RJ post-sentence to eligible offenders who indicate suitability
Probation VLU: Establishment or community post-release	Victim	Voluntary	VLU service provision to victims	Victim offered RJ as part of service provided by VLU in eligible cases after discussion with OM
Establishment or Probation: Sentence Planning process	Offender	Voluntary	Included as part of assessment and sentence planning for all appropriate cases	Sentence planning includes RJ as an option for all eligible cases
Probation: Post-release	Offender	Statutory with informed consent	RJ undertaken as a post-release licence condition	Offender opts in to RJ whilst in custody and this is agreed as a licence condition to be undertaken after release.

\*Statutory cases are those which are undertaken under the framework of legislation, or a court-ordered requirement. Whilst participation requires the offender's informed consent, compliance with the legislative requirement may lead to enforcement action if the offender fails to attend meetings with RJ staff, or withdraws their co-operation from the process without good reason.

\*Voluntary cases are those where the offender is not subject to any legislative requirement or process. Prison cases are voluntary, except where the process is commenced in prison and an RJ conference is proposed as part of a post-release licence requirement. Whilst this imposes a statutory obligation on the offender to take part, it is unlikely that an offender would be recalled solely for refusal to attend an RJ conference, although this could form part of a pattern of non-compliance. Whilst undertaking RJ in prison is purely voluntary, where it becomes part of a sentence plan, withdrawal from the process could be seen as non-compliance and potentially damaging to the victim and a negative inference as to the offender's progress could be made in future assessments.



**1.2** Set out below are definitions of eligibility and suitability which are useful concepts to aid the identification and selection of cases for inclusion in a restorative justice process.

**Eligible cases** are those cases which meet a range of eligibility criteria which can be identified from basic file data. Examples of potential eligibility criteria are set out below:

- **Offence type:** Acquisitive and violent crime, including burglary, assault and public order offences. Offences will usually require an identifiable victim who has suffered personal harm.
- **Exclusion criteria:** The following offences are likely to be excluded by new schemes: cases in which the offender has pleaded not guilty and a trial has taken place; cases of child abuse (although victims aged under 18 of other eligible offences may be suitable); and cases of domestic violence (violence between partners or ex-partners).
- **Offence seriousness:** A lower threshold will need to be set at medium seriousness, which could lead to the imposition of a custodial sentence. There is no upper threshold to seriousness of offence, however, offences resulting in death, or sexual offences, should not be undertaken by inexperienced staff.

- **NOMS Offender Management Model tier:**

The NOMS Offender management model sets tiering levels for cases (offenders) which have been assessed using the relevant tools, including OASys. There are four tiering levels, tier 1 being the least serious and tier 4 the most serious. It is suggested that cases for the NOMS RJ Capacity Programme are selected primarily from tiers 3 and 4, and tier 2 cases that may be at risk of custody. Where victim-referred cases are under consideration, this criterion should be applied with discretion, so as to ensure that the victim's needs are given proper consideration.

**Suitable cases** are those which have been identified as eligible on paper and are then confirmed as suitable following an interview with the offender, or assessment undertaken by a member of the RJ staff. Suitability criteria are usually a matter of judgement or degree. The safety and well-being of the victim must remain paramount. Examples of key criteria to assess suitability are set out on the following paragraphs:

- **Lack of acceptance of responsibility for causing harm:**  
Complete denial of responsibility, or total victim blaming, indicate an offender who is unsuitable. Partial denial requires the assessor to make a judgement as to suitability when combined with other elements of the assessment. Few offenders accept total responsibility, but denial of harm when linked with victim blaming can indicate unsuitability. In such cases it will be particularly important to take into account the needs and circumstances of the victim. Some victims will not expect the offender to take much responsibility, whereas other victims could be damaged by such attitudes. Judgements have to be made by the facilitator and it may be necessary for the facilitator to share any concerns with the victim and make a judgment based on their response.
- **Attitudes likely to lead to revictimisation:**  
Interviews may reveal attitudes held by the offender which may indicate a desire on the part of the offender to cause further harm. Open questions such as "What would you want to say to the victim if you met them?" can be helpful in revealing underlying attitudes to the offence and the victim which may be indicators for, or against, proceeding with the case. (**Note:** With the emphasis on speedy justice, Probation Court staff will be faced with making quick assessments as to the suitability of offenders for participation in RJ as part of a community sentence, in order to provide 'on the day' oral reports to Court. The assessment will need to be completed during a short interview which will need to cover many other issues and be reported to the court shortly afterwards. **Appendix 2A** provides useful interview questions which can be used in interviews for the assessment of offenders in such circumstances.)
- **Severe substance misuse:**  
Most offenders with substance misuse problems are suitable, but where the substance misuse is so severe that the offender is unlikely to be able to engage in a meeting in a sober condition at any time of the day, this will not be the case.

- Mental health problems:**  
Mental health problems will not usually be a bar to participation, however, those suffering with psychopathy, severe anti-social personality disorders, unstabilised psychiatric disorders, or a severe risk of self-harm will not be suitable.

- Resistance to take part in a meeting with the victim:**  
Offenders may be presumed to have an obligation to make amends through a face-to-face meeting with the victim of their crime. Offenders should not, however, be forced to take part in an RJ conference and those who are resistant to taking part should not be required to do so. Nevertheless, offenders who have agreed to take part under a court order or licence condition may be required to do so in appropriate circumstances, providing this will not so distort the process, or cause harm to the victim.

An example of a referral form which demonstrates how eligibility and suitability criteria can be described to enable those making referrals to make a preliminary judgement is attached at **Appendix 2B**. Where OASys assessments are not available, staff will be expected to use their relevant skills and knowledge from other settings, e.g. preparing sentence plans, to make appropriate assessments of suitability.

The principle of offender voluntarism and a ‘presumption in favour of offender participation’ is addressed in **Appendix 2C**. Put simply, the ‘presumption in favour’ suggests that offenders should be approached with an expectation that they have an obligation to meet their victim and explore ways of making amends. The offender would be unsuitable if they demonstrated an intention to cause harm through the process, nevertheless, this approach does not seek high levels of motivation to take part because many poorly motivated offenders have been transformed in their attitudes through meeting their victims, and victims have benefited from being able to express their emotions and get answers to their questions.

**2. Prepare draft process maps and guidance for staff**

**2.1** Process mapping enables systems to be lean, efficient, open and easily operated by those making referrals, as well as administrators, RJ Practitioners and managers. The key elements of an RJ process map are shown in the ‘skeleton’ process map below:

**Model Restorative Justice Process Map**



An example of a detailed process map for a Community Sentence Process is attached at **Appendix 2D**.

**2.2** Process maps are useful for training purposes and presentations to staff, particularly where referrals may be made from a wide range of sources within large organisations. It is useful to place process maps on the organisation’s intranet and as part of standard operating procedures.

**2.3** Once the process has been agreed and mapped, then guidance for staff can be prepared. An example of such guidance can be found in **Appendix 2E**.



### **3. Use scoping exercise to identify potential cases**

**3.1** Details of how to carry out a scoping exercise are set out in the next section, 'Establish Need and Match with Available Staff and Resources'.

### **4. Approach and engage potentially suitable cases**

**4.1** The scoping exercise will have identified a pool of potentially suitable cases on paper. Prior to the first round of training (provided as part of the NOMS RJ Capacity Building Programme), a judgement will need to be made as to whether to approach these cases and seek their engagement with RJ, or whether to undertake this approach after the training has been received. The judgement will be based on the relevant knowledge and experience of the staff selected and the nature of the cases to be approached.

**4.2** Where staff selected to undergo training have already been working with eligible offenders in relation to their offence and the offender has expressed an interest in meeting their victim so as to make amends, then an approach to confirm they wish to participate in RJ would be appropriate. In such cases the staff member will be able to prepare a brief anonymised summary of the case to bring to the training. Where staff have not been involved in work with the eligible offenders and do not have relevant experience, they will be expected to attend the training with a number of anonymised 'paper' cases which can be worked with immediately on return. The problems created by approaching offenders without prior training is the risk of giving a confusing or inaccurate message about what RJ involves.

### **5. Selected staff to prepare anonymised case material for discussion of 'their' cases at training**

**5.1** The purpose of taking case material to the training is to make the preparation and learning real. Cases will be discussed at the training and an action plan will be completed by each participant in relation to how they will take their casework forward. The case material must be brief, relevant and sufficient to enable a discussion about how to proceed with the case from approaching the offender/victim to approaching the other parties and preparing for and delivering an RJ conference. It is advised that the following headings are used and that two or three sentences of text are provided under each heading.

- Outline of the offence and the offender's attitude to it.
  - Brief details of the party (offender or victim) for whom your agency has responsibility (age, gender, history, any identified special needs or circumstances).
  - Impact of the offence.
- The case study should be anonymised and of between 50 and 100 words in length.

### **6. Devise means to ensure that lessons are learned for future engagement**

**6.1** The early stages of the introduction of RJ following training are rich in opportunities for learning. The responsible manager should ensure that:

- Each participant has allocated time for practice.
- Each participant has identified opportunities for supervision and a manager to refer to in relation to casework issues.
- Time is allocated for trained staff to meet as a group and share learning and identify good practice.
- There is an effective process of communication to record and spread learning and good practice.

### **7. Adjust processes in light of early experience and learning**

**7.1** Business processes and ways of working will need to be adjusted in the light of experience and emerging good practice. It is unlikely that the perfect model will be achieved from the outset. The use of feedback from offenders, victims, referring staff, practitioners and managers to improve methods and processes is vital. Opportunities need to be created to capture this information and to use it to make positive changes to the processes designed at the planning stage.

## APPENDIX 2A:

## QUESTIONS FOR ASSESSING RISK AND SUITABILITY FOR OFFENDERS

- Who was affected by what happened?
- What would you want to say to the victim if you met them?
- How do you think the victim was affected by what happened?
- How responsible were you for what happened?
- Who was to blame for what happened?
- How could you repair the harm caused by the offence?
- Who would you want to bring with you if you met the victim?
- How do you think the victim might feel about meeting you?
- Do you know the victim or any of his friends or relatives?
- Is there any history of issues/difficulties between you and the victim or any of his friends or associates?

## APPENDIX 2B:

## EXAMPLE OF AN ELIGIBILITY AND SUITABILITY ASSESSMENT PROCESS FOR THOSE MAKING REFERRALS WHICH COULD BE ADAPTED TO SUIT LOCAL CIRCUMSTANCES

### **Suitability Assessment & Referral Process for Proposing Restorative Justice as a Specified Activity Requirement as part of a community sentence.**

#### **1. About Restorative Justice (RJ)**

RJ is a Specified Activity comprising up to 4 days of activity. RJ involves the victim, the offender, their families, friends and supporters meeting together to talk about what happened, who was affected and how, and what can be done to repair the harm caused by an offence. Where the victim does not wish to take part, other restorative activities take place.

#### **2. Eligibility**

- Your case is eligible if the offence is one of violence or household burglary.
- Domestic abuse, sex offences, child abuse and offences resulting in death are **not** eligible.
- Cases found guilty after a trial are **not** eligible.
- Cases of medium seriousness with a tier of 3 or 4 are eligible. Tier 2 cases at risk of custody may also be eligible.



### 3. Suitability

Please complete the checklist below to confirm suitability of the offender. Any questions about suitability can be referred to: **give contact details of person with whom referrals can be discussed.**

SUITABILITY CRITERIA	Y/N
Does the offender absolutely deny any involvement in the offence? Comments:	
Does the offender exhibit attitudes or intentions which could lead to revictimisation? Comments:	
Does the offender have mental health problems which would make them unsuitable (e.g. un stabilised psychiatric condition, severe risk of self-harm, previous diagnosis of psychopathy, or severe personality disorder)? Comments:	
Does the offender have substance abuse problems that would make them unsuitable? Comments:	
Is the offender so resistant to the process that their attitude could not be shifted? Comments:	

### 4. Proposal & Case Details

If all answers to the above questions are NO then the case is both eligible and suitable for RJ and a proposal for an appropriate sentence may be made in accordance with **Local Guidance**. Please provide the following information:

Offender Name:		Offence:	
PSR Author:		Court:	
PPO (Y/N)		Date of Hearing:	
Sentence proposed in PSR (please tick)	<input type="checkbox"/> Suspended Sentence Order <input type="checkbox"/> Community Order <input type="checkbox"/> Deferred Sentence	Notes: Community or suspended sentence orders must include at least 3 mths supervision. Guidance on the wording of your proposal can be found on the Intranet – Interventions / Restorative Justice/ PSR Proposal for Restorative Justice Specified Activity – standard wording.	

### 5. Next Steps

Email or fax this document to: **Give contact details of person to whom referrals should be sent.**

**Once the sentence is passed please let the RJ Administrator know the full details immediately.**

**Victims:**

The principle of voluntarism is absolute in respect of a victim's participation in restorative justice conferences.

**Offenders:**

Offenders invited to take part in an RJ Conference as part of a Community Sentence may express a great willingness to meet with and apologise to their victims at the Pre-Sentence Report stage. For this positive attitude of remorse and desire to make amends they may gain credit in the Pre-Sentence report. Experience in Thames Valley has shown that many such offenders tend to be reluctant or withdraw their co-operation once a Community Sentence has been imposed. By this shift in attitude they have failed to live up to their implied commitment to the court and denied the victim the chance of meeting them. This means that the Court has effectively been misled, the offender has lost the opportunity to take responsibility for the harm they have caused and the victim is unable to exercise their choice to meet the offender and attempt to resolve the matters of hurt and loss which may remain as a result of the crime they have suffered.

In order to address this difficulty in making Restorative Justice Conferences part of community sentences, schemes may wish to consider adopting an approach which dilutes the principle of pure voluntarism, but seeks to achieve co-operation using a:

**'Presumption in favour of offender participation'**

By adopting this approach, schemes may be perceived as being more victim focused, in that the victim's wish (i.e. to meet their offender) is not dependent wholly upon the offender's wishes. This involves the presumption in favour of the inclusion of a specified activity requirement in the offender's community sentence to undertake RJ, subject to a rigorous suitability assessment.

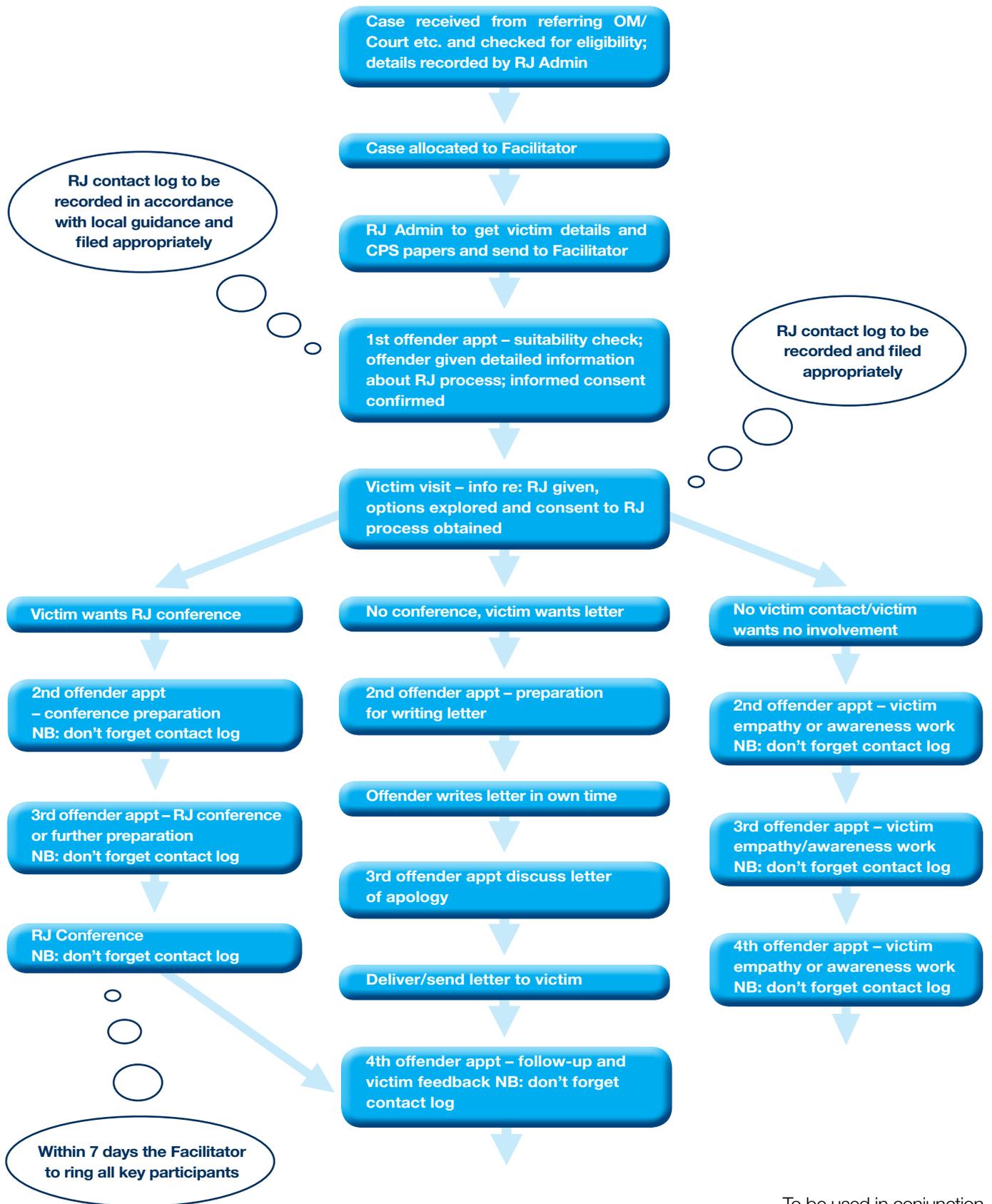
The process of Restorative Justice is explained to those who are assessed as suitable. Offenders are told that they will be expected to undertake an RJ Conference as part of their Community Sentence, should one be made. It is explained that their attendance at a preparation interview and the conference itself will be an integral and required part of their supervision and should they fail to attend an appointment without reasonable excuse, their supervising officer will warn them, or take breach action as appropriate.

The aim of this approach is to 'shift the culture' to one that makes participation in RJ as part of a community sentence the norm. Before sentence, the strong message is conveyed to the offender that he/she has a duty to face the person harmed and will be expected to make amends unless there is good reason not to, or the victim does not agree to take part. Offender motivation to take part in a face-to-face conference with victims is complex. It can be suspect and difficult to interpret even when true voluntary consent is obtained. However, each offender can potentially emerge from a conference with greater understanding of the emotional, physical and psychological impact of their behaviour on victims.

A 'presumption in favour' approach ensures that the maximum number of offenders experience a quality process that has the potential to deliver increased victim satisfaction rates and reduced re-offending rates.

The critical issues are ones of suitability assessment, motivation and support during the process of engagement and the quality of the subsequent process.

Offenders who are resistant to the process need to be dealt with consistently and fairly, and their resistance needs to be addressed and worked on by the case manager. This issue is more than just one of overcoming reluctance by offenders. Resistance comes in many forms, including denial of facts, denial of responsibility, denial of harm, offenders seeing themselves as victims, fear of meeting, projection of blame onto others, fear of emotion, fear of harm. The Offender Manager supervising the statutory order is trained to work with each of these areas and move the offender towards the possibility of an RJ meeting. In terms of the RJ requirement, this **victim empathy** work may be seen as both preparatory to and part of the RJ requirement. Therefore relatively few offenders will be deemed to be unsuitable to have the requirement included, whilst not all those who do have the requirement included reach a face-to-face meeting with their victim. This might be the result of direct resistance, failure to locate the victim or the victim declining the opportunity to participate.



To be used in conjunction with Local Guidance

## Restorative Justice – Practice Guidance

The CJA 2003 introduces the making of reparation by the offender to persons affected by their offence as one of the purposes of sentencing.

### What is Restorative Justice?

RJ is a process whereby parties with a stake in a specific offence resolve collectively how to deal with the aftermath of the offence and its implications for the future (Tony Marshall, 1999).

### What type of sentence can RJ be included in?

- As a **Specified Activity Requirement within a Community Order** – Section 201 CJA 2003.
- As a **Specified Activity Requirement within a Suspended Sentence Order** – Section 189 CJA 2003
- As a requirement whilst under a period of **deferment of sentence** within the Powers of Criminal Courts (Sentencing) Act 2000 as amended by Section 278 and Schedule 23 of CJA 2003.

The RJ Scheme will consent to making arrangements for the RJ intervention, following referral from the PSR author, so as to comply with the requirement in the Act to have the consent of persons whose co-operation is required to implement the requirement.

### Adjournment statements

Where an adjournment statement is available, cases will be suitable where the level of seriousness indicated is medium or high. Cases where reparation is identified as a purpose of sentencing in an adjournment statement should always be considered for RJ, if the appropriate level of seriousness is reached.

### Who will deliver the RJ requirement?

The offender will be required to present him/herself to an RJ facilitator, usually at a probation office, for the delivery of the RJ intervention. The facilitator will work closely with the Offender Manager to ensure a successful completion of the requirement.

In all cases where RJ is being proposed, it is expected that a Supervision Requirement of at least 3 months will also be proposed. This is because of the level of seriousness of cases to be targeted, to ensure that there is an Offender Manager who can take forward any motivation or action derived from the restorative intervention, and deal with any non-compliance.

### Target Group

- **Offenders on the 'cusp' of custody.** Other offenders in the appropriate tier/level of seriousness will also be considered.
- Primarily **Tier 3 and 4** cases, although Tier 2 cases can also be considered if appropriate.

### Offence categories

**Violent offences and domestic burglary**, except those of domestic violence and child abuse. Sex offences should only be undertaken in exceptional circumstances and by an experienced and skilled facilitator.

An offence is not excluded where the victim is under the age of 18, but such offences must be discussed with RJ Scheme staff before the requirement is proposed. The offence must have an identifiable personal victim.

### Suitability

The suitability of the offender for RJ should be assessed using the **Suitability Checklist**, available on pg 21.



## What does RJ involve?

The RJ specified activity requirement involves 4 sessions for the offender, which may include meeting with the victim. The four sessions are:

1. An assessment session in which the facilitator meets the offender and decides what form of intervention may be possible, given the harm caused and the offender's attitude to it.
2. A preparation session which takes place after the facilitator has met the victim and established what may be possible.
3. An intervention session where the facilitator facilitates a process whereby the offender makes amends, possibly through a face-to-face meeting with the victim in the form of a Restorative Justice conference. The Offender Manager will be invited to this event.
4. A review session when the offender meets with the facilitator and the Offender Manager to review the outcome of any agreement made at the intervention meeting.

## How to make an RJ proposal in a Pre-Sentence Report

- > If a Pre-Sentence Report is being prepared on an eligible case, RJ should be considered in the PSR preparation process.
- > Offender is interviewed and assessed for suitability.
- > The PSR author will include a proposal for RJ in the PSR together with a Supervision Requirement of at least 3 months, using the standard template in PSR Autotext (see below).
- > If the requirement is made, the RJ Unit/Scheme must be informed within two working days. The PSR author should then send a copy of the CPS papers to the RJ Admin.

## PSR Proposal – standard wording

The text below can be used as a standard wording for a proposal for a Specified Activity Requirement as part of a Community Order or Suspended Sentence Order. The eligibility (offence type and seriousness) and suitability (acceptance of responsibility for harm, attitude to the victim and suitability for the process in accordance with local guidance) must have been described in the preceding paragraphs of the report in order to provide a justification for making the RJ SAR proposal.

## SPECIFIED ACTIVITY REQUIREMENT

### Restorative Justice

The defendant would undertake the Restorative Justice Specified Activity for up to 4 days. This would be commensurate with the seriousness and purpose of sentencing. I can confirm that Mr X's case has been assessed as suitable for such an intervention. The programme would involve the offender in preparing for, and potentially meeting the victim, in a face-to-face Restorative Justice Conference, followed by a review meeting. This is subject to the victim being willing to do so. If the victim does not wish to meet, then an alternative programme of activity would take place. Such a programme would involve the preparation of a written apology, or some other form of reparation guided by the harm caused and the identified needs of this particular case.

Face-to-face RJ has been shown to reduce re-offending and victims report high levels of satisfaction with the process (Shapland, 2011). Offenders are confronted directly with the harm they have caused and the meeting builds a plan to prevent further offending. The victim work undertaken as an alternative to face-to-face meetings has been shown to reduce victim empathy distortion.

I therefore propose that the Court deals with the defendant by imposing a Restorative Justice Requirement as part of a Community Order with a Supervision Requirement of not less than 3 months, which is necessary to make the RJ requirement effective. Should the Court not be prepared to make a Supervision Requirement then the RJ requirement is not proposed. The defendant has indicated that s/he is willing to comply with the Specified Activity Requirement. I confirm that this is compatible with other Requirements proposed.

# **SECTION 3.**

**ESTABLISH NEED AND MATCH WITH  
AVAILABLE RESOURCE AND STAFFING**





### CHECKLIST 3.

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

#### NOMS RJ Implementation: Establish need and match with staffing resource

CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST		
Name of responsible manager:		
Contact details (location):		
Telephone number:		Email address:
Date of project commencement:	Date of 'sign off':	
CHECKLIST		
Action	Date achieved	Notes
<input type="checkbox"/> Identify eligibility/selection criteria for target group within your population (refer to NOMS Commissioning Intentions)		
<input type="checkbox"/> Agree suitability criteria to exclude unsuitable cases		
<input type="checkbox"/> Undertake 'scoping' exercise with sample of cases to estimate need		
<input type="checkbox"/> Match resource to need and establish priorities		
<input type="checkbox"/> Identify staff and other resources available for delivery		
<input type="checkbox"/> Select staff for training		
<input type="checkbox"/> Identify potential cases for first cohort*		

\* See checklist 2 for detailed guidance

## Introduction

In order to identify the size of the pool of cases which are potentially suitable for RJ as well as to estimate the potential throughput over time and calculate the required level of resource, it will be necessary to undertake a scoping exercise. This exercise can be simple and broad brush, or complex and detailed, depending on the time and resource available. The basic process is as below (see **Appendix 3A** for diagram):

1. Choose process (see Section 2).
2. Set offence eligibility criteria.
3. Set offender and victim suitability criteria.
4. Identify eligible cases within current population (using available database) and calculate rate of throughput of such cases over time.
5. Select sample of eligible cases for suitability assessment by detailed reading of available information i.e. PSRs, OASys and sentence plans.
6. Get team to read sample and assess suitability.
7. Build in drop-out rate assumptions (offender refusals, victims uncontactable, victim refusals).
8. Calculate throughput.

### 1. Identify eligibility and selection criteria for target group within your population

**1.1** NOMS Commissioning Intentions 2013/14 Negotiation Document advises the following, in terms of offence and offender eligibility (see also Case Identification Checklist 2):

- “RJ should be targeted at victims and offenders of violent or acquisitive crimes where there is a clear victim and where the offender is medium or high risk of re-offending.
- RJ should not be targeted at domestic violence offenders, and only in exceptional circumstances at sexual offenders and only then when there is confidence that the process will be of clear benefit and will not cause harm to any person involved.”

**1.2** The guidance in this document enables Establishments and Trusts to set the criteria to undertake a scoping exercise to establish need, both in terms of the number of eligible offenders within the population, as well as the potential throughput over time. It may be that the Establishment or Trust will want to add additional eligibility criteria in relation to local circumstances. For example, an IOM team may wish to focus on cases where the offender has been a particular cause of harm to their own family, or to identify potential RJ cases at the point of acceptance on to the IOMU cohort. Probation Trusts selecting cases for RJ as a Specified Activity Requirement are likely to want to target those at risk of a custodial sentence. These are suggestions only and localities will find it is helpful to set particular local eligibility criteria relevant to their circumstances.

**1.3** This guidance does not give detailed consideration of the potential for victim-initiated or victim-referred RJ, in relation to establishing need and identifying the resource required. Victim-initiated RJ is likely to arise when schemes take referrals from Victim Support schemes, victim self-referrals and referrals from other agencies (including the Police). Probation schemes, based on the work of victim liaison units, may also commence from an assessment of the eligibility and suitability of the victim. In such situations the eligibility of cases needs to be based on similar offence criteria which accord with the evidence base related to the effectiveness of RJ for victims and offenders. Estimating the rate of victim referrals will be a much more difficult process in terms of gauging the level of resource required than analysing a Trust or Establishment's current offender population. It will require extensive work with partner agencies to agree referral processes and estimating likely demand is not an easy process.



- 1.4** Victim suitability will need to be agreed with referring partner agencies and set out for staff to assess suitability in relation to self-referrals. It is essential that victims have a clear understanding of what taking part in RJ will involve and can give their informed consent to taking part in the process. A judgement will need to be made as to their ability to give informed consent. The key criteria in relation to victim suitability relate to the safety of the process, both in relation to the vulnerability of the victim (taking into account the level of support available to them) and also any risk that they may use the process to seek revenge. Victims who request RJ should not be excluded on narrow grounds of failing to meet rigidly applied criteria, but each such case should be assessed on its merits and only refused where the process may cause harm, or the offence is of a very low level of seriousness. There is no research evidence which will give a clear estimate of take-up rates and attrition rates of victim-initiated cases which will give a formula for the calculation of need and resource requirements.
- 1.5** Attrition rates are the rate at which cases identified as potentially eligible cases are screened out, or fall/drop out at different stages of the process from the point of initial identification of the case, through to the point of a face-to-face RJ meeting taking place. Key points of attrition are: offenders being unsuitable at interview; offenders refusing to take part; victims not being contactable; victims not wishing to take part or being unsuitable; and parties withdrawing from the process after initial agreement. The process of case attrition is represented in a diagram which can be referred to in **Appendix 3B**.
- 1.6** Eligibility criteria, in relation to offenders, are those criteria which can be used for selection purposes without the need for a personal interview and can be ascertained by interrogation of a database, or 'skimming' a file. Offence types are usually quite easy to identify from a database, but domestic violence is not always separated from other forms of violence and may require files to be examined, unless there is a filter on the database to identify these cases. Risk of harm can be established from OASys. There may be other locally determined eligibility criteria related to the circumstances of the Establishment or Trust, for example, the geographic location of the victims which would prevent them from taking part in face-to-face meetings. Establishments and Trusts may seek to devise processes such as video-conferencing, which could overcome such difficulties.

## **2. Agree suitability criteria to exclude unsuitable cases**

- 2.1** Once the eligibility criteria have been defined, the next step is to agree appropriate suitability criteria.
- 2.2** Relevant criteria to assess offender suitability will include the factors listed below (see also Checklist 2: RJ Process and Case Identification Guidance):
- The level of acknowledgement from offender of responsibility for causing harm.
  - The existence and extent of attitudes likely to lead to re-victimisation.
  - The level of substance misuse, as severe substance misuse could preclude participation in RJ.
  - The existence and extent of mental health problems. Severe or untreated conditions, including severe risk of self-harm, could preclude participation.
  - Resistance to RJ process to the extent that a potential participant is unlikely to give informed consent.
- 2.3** **Suitability criteria** are best drawn as guidance to staff who will interview and assess the offender. An inclusive approach, which nevertheless ensures that the safety of the victim is paramount, is best. The research has tended to indicate that the type of offender who is most likely to benefit from RJ is one who has begun to develop the intention to desist from crime. Perhaps this criterion is best seen as excluding those who have a firm and stated intention to continue a life of crime, which may include further harm to their victim, rather than setting a test of motivation which the offender has to pass.

### 3. Undertake scoping exercise to estimate need

3.1 The process to estimate need is based on the following formula:

$$\boxed{\text{Eligible cases}} - \boxed{\text{unsuitable cases}} = \boxed{\text{cases in scope}}$$

**Eligible cases:** All those cases identified as potentially eligible on paper, or from a database.

**Unsuitable cases:** All those cases which, through further examination by file reading and interview, are found to be unsuitable.

**In scope cases:** All those cases left after the ineligible and unsuitable cases have been identified and removed from consideration. These cases are then worked with using a restorative process to achieve a restorative outcome.

**NOTE:** Cases found unsuitable after interview should be dealt with sensitively and constructively and should be given feedback (either directly or via their Offender Manager) which enables them to work on the issues which rendered them unsuitable.

Once the in scope cases have been identified, a formula can be applied to estimate the rate of attrition of those cases. Each case will be worked upon and will absorb staff time, depending on the stage the case reaches. Each case will be worked on in a restorative manner and a restorative outcome will be sought. The intention is to maximise the number of face-to-face RJ conferences, but alternative restorative processes will be used where this is not possible. Guidance is set out in the paragraphs below, which enables schemes to estimate the time required to deliver an RJ scheme, based on the likely rate of attrition of cases reaching different stages of the RJ process.

3.2 Gaining an accurate assessment of the number of eligible and suitable offenders within a population can be very time consuming. The responsible manager will need to decide how much time to allocate to this process. After defining local eligibility and suitability criteria, the responsible manager will need to get a printout of potentially eligible cases from a relevant database, having applied the agreed eligibility criteria. It will then be necessary to explore a sample to ensure that ineligible cases have been excluded, e.g. domestic violence. This will enable a reasonable estimate of the number of eligible cases to be achieved. It is important also to apply the eligibility criteria to a sample period of time, e.g. one month, for incoming eligible cases, so that an estimate of throughput can also be achieved.

3.3 By assessing a sample of eligible cases as to their suitability then a more accurate figure of need can be achieved. Suitability criteria tend to be the more dynamic factors which are difficult to ascertain from a file and tend to change over time. Running records and recent assessments may help, or a small sample of offenders could be interviewed in order to achieve a more accurate estimate of the number of cases in scope and the potential potential outcomes.

3.4 Having identified those cases likely to be both eligible and suitable, allowances need to be made for case attrition during the RJ process. This is a very difficult calculation to make without experience of the offender population to be worked with. A rough guide could be as below:

- 30% offender refusals/unsuitable on interview
- 15% victim 'no', or cannot be contacted
- 5% withdrawal/drop-out (victim or offender)
- 30% conference
- 20% indirect communication process



**3.5** Set out below is a table showing an estimate of staff time required per type of case, depending on the stage reached in the RJ process. This is followed by a table which uses the time estimates for the various outcomes alongside the likely attrition rates to ESTIMATE the facilitator hours required for the delivery of a hypothetical scheme in Blankshire.

**Table 2. Example estimate of staff time and activity required for different outcomes of RJ cases**

ESTIMATED %	OUTCOME	ACCUMULATIVE STAFFING HOURS PER OUTCOME	ACTIVITY INVOLVED TO ACHIEVE OUTCOME
30	Offender refusal/Unsuitable	3 hrs	Assessment interview, write-up, supervision, communication with OM
15	Victim 'no' or cannot be contacted	8 hrs	Above, plus victim interview and travel
5	Withdrawal by victim or offender	12 hrs	Can be at any stage of process and can include additional motivational work (interviews, phone calls, liaison with OM/other agencies)
30	Conferences	20 hrs	As above, plus preparation of both victim and offender, arranging conference venue, conference, debrief and write-up and conference follow-up
20	Indirect	15 hrs	Offender and victim interviews, plus indirect process which will depend on circumstances of case

**3.6 Table 3. A Worked Example of an ESTIMATE of Facilitator Hours required for HMP Blankshire**

RJ PROCESS OUTPUT BY RJ FACILITATORS	NUMBER OF CASES	CASES X HRS REQUIRED	ACTIVITY INVOLVED TO ACHIEVE OUTCOME
Refusals, or unsuitable after assessment	30	30 x 3 hrs	90 hrs
Victim 'no' or cannot be contacted	15	15 x 8 hrs	120 hrs
Withdrawal or drop-out	5	5 x 12 hrs	60 hrs
Conference	30	30 x 20 hrs	600 hrs
Indirect process	20	20 x 15 hrs	300 hrs
<b>TOTAL</b>	<b>100</b>		<b>1170 hrs</b>

**Working assumptions:**

- HMP Blankshire has within its population a total number of prisoners who have committed violent offences and offences of burglary of 120 cases.
- 20 of those cases are ineligible because they have committed offences of domestic abuse, or have pleaded not guilty, etc., leaving 100 cases in scope.
- Hours and percentages will be adjusted to suit local circumstances as they become apparent.
- It will be necessary to add time allowances for team meetings and training and for the time of the manager and administrator depending on the size, scope and complexity of local schemes.
- If the population turnover was 100% within one year, then this is the resource required each year.

**NOTE: This is an illustration of how an estimate of hours required could be made. Each scheme will need to keep a record of hours worked by facilitators and develop assumptions appropriate to their local circumstances, which can be revised in the light of developing experience.**

- 3.7** Establishments and Trusts will need to add other elements to the resource identification process which will add or subtract from the overall resource requirement. Such factors include the need for prison officer presence to meet security needs, the need to escort parties separately to the conference venue and the availability of volunteers to carry out agreed parts of the process.

#### **4. Match resource to need and establish priorities**

- 4.1** The 'notional' 1170 hours identified in the worked example above would be best allocated between a number of staff who can work together and learn from each other, rather than allocating the hours to a single facilitator.

- 4.2** Where there is a significant gap between the level of need and the available staff time, it will be necessary to develop a means of prioritising cases eligible for the service. A number of approaches can be taken. The aim is to identify those cases where the likelihood of participation and benefit is greatest. Whilst this is difficult to judge on paper, the following factors are a useful guide:

- Offenders who take a high degree of responsibility for causing harm.
- Offenders who are known to want to meet their victim.
- Offenders who demonstrate a desire to desist from offending.
- Victims who have approached the service requesting to meet the offender.
- Cases with recent available contact details.
- 'Graduates' of programmes who have developed greater understanding of the consequences of their actions, including victim empathy e.g. Sycamore Tree Project.
- The avoidance of cases with high levels of complexity e.g. multiple co-defendants with different pleas.

#### **5. Identify staff and other resources available for delivery**

- 5.1** Trusts and Establishments will have their own internal recruitment processes and it may be possible to utilise an external provider of RJ services. An RJ manager will need to be appointed, as well as a team of RJ Facilitators. The skills, abilities, knowledge and personal qualities required of RJ Facilitators, who may be volunteers or paid staff, are listed in **Appendix 3C**. This Appendix can be used to design a selection procedure and may form the basis of possible interview questions, if an interview process is chosen as the method by which staff will be selected.



- 5.2** It is best to avoid having one single RJ Facilitator post because of the potential for a small team to learn from each other and develop best practice. It is helpful to have a dedicated administrator, who can develop and manage a range of new and complex administrative processes which require regular liaison with other agencies.
- 5.3** The following functions are required in the delivery of an effective RJ Scheme (see table 4 below):

**Table 4. The Key Roles and Functions Required to Develop and Sustain an RJ Scheme in NOMS**

Senior Manager	The RJ 'driver', who has overall strategic responsibility for development and delivery of a sustainable and effective RJ scheme.
Implementation Manager	Holds operational responsibility to set up and implement an effective scheme including staffing, business processes, staff supervision, recording, quality assurance and monitoring procedures.
RJ Facilitators	Responsible for processing allocated cases to RJ conferences, including victims, offenders and other participants.
Coordinator/allocator of cases to RJ Facilitators	The key role in identifying and screening potentially eligible cases (via referral pathways or case extraction) and allocating to trained RJ Facilitators with necessary information/documentation.
Administrator	Responsible for registering and recording all potentially eligible cases, recording and monitoring key data of the progress of the case through the relevant business process, and forwarding key data to the scheme evaluator.
Case supervision	Provides advice and oversight in individual cases, brings new ideas and a fresh perspective, as well as ensuring that nothing goes seriously wrong. It is to be undertaken on a regular basis with each trained RJ Facilitator, by a person with RJ experience. Case supervision facilitated by a trained practitioner on a group basis should be provided to enable RJ Facilitators to share issues and identify local best practice. Case supervision is also necessary to motivate practitioners and develop a culture of continuous improvement.
RJ Champions	Unit-based promoters of RJ who should be linked to the RJ Team and able to promote RJ to sceptical uninformed colleagues and oil the wheels of local referral processes. In addition, all the above will act as a team of RJ Champions.

These functions can be undertaken separately and inserted into the staff members' job descriptions, or combined into roles which could form a single job description.

For Prisons, a Victim Offender Conferencing (Restorative Justice) Facilitator job description is available on the HMPS intranet and at **Appendix 3D**. For Probation Trusts, an example of an RJ Facilitator job description is available at **Appendix 3E**.

The functions would usually be operated at the following levels:

Senior Manager – Strategic Manager and RJ 'Driver'/Champion Manager

Implementation, line management, supervision, co-ordination, allocation and RJ Champion RJ

Facilitator Practitioners

peer supervision and RJ Champions

Administrator

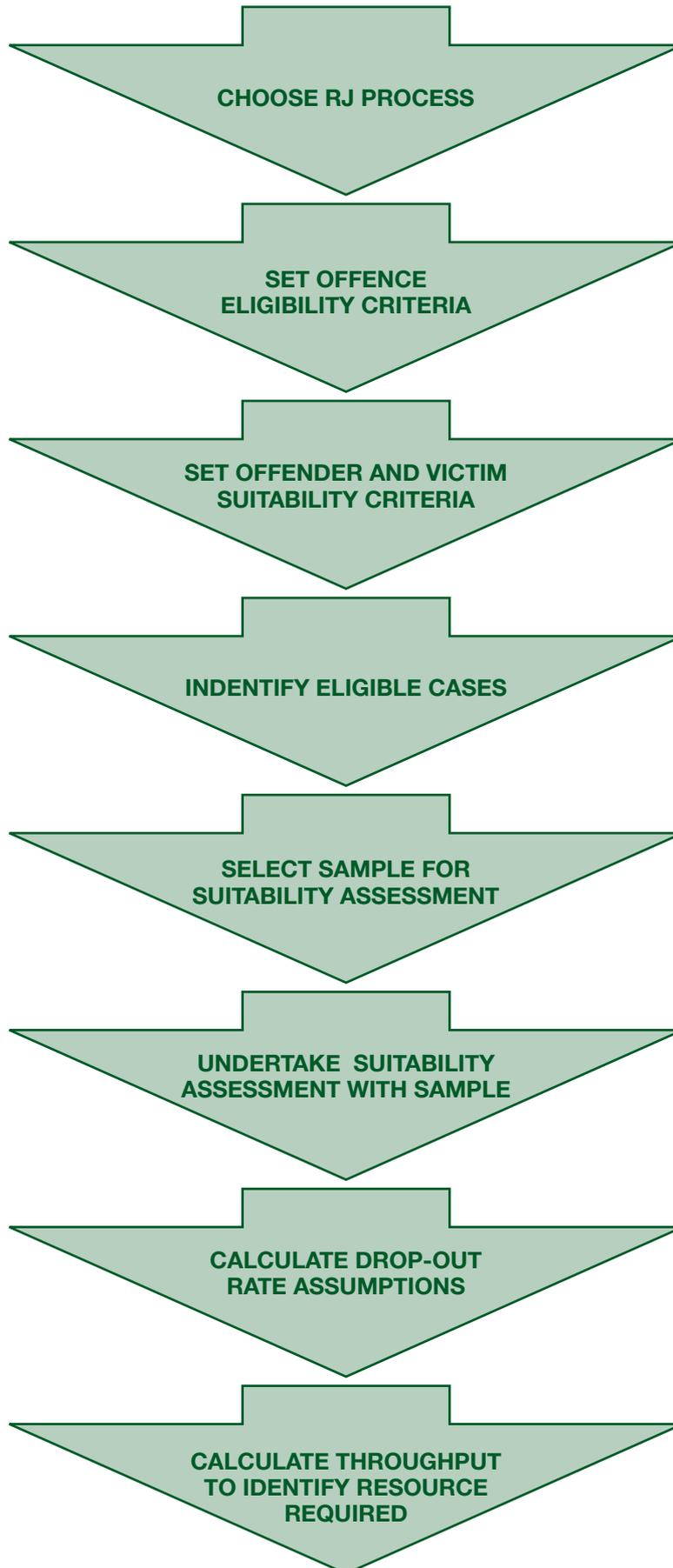
administration, co-ordination, allocation and RJ Champion

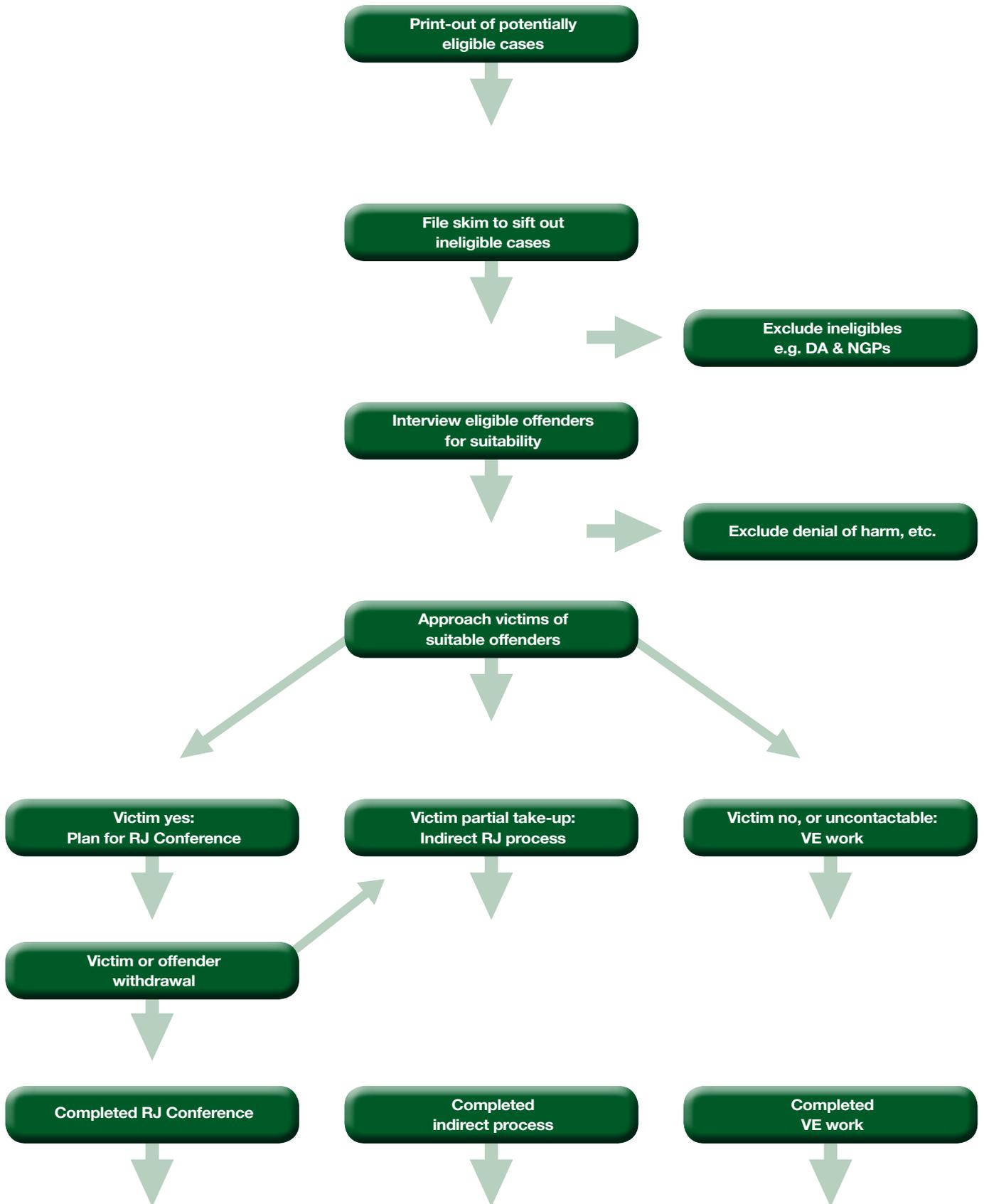
RJ Champions

(located at all levels and in different parts of the organisation) promotion, referral and RJ Champions

## **6. Select staff for training**

- 6.1** In each setting, the pool of staff from which RJ Facilitators will be drawn will be different. It is important to remember that those facilitating conferences should not have case responsibility for the victim or the offender involved in the RJ process. Colleagues in a team (Offender Management Team, Resettlement Unit, Victim Liaison Unit) can of course facilitate RJ in relation to each other's cases. RJ tends to straddle the Offender Management/Interventions divide and there is no general right answer as to the best unit from which RJ staff should be selected. However, once selected, they must be given the opportunity to work as a team, having regular meetings, line management supervision and case supervision. This important factor must be taken into account when deciding how to select staff and how they should be deployed.
- 6.2** Once selected, and before training, staff should have the opportunity to identify the first cohort of cases in order to be able to take anonymised case material for discussion at their initial training event, as previously described (see checklist 2).





## APPENDIX 3C:

# SKILLS, KNOWLEDGE, ABILITIES AND PERSONAL QUALITIES REQUIRED TO FULFIL THE ROLE OF RJ FACILITATOR

(WHICH MAY BE USED TO INFORM SELECTION PROCESSES AND INTERVIEW QUESTIONS)

Ability to be a positive role model to offenders.

A concern to promote positive change and innovation through restorative processes.

A people-centred approach and the ability to challenge poor practice in a constructive way.

Ability to work as part of a team.

Awareness of the evidence base upon which Restorative Justice interventions with adults in the criminal justice system are based.

Understanding of the impact of crime upon victims and an ability to assess and identify the needs of victims of burglary and serious violent crime.

Ability to work with both victims and offenders displaying high levels of emotion and/or difficult behaviour.

Ability to build relationships and establish trust with offenders, victims, community members and professionals in the criminal justice system.

Ability to identify and assess risk in serious and complex cases within the RJ process.

Ability to act impartially.

Good verbal and written communication skills.

An understanding of the value of diversity and a concern to promote anti-discriminatory practice and the Respect Agenda within Restorative Interventions and the criminal justice system more widely.

The ability to work in partnership with others – in the public, voluntary and private sectors to ensure a high quality of service for offenders and protection of the public.

## APPENDIX 3D: PRISON VICTIM-OFFENDER CONFERENCING (RJ) JOB DESCRIPTION

<b>Job Description</b>  Job Title	Victim-Offender Conferencing (Restorative Justice) scheme.
<b>Group Profile</b>	Facilitator
<b>Organisation Level</b>	Delivery
<b>Band</b>	4
<b>Overview of the job</b>	This is a prisoner facing job in an establishment.
<b>Summary</b>	<p>The job holder will assess whether offenders and victims are suitable for a Restorative Justice victim/prisoner conference. They will prepare participants, identify risks and put safeguards in place to manage these risks before they bring the victim and prisoner together to facilitate a conference. The job holder will also be required to organise and prepare rooms and resources for conferences. This is either an operational or a non-operational job with no line management or supervisory responsibilities.</p>
<b>Responsibilities, Activities and Duties</b>	<p>The job holder will be required to carry out the following responsibilities, activities and duties:</p> <ul style="list-style-type: none"> <li>• Publicise and explain victim/prisoner conferencing Restorative Justice (RJ) to prisoners, victims, staff and stakeholders</li> <li>• Use the Offender Assessment System (OASys), pre sentence report and victim details to ascertain the RJ suitability and risk assessment</li> <li>• Encourage and support potential participants of Restorative Justice by engaging and motivating and ensure consent</li> <li>• Interview prisoners to assess whether they are suitable to proceed with the RJ conference</li> <li>• Arrange meetings with victims to assess whether they are suitable to proceed with the RJ conference</li> <li>• Assess suitability of the victim's/prisoner's support to attend the conference</li> <li>• Assess the risks of running the conference (including the risk to participants) and put appropriate safeguards in place to manage the risks</li> <li>• Prepare the victims, prisoners and their supporters for conference</li> <li>• Liaise with the Offender Hub Manager, Offender Supervisor and Victim Liaison Officer to ensure that they are integrated into the RJ process</li> <li>• Arrange and facilitate the conference</li> <li>• Facilitate and record an outcome agreement if this is agreed by the participants</li> <li>• Debrief participants and liaise with the Offender Hub Manager, Offender Supervisor, Victim Liaison Officer and external agencies to ensure participants are supported if required</li> <li>• Prepare written and verbal reports</li> <li>• Post conference: liaise with the victim and prisoner to follow up any agreements made in the outcome</li> <li>• Undertake supervision with the relevant supervisor to ensure they maintain the quality standards required for this work</li> <li>• Maintain and update systems in line with local agreements</li> <li>• Prepare relevant documentation to managers for verification/quality checking purposes</li> <li>• Attend and contribute to relevant meetings as required</li> <li>• Establish, develop and maintain professional relationships with prisoners, victims and staff</li> <li>• Understand and comply with national/local policies and legislation</li> </ul> <p>From time to time, you may be required to undertake additional activities which are appropriate to the level of your Group Profile (GP).</p>



<p><b>Competencies</b></p>	<p>All of the competencies in the National Offender Management Service (NOMS) Competency and Qualities Framework are relevant to this group profile. For the purpose of selection, the following competencies will be measured:</p> <ul style="list-style-type: none"> <li>• Achieving a safe and secure environment</li> <li>• Showing resilience</li> <li>• Persuading and influencing</li> <li>• Communicating effectively</li> <li>• Caring</li> <li>• Developing self and others</li> </ul>
<p><b>Minimum Eligibility</b></p>	<p>All members of the Civil Service must fulfil the nationality criteria and be free from immigration control and have indefinite leave to remain in the United Kingdom.</p> <p>All candidates are subject to security and identity checks prior to taking up post.</p> <p>All external candidates are subject to 6 months probation. Internal candidates are subject to probation if they have not already served a probation period within NOMS.</p> <p>All staff are required to declare whether they are a member of a group or organisation which the Prison Service considers to be racist.</p>
<p><b>Essential Skills/ Qualifications/ Accreditation/ Registration</b></p>	<p>The job holder will be selected based on their suitability to facilitate victim offender conferences.</p> <p>The job holder will need to have excellent skills in dealing with people. They will need to understand the theory underpinning Victim Offender Conferencing (Restorative Justice) and be committed to rehabilitation.</p> <p>They will need to successfully complete the required assessment and training courses to deliver Restorative Justice.</p> <p>They will need good written and verbal communication skills.</p> <p>It is good practice for facilitators to register with the Restorative Justice Council and pursue accreditation.</p>
<p><b>Hours of Work and Allowances</b></p>	<p>37 hours per week.</p> <p>Required Hours Allowance – TBC by Recruiting Manager.</p>
<p><b>Benefits</b></p>	<p>Annual Leave.</p> <p>Conditions of service require that annual leave is recorded in hours. Annual leave allowance is based on 5 weeks of the basic working week (37 hours) on entry (185 hours in total), rising to 6 weeks (222 hours) after 10 years' service. Normally a proportion of Prison Officers' annual leave will be pre scheduled. Part-time and job share will be pro rata.</p> <p>This role is a mobile grade.</p> <p>There are opportunities to access promotion programmes and the Prison Service provide a variety of training appropriate to individual posts.</p> <p>All staff receive security and diversity training and an individual induction programme into their new roles.</p>

BLANKSHIRE PROBATION / HMP BLANKSHIRE

**JOB DESCRIPTION**

Job Title:	Restorative Justice Facilitator
Job Number:	
Postholder reports to:	Restorative Justice Manager/Senior Probation Officer
Staff Reporting to this post:	The postholder may provide supervision and support for up to two volunteer RJ Facilitators
Grade:	Band X
Role Purpose:	To undertake the preparation for and facilitation of Restorative Justice Conferences between offenders, victims, their families, friends and supporters. Preparation requires the engagement and continuous assessment of offenders and victims so as to ensure a safe and beneficial process for all parties.

**MAIN DUTIES AND RESPONSIBILITIES****1. Delivery of Services & Standards**

To work as a member of the Restorative Justice Team and to provide appropriate RJ interventions to a small caseload of serious and complex (tiers 3 and 4) cases in both prison and probation settings in accordance with local standards and service expectations.

To plan the Restorative Justice intervention from the point of sentence to completion, so as to maximise the number of face-to-face meetings between victim and offender. These meetings are proven to reduce the rate of reoffending and increase victim satisfaction levels.

To ensure that offenders and victims are continuously assessed for risk and need, both in terms of anti-social behaviour and vulnerability, so that an appropriate and safe intervention is undertaken and that parties are not engaged in face-to-face meetings where there is a risk of harm that cannot be managed safely.

To ensure the safety of participants at face-to-face meetings, by putting in place strategies to reduce risk where necessary, e.g. by ensuring the attendance of the Police Officer in the case.

To work with offender managers to engage the offender in an RJ process; maintain motivation to take part; and to maximise the benefit from the process through an outcome agreement (in conference cases), which can inform the supervision plan.

To liaise with other professionals and organisations, including the Police, to gather information from which to assess safety and inform the process, including inviting those affected to attend and take part in the process.

To ensure the effective and timely enforcement of community orders and of post-release custody cases by making enforceable appointments with offenders and reporting clearly to Offender Managers as to compliance.



To monitor the completion of outcome agreements and to co-ordinate this activity where necessary.

To actively demonstrate and promote an awareness of diversity issues and ensure that service policies and practice guidelines are followed.

To actively engage in team meetings and supervision sessions with the line manager and contribute to the organisation's business plan.

To engage in activities to promote awareness and development of RJ within Probation, in the wider Criminal Justice System and to the public.

To work towards the attainment of the Level 4 Award in Restorative Practice.

To act as a Practice Assessor for those working to achieve the Level 4 Award in Restorative Practice (for those who have achieved the Level 4 Award).

## **2. Management of Physical and Financial Resources**

### **Physical Resources**

To monitor and, where necessary, co-ordinate activity associated with the completion of outcome agreements.

### **Financial Resources**

Arrangement of payment of expenses to conference attendees and for conference refreshments.

## **3. Management of Systems and Information**

To maintain records on each case in line with service standards and make them available for inspection and/or monitoring as required.

## **4. People Management**

To provide supervision and support for up to two volunteer RJ Facilitators.

## **5. General**

Implementation of Service Policy relevant to the role.

Develop self.

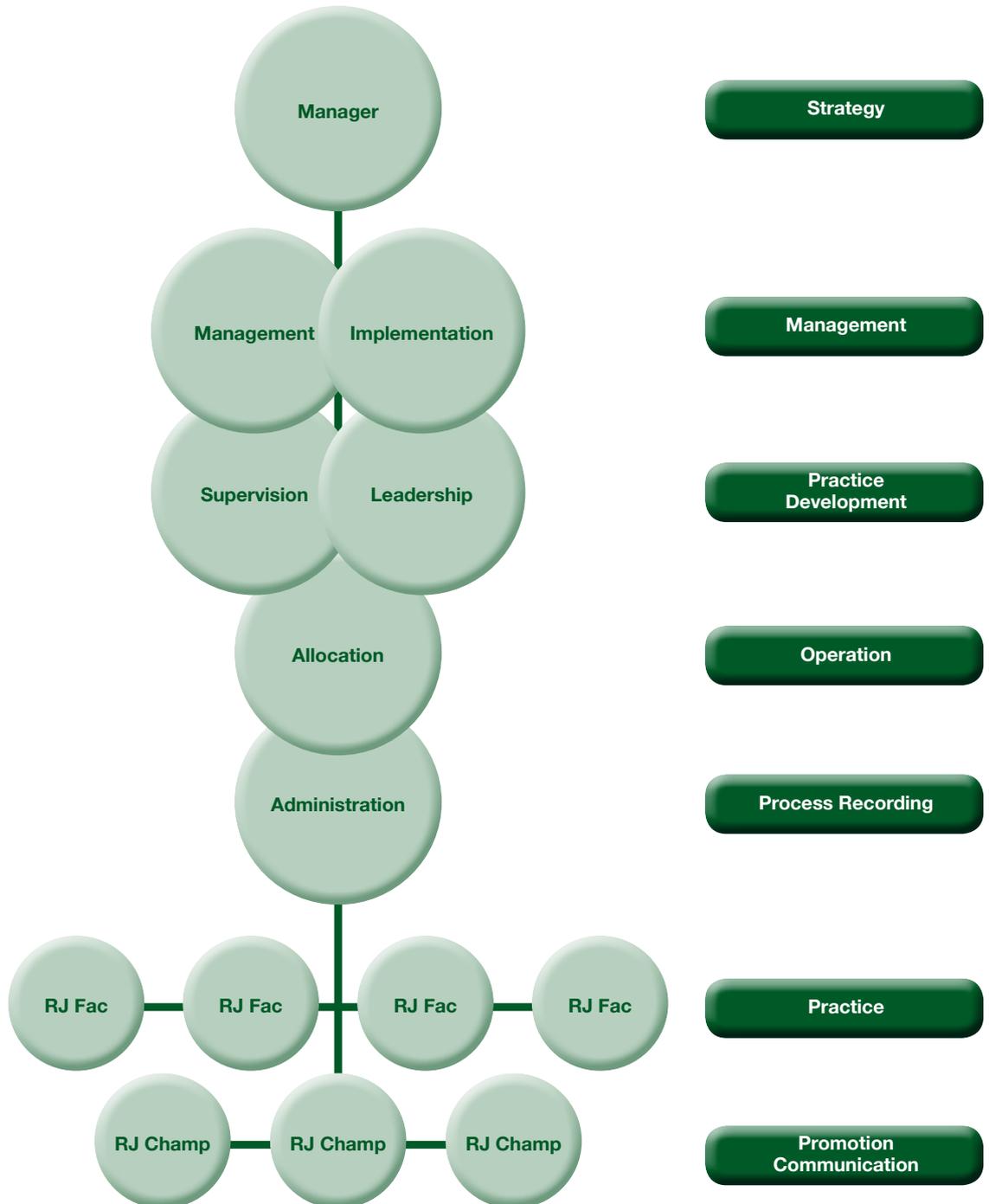
To undertake other commensurate duties at the request of the Restorative Justice Team Manager.

You are required to comply with policies and expectations to safeguard and promote the welfare of children and to protect vulnerable adults at risk of abuse.

**Accountability**

**Staff Functions**

**Organisation Process**





# SECTION 4.

## INFORMATION SHARING PROTOCOLS AND AGREEMENTS





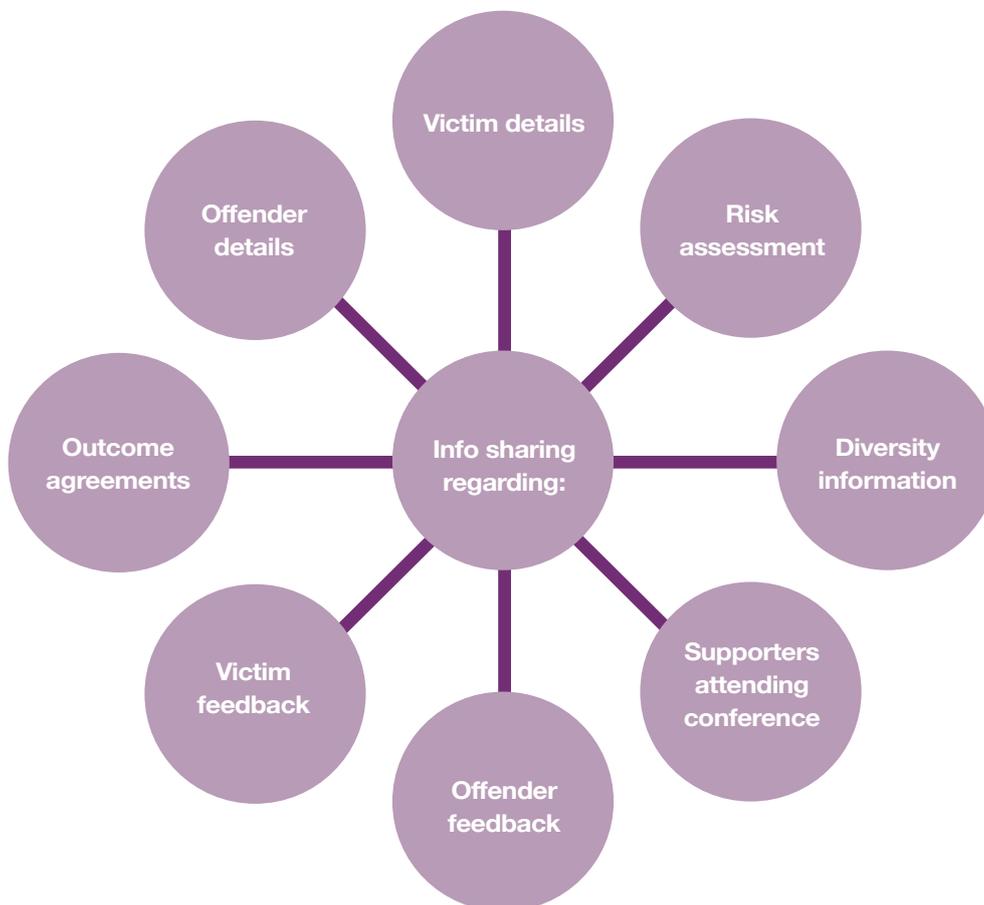
**CHECKLIST 4.**

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

**NOMS RJ Implementation: Information sharing protocols and agreements**

CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST		
Name of responsible manager:		
Contact details (location):		
Telephone number:		Email address:
Date of project commencement:	Date of 'sign off':	
CHECKLIST		
Action	Date achieved	Notes
<input type="checkbox"/> Identify all information requirements for safe and effective processing of cases from commencement to closure of RJ processes		
<input type="checkbox"/> Negotiate with sources of necessary information to make it available to 'project' staff in a timely and secure manner		
<input type="checkbox"/> Ensure information is transmitted and stored in a secure and safe manner to comply with legislative requirements		
<input type="checkbox"/> Agree information sharing protocols with relevant agencies providing information and data to ensure the safe and effective processing of cases		
<input type="checkbox"/> Train staff to maintain confidentiality as required to protect victims and offenders, ensure compliance with legislation, and undertake training using live case material in anonymised form		

1. Identify all information requirements for safe and effective processing of cases from commencement to closure of RJ processes



2. Negotiate with sources of necessary information to make it available to 'scheme staff' in a timely and secure manner

**The planning group should ensure that:**

- There is a shared understanding of what 'timely' means and that there is a shared agreement regarding timescales for the intervention. This must be achievable for all parties.
- Positive outcomes for both victim and offender should be central to the intervention.
- Information is shared securely, including electronic information and 'hard' copies. Electronic information should only be shared using secure email addresses. These can be made available to volunteers and externally engaged RJ Facilitators using Criminal Justice Secure Mail which is available and easy to use.
- There is a clear understanding of what information needs to be shared at what stage and with whom.
- There are robust administrative processes to support the scheme and a nominated staff member is responsible for overseeing these.
- All team members understand the implications if information is not shared and there is a contingency plan should the process prove unsuccessful.
- Information security systems already in existence in the relevant organisations are utilised to support the RJ intervention.
- There are robust processes to underpin information sharing and these rely on processes, not people.
- The agreement to share information is aligned with Section 115 of the Crime and Disorder Act 1998 and that information is only shared with the individual's consent, or where there is an overriding public interest or justification for doing so.



### 3. Ensure information is transmitted and stored in a safe and secure manner to comply with legislative requirements

#### The planning group should ensure that:

- There is a shared understanding of information security definitions e.g. Ministry of Justice Protective Marking Scheme.
- All workers have access to secure email accounts.
- Workers have access to secure electronic data storage.
- Secure hard-copy victim and offender information storage is available.
- Offender and victim information is kept separate.
- The organisational policy regarding retaining records is understood and adhered to with respect to RJ cases and information.
- There is clear agreement regarding who owns the central 'RJ file' and where it is stored (electronic and hard copy).
- There is agreement regarding what outcome/performance information is collected, who it is shared with and by whom, how often this is shared and what the purpose is for sharing it. Information should be 'aggregated up' where possible to avoid identification of any individual person.

### 4. Agree information sharing protocols with relevant agencies providing information and data to ensure the safe and effective processing of cases

#### The planning group should ensure that:

- Information sharing agreements which already exist are used/amended for the RJ scheme.
- A senior manager from each agency signs the agreement.
- The agreement is cascaded to all relevant staff within each agency.
- There is an agreement regarding who 'owns' the data resulting from the scheme and who it can be used by (and for what purpose).
- Information share proportionality is applied in RJ cases.
- There is a process to ensure that victim information is gathered (**Appendix 4A** refers) and that victims understand confidentiality and data protection in an RJ context, including what information will be shared and why (**Appendix 4B** refers).
- There is a process to ensure the offender understands confidentiality and data protection in an RJ context, including what information will be shared and why.
- Principles of confidentiality are raised with other attendees at conference and all participants are encouraged to adhere to such principles.
- Documents such as letters of apology are shared where appropriate, but are not retained by the victim where there is a risk of misuse, for example, on Facebook.
- DVDs of offender apologies should not be left in the possession of the victim because of the risk of misuse.
- Conference participants are not allowed to record interviews, conferences or any other stage of the process, by any means, to avoid any potential breaches of confidentiality.
- Consideration is given to the (mis)use and impact of social media regarding RJ interventions.
- Information sharing protocols are reviewed regularly at an agreed frequency.

### 5. Train staff to maintain confidentiality as required to protect victims and offenders, ensuring compliance with legislation and undertaking training using live case material in anonymised form

#### The planning group should ensure that:

- Existing training is utilised in the RJ scheme.
- Consent forms are available, utilised and appropriately stored.
- Equal weight is given to confidentiality of both victim and offender information.
- A record is kept of training histories regarding data protection/confidentiality.
- 'Refresher' training is available for staff already conversant in data protection/confidentiality.
- The source of cases used for training is identified and a method agreed for anonymising such material.
- Staff understand the limits of confidentiality, including what information must be disclosed, how and when. For example, information regarding safeguarding children issues.

NOTE: This information is confidential and provided only for the processing of RJ cases by authorised personnel

<b>To:</b>	Blankshire Police	<b>From:</b>	RJ Administrator	
<b>Fax:</b>		<b>Tel:</b>		<b>Date of request:</b>

#### INFORMATION WE HAVE ABOUT THE CASE:

<b>Offender Name:</b>		<b>DoB and Age:</b>		
<b>Offence:</b>		<b>Date of Offence:</b>		
<b>Location of Offence:</b>				
<b>Sentencing Court</b>		<b>Date of Sentence:</b>		
<b>Investigating Police Officer:</b>		<b>Police Station:</b>		
<b>URN:</b>				
<b>Victim 1 Name:</b>		<b>DoB:</b>		M/F
<b>Victim 2 Name:</b>		<b>DoB:</b>		M/F

#### INFORMATION WE NEED ABOUT THE VICTIM:

<b>Victim 1 name + DoB:</b>		<b>Victim 2 name + DoB:</b>	
<b>Address:</b>		<b>Address:</b>	
<b>Phone no.:</b>		<b>Phone no.:</b>	
<b>Victim 3 name + DoB:</b>		<b>Victim 4 name + DoB:</b>	
<b>Address:</b>		<b>Address:</b>	
<b>Phone no.:</b>		<b>Phone no.:</b>	
<b>Any other useful information:</b>			



# SECTION 5.

## RISK ASSESSMENT





## CHECKLIST 5.

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

### NOMS RJ Implementation: Risk assessment checklist

CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST		
Name of responsible manager:		
Contact details (location):		
Telephone number:		Email address:
Date of project commencement:		Date of 'sign off':
CHECKLIST		
Action	Date achieved	Notes
<input type="checkbox"/> Clarify and establish the nature of risk assessment as a continuous process throughout the RJ process		
<input type="checkbox"/> Identify who and what needs to be risk assessed		
<input type="checkbox"/> Set out clear risk assessment processes in relation to the offender		
<input type="checkbox"/> Set out clear risk assessment processes in relation to the victim		
<input type="checkbox"/> Set out clear risk assessment processes in relation to the victim and offender supporters		
<input type="checkbox"/> Set out clear risk assessment processes in relation to the risk to staff		
<input type="checkbox"/> Set out clear risk assessment processes in relation to the conference venue		
<input type="checkbox"/> Ensure information can be gathered to enable adequate risk assessments to take place		
<input type="checkbox"/> Identify points at which risk assessments are required		
<input type="checkbox"/> Establish risk assessment processes and procedures required – provide clear written guidance		
<input type="checkbox"/> Establish risk assessment processes and procedures required – provide training to relevant staff		
<input type="checkbox"/> Establish risk assessment processes and procedures required – provide documentation on which risk assessments can be recorded		
<input type="checkbox"/> Establish risk assessment processes and procedures required – ensure risk assessments are shared with others involved in facilitating RJ process		

**Introduction**

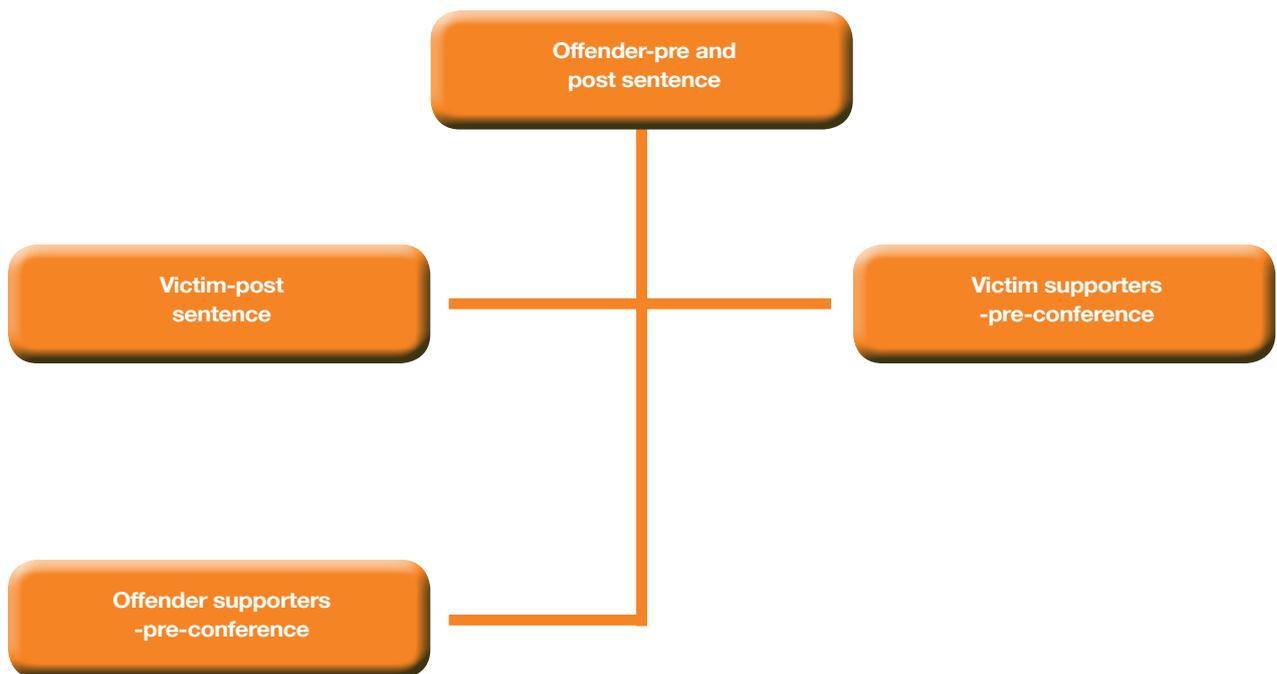
The RJ Manager needs to ensure that risk assessment processes and procedures are in place prior to the start of RJ interventions within the Trust/Establishment.

**1. In the RJ setting, risk assessment will include:**

- The nature and level of risk of harm the offender could pose to the victim, staff and him/herself.
- The nature and level of risk of harm the victim might pose to the offender, his/her supporters and to staff.
- The nature and level of risk of harm the offender and victim supporters could pose by participating in a RJ conference.

**1.1** Risk assessment needs to be undertaken throughout the restorative process, initially of the offender and victim and, if a RJ conference is planned, of all potential participants at the conference and of the proposed venue. Risk assessment needs to remain central to the restorative process at all points throughout the intervention, whether the process leads to a letter of apology or to a conference, in order to avoid the potential for further victimisation. Risk to staff also needs to be taken into account at all points in the process.

**2. Who and what needs to be risk assessed?**



- At the pre-sentence stage the offender needs to be risk assessed for suitability to engage in a restorative intervention.
- Post-sentence, the offender needs to be risk assessed for suitability.
- If the offender is assessed as suitable, the victim then needs to be assessed.
- If the victim wishes to take part in an RJ conference, the victim and offender supporters need to be risk assessed, as well as the conference venue.



### 3. Offender

- The report writer needs to assess the offender's level of motivation, remorse, acceptance of responsibility for the harm done and attitude towards the victim.
- The report writer needs to assess other factors that might increase risk, such as mental health issues, vulnerability, learning difficulties and substance misuse.

#### 3.1 Post-sentence:

- Offence information, including CPS papers/PSR/relevant sections of OASys, need to be sent to the RJ facilitator by the relevant administrator.
- The RJ facilitator may need to seek further risk information from the OM/OS – e.g. previous knowledge of the offender, previous threats or intimidation against the victim. This should also include assessment of the offender's response to stressful situations and any previous history of self-harm.
- If the offender is in an Establishment, information from the security department may need to be sought.

#### 3.2 During the RJ process:

- First RJ appointment: The RJ facilitator needs to explore the offender's level of motivation, remorse and acceptance of responsibility.
- The RJ facilitator needs to be alert to signs of possible re-victimisation during the process: e.g. changes in account of the offence, shift of blame to the victim.
- The RJ facilitator needs to liaise with the OM/OS throughout the process to ensure no risk information is being missed.
- If there are any concerns regarding the potential for risk of harm to the victim or any other person involved in the RJ process, the RJ facilitator should seek advice/support from peers and/or the RJ line manager. It is of paramount importance that the risk of further harm is minimised; a declaration of remorse pre-sentence might change post-sentence and the RJ facilitator must be confident of the offender's purpose in complying with the process.

### 4. Victim

- If the victim wishes to engage in the RJ process, the RJ facilitator needs to accurately assess their motivation to do so. Wishing to express anger, for example, is understandable and appropriate as long as the victim is likely to be able to manage their anger appropriately within the conference setting.
- Where the victim is themselves known to the CJ agencies, information available should be gathered with their permission. The views of any professional involved with them should be sought (with their permission) and taken into account. The risk of self-harm should be included as part of the assessment.
- The RJ facilitator also needs to take into account issues that may lead to an imbalance of power within a conference, e.g. vulnerability, language issues, mental health, prior contact or relationship with the offender, disability and emotional resilience.
- In the case of victims under the age of 18, the victim's parents/guardians must be contacted at the commencement of the process. Children (up to the age of 14) should only be contacted through and with the permission of the parent/guardian and their parents/guardians must give permission for them to take part. Young victims (15 to 17) should usually be contacted at the same time as their parents/guardians. Parents/guardians of young victims will usually be involved in the decision as to whether or not the young person (and themselves as supporters) should take part. No person under the age of 18 should take part in a face-to-face conference without the knowledge of their parents/guardians. RJ Facilitators must have regard to the child/young person's age, level of maturity and degree of parental or other support when seeking to engage them in face-to-face RJ processes.

- Prison rules in relation to the admission of children/young people to Establishments must be taken into account when the participation of those under 18 in restorative processes is being planned.
- If there are any concerns regarding risk of harm to children, this would override the right to confidentiality of any person involved in the process.

## 5. Victim supporters

- The RJ facilitator needs to assess the supporters' motivation to attend and how their attendance may affect risk at a conference. If victim supporters are known to CJ agencies, action should be taken as in a) above.

### 5.1 Offender supporters

- The RJ facilitator needs to assess the supporters' motivation to attend and how their attendance may affect risk at a conference. If offender supporters are known to CJ agencies, action should be taken as in b) above.

## 6. Venue

- The RJ facilitator should risk assess the proposed conference venue by considering its location, accessibility, and any links to the offender/victim that might lead to an imbalance of power and increase of risk within the conference setting. Venues might include, for example, community halls, probation offices or Establishment settings.

Note: See **Appendix 5A** for schematic diagram of Risk Assessment throughout RJ Process and **Appendix 5B** for Risk Assessment Checklist covering all aspects to be taken into account.

## 7. Staff

- Risk assessments relating to the offender should be checked for any indications of risks to staff and appropriate action taken depending on what is revealed. Contact with the victim may present risks to staff because of a lack of available background information and the need to undertake home visits. These issues are dealt with in the next section.
- Staff risk of stress and burn-out should be considered in supervision and line management processes as well as by ensuring that there are opportunities for post-conference debriefing.

### 7.1 Home visits

The RJ Manager needs to ensure there is a health and safety protocol in place related to home visits. Lone worker risk assessment processes and procedures should be included as well as monitoring processes to ensure that they are adhered to.

- Victim contact is likely to be at the victim's home. Prior to a home visit, the victim's details could be checked on the probation/Establishment/police PNC database and, if there are potential risk issues, a decision should be made as to whether the visit is made by one or two RJ facilitators, or whether the contact should be at a more protected venue, such as a probation office.
- If a home visit is made, RJ facilitators should comply with the Trust/Establishment's home visit procedures.

### 7.2 Conference

- The RJ Manager needs to decide what is a safe ratio of RJ facilitators to conference attendees, dependent on the assessment of risk (**Appendix 5C** refers).



## 8. Risk assessment information gathering

- The RJ Manager should make sure there is a procedure and protocol in place between the Probation Trust/Establishment and police to gain necessary victim information. This should include the victim's address and contact telephone numbers. If a victim has told the police they do not wish their details to be disclosed to other parties, the police officer in charge of the case can be contacted for advice as to how to proceed.
- Once the victim information has been received from the police, the RJ administrator can check the victim information on Probation Trust/Establishment IT systems as to whether they are known to probation or prison.
- The RJ Manager needs to put a procedure in place for the transfer of written information regarding the offender (PSR, CPS papers, relevant OASys information) from the Probation Trust/Establishment to the RJ facilitator.
- The RJ Manager needs to put in place systems for the RJ facilitator and OM/OS to share additional risk information, e.g. access to the IT system, a written agreement to share risk information, pro-forma documents, telephone/email contact.

## 9. Points at which risk assessment are required

- **Pre-sentence:** In each case of burglary and/or violence leading to personal harm, the PSR writer should assess the motivation of the offender to engage in RJ, their level of remorse, acceptance of responsibility and issues of vulnerability.
- **Post-sentence:** The RJ facilitator should conduct an on-going risk assessment of the victim, offender, and victim and offender supporters in light of the information gained.
- **Pre-conference:** The RJ facilitator should re-assess risk and ensure all risk factors have been taken into account and risk management measures are in place to minimise risk. The RJ Manager should approve the pre-conference risk assessment in line with agency protocol (**Appendix 5C** refers).
- **Post-conference:** The RJ Manager should ensure there is a system in place for post-conference de-briefing and support for all key participants (including staff), e.g. post-conference telephone calls to all conference attendees, post-conference prison support, including, for example, access to Listeners. There could be a raised risk of self-harm post-conference and this needs to be taken into account in post-conference risk management procedures.

## 10. Establish risk assessment processes and procedures required – provide clear written guidance

- The RJ Manager should ensure there are clear risk assessment processes and procedures to follow at all stages of the RJ process.

## 11. Establish risk assessment processes and procedures required – provide training to relevant staff

- **11.1** The RJ Manager needs to ensure that all staff, both directly and indirectly involved in the RJ process, are aware of the specific risks potentially inherent in working with both the victim and offender, and that adequate training is provided to identify potential risks and how to minimise them.

- Relevant staff could include:

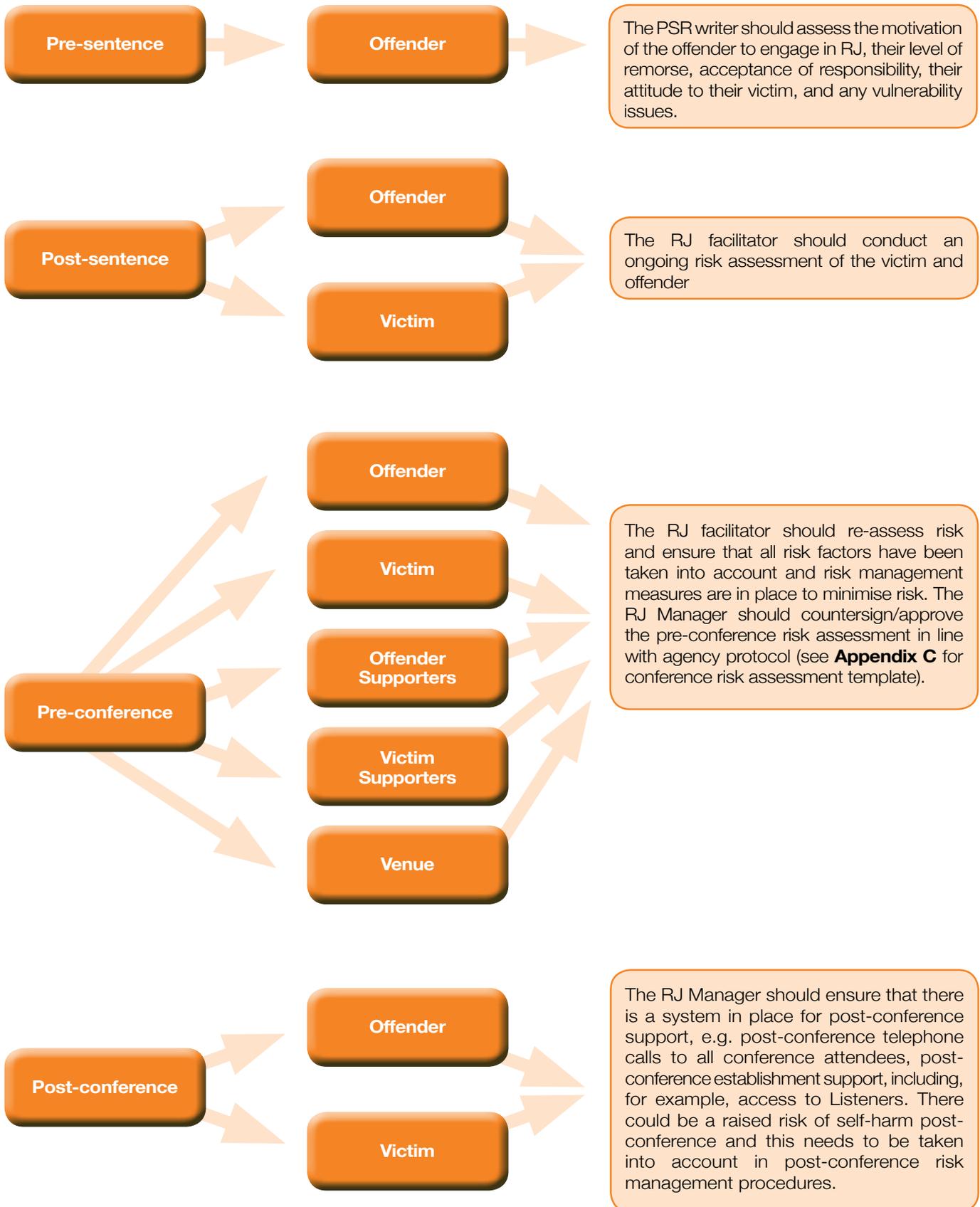
RJ administrative staff  
OM/OS administrative staff  
Offender Managers/Offender Supervisors  
RJ Facilitators  
RJ Managers  
Establishment wing staff/Safer Custody

**12. Establish risk assessment processes and procedures required – provide documentation on which risk assessments can be recorded****12.1** Prior to the start-up of an RJ conference intervention, the RJ Manager needs to have put in place risk assessment documentation to record risk assessments throughout the RJ process. This could include:

A checklist of written information required  
OM/OS risk assessment template  
Security information from Establishment template  
Home visit protocol template  
Conference risk assessment template  
Post-conference questionnaire  
Post-conference support checklist – custody

**13. Establish risk assessment processes and procedures required – ensure risk assessments are shared with others involved in facilitating RJ process****13.1** Prior to the start-up of a RJ scheme it should be made clear to all relevant staff that the RJ intervention is considered a joint process in terms of risk assessment. Risk is dynamic and it is essential that there is a channel for the sharing of risk information between the RJ team, the OM/OS, Establishment, police and any other agencies involved in order to prevent avoidable risk issues emerging which could lead to re-victimisation.

Before the RJ project starts, the importance of shared risk assessment can be imparted through training of all relevant staff, a clear risk recording system and clear channels of communication between the agencies and individuals involved.



Issue	Risk? Y/N	How to be managed
<b>Offence</b>		
Is there evidence of targeting, harassment or ongoing tension between the offender and the victim?		
Is there significant disparity between the offender's and the victim's accounts of the offence?		
Are there any difficulties that may arise from ongoing contact between the offender and the victim?		
Are there any co-defendants who will not be present? If so, will their absence impact adversely on the RJ conference?		
<b>Offender</b>		
Are there any factors which make it difficult for the offender to take part in an RJ conference (e.g. mental health, language, disability etc.)?		
Does the offender accept responsibility for causing at least some of the harm?		
Are there any reasons why the offender could pose a risk to the victim?		
Is the offender likely to conduct him/herself in a way which could be detrimental to the RJ process?		
Is the offender likely to conduct him/herself in a way which could be detrimental to any of the participants?		
Will the offender be supported during the RJ conference?		
<b>Victim</b>		
Are there any factors which make it difficult for the victim to take part in an conference (e.g. mental health, language, disability etc.)?		
Are there any reasons why the victim could pose a risk to the offender?		
Is the victim likely to conduct him/herself in a way which could be detrimental to the RJ process?		
Is the victim likely to conduct him/herself in a way which could be detrimental to any other participant?		
Will the victim be supported during the RJ conference?		
Are the victim's expectations of the RJ conference reasonable?		
Has the victim willingly given their informed consent to take part?		
<b>Supporters</b>		
Are there any factors which make it difficult for a supporter to take part in an conference (e.g. mental health, language, disability etc.)?		
Are any supporters likely to conduct themselves in a way which could be detrimental to the RJ process?		
Are any supporters likely to conduct themselves in a way which could be detrimental to any other participant?		
<b>Venue</b>		
Has the venue been visited?		
Does the venue meet requirements for disability access, if necessary?		
Are the facilities adequate to hold the conference (e.g. break-out room, sufficient space for parties to wait separately)?		
Are there any safety issues arising from the location of the venue?		



General assessment of risk regarding those attending conference:

.....  
.....  
.....

**Note:** If a child is attending a conference a note should be made of any specific risks relating to their attendance and how they are to be addressed. No child should attend without the permission of their parent/guardian.

**Incident to be conferenced**

Describe briefly any risk implications which may arise from the incident to be conferenced: .....

.....  
.....

**Overall assessment of risk**

My overall assessment of risk of violence to staff or others at the conference is:

**LOW / MEDIUM /HIGH**

Please give reasons for you assessment:

- 1. ....  
.....
- 2. ....  
.....
- 3. ....  
.....

In all cases where the assessment of risk is medium or high, the conference arrangements must be discussed with the RJ Project Manager. In prison cases, the conference arrangements must also be discussed with the Security Manager at the prison.



# SECTION 6.

ENGAGEMENT PROCESS:  
VICTIMS AND OFFENDERS





## CHECKLIST 6.

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

### NOMS RJ Implementation: Engagement Process – victim and offender

CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST		
Name of responsible manager:		
Contact details (location):		
Telephone number:		Email address:
Date of project commencement:	Date of 'sign off':	
CHECKLIST		
Action	Date achieved	Notes
<input type="checkbox"/> Prepare staff to engage initial cohort of offenders pre-training, or have identified suitable cases on paper		
<input type="checkbox"/> Ensure staff attend training with brief anonymised case information in accordance with guidance		
<input type="checkbox"/> Prepare draft information sheets for key participants: victims, offenders, Offender Managers, magistrates, judges, other referring agencies		
<input type="checkbox"/> Notify key agencies of project, e.g. Victim Support, Courts, Police		
<input type="checkbox"/> Ensure processes and venues are victim and offender friendly, i.e. locations for conferences, reception procedures, transport arrangements, access arrangements, provision of interpreters, assistance with childcare etc.		
<input type="checkbox"/> Develop system of user feedback from first engagements and conferences, using prescribed (for those involved in NOMS Capacity Building Programme) feedback form.		
<input type="checkbox"/> Use feedback to develop and improve systems and processes		
<input type="checkbox"/> Ensure participants give written consent to participation in RJ processes, including consent to participation in the research and evaluation		
<input type="checkbox"/> Specific considerations for prison-based conferences		

1. Prepare staff to engage initial cohort of offenders pre-training, or have identified suitable cases on paper

2. Ensure staff attend training with brief anonymised case information in accordance with guidance

2.1 Refer to Checklist 2: Establish Need and match with available resources including staffing.

3. Prepare draft information sheets for key participants: victims, offenders, Offender Managers, magistrates, judges and other referring agencies

3.1 The RJ Manager needs to ensure that suitable information sheets are prepared for key participants and other stakeholders in a style that is appropriate to the reader. Information sheets should be written in direct, simple language that is easy to read, without jargon, and must convey the basic information necessary for the participants to make an informed choice about engaging in the RJ process. The topics covered should include:

- What is RJ?
- Who is eligible?
- Who is suitable?
- What does it involve?
- Why do it?
- What is the research evidence of its success?
- Who organises it?
- What happens next?
- How do I find out more?

**Appendix 6A** refers: RJ Leaflet for Victims – Thames Valley example

**Appendix 6B** refers: RJ Leaflet for Offenders – Thames Valley example

**NOTE:** These leaflets are in PDF format – schemes may use the contents as a model, but the artwork and design are copyright.

4. Prepare introductory letters for potential participants – victims and offenders

4.1 The RJ Manager should organise the preparation of introductory letters for victims and offenders. Note: Schemes have found that initial phone contact may be most helpful, but letters are necessary where phone contact is not possible and as follow-ups to phone calls. Introductory letters should be on headed paper containing the address of the organisation and contact details for the RJ Facilitator. Letters should contain:

**For offenders (will need adaptation to suit the particular circumstance, i.e. custody or community, subject of requirement or not):**

- An explanation as to why the person is being contacted in the community, or in prison. For example: that they have been convicted of the specified offence and are in prison, or that the offender is required to carry out RJ as part of their community sentence.
- A short explanation of what this will involve, e.g. several meetings to discuss the offence and what might be done to repair the harm, including the possibility of meeting the victim, or making some other form of reparation.
- A leaflet to explain how RJ works in prison with contact details for the RJ Facilitator, or the officer who is going to explain the process in detail.



- An instruction to attend the office concerned on a date and time specified to meet the facilitator with their Offender Manager.
- The importance of keeping the appointment, especially if it is a statutory requirement that could lead to a court appearance if missed without good reason.
- The importance of getting in touch if unable to keep the appointment.
- The facilitator's contact details.

#### **Use of phone calls and text messages (community cases):**

- Guidance for facilitators should include the use of phone calls and text messages.
- Phone calls or text messages can provide a very useful way of contacting Community-based offenders. If the offender does not answer, it is recommended to leave a text message rather than a voice-mail as offenders often lack the funds to access voice messages.

#### **For Victims:**

#### **Use of phone calls and text messages:**

**4.2** It is recommended to make initial contact by phone call with an offer to meet, rather than a letter. The facilitator should bear in mind that the victim may not yet have been notified of the sentence which may cause an emotional and possibly angry response. Reference to the possibility of meeting the offender face to face is best avoided at this stage.

**4.3** If a letter is sent to a victim:

- The letter to a victim should include an explanation as to why the facilitator is writing, i.e. as the victim of an offence for which the offender has been convicted/sentenced.
- It should be explained that as part of his/her sentence, in order to repair the harm done, the offender has consented to take part in a Restorative Justice process.
- A simple explanation should be given of RJ: e.g. RJ is a process that looks at the harm caused by the offence, and how it can be repaired. In order to do this, the facilitator would like to take their views into account.
- A date and time to meet should be suggested, usually at the victim's home.
- The facilitator's contact details should be given.
- It is important not to give details of the process at this stage, especially not to mention the possibility of meeting the offender face to face. This subject is best approached carefully in person, in order to avoid apprehension and misunderstanding, which may cause the victim to refuse to engage in the process without having had time to fully understand and consider all the options.
- After a personal meeting with the victim it can be useful to leave material with them to enable them to further explore the implications of taking part. One scheme has found it useful to leave a DVD of victims and offenders talking about their experiences of taking part in RJ, whilst another scheme leaves the victim with a copy of the DVD 'The Woolf Within'. Schemes may be able to put in place processes whereby potential participants are able to speak (by phone) to victims who have been through the process and found it helpful.

#### **5. Notify key partner agencies of scheme, e.g. Victim Support, Courts, Police**

**5.1** As Restorative Justice initiatives are not yet a routine part of the criminal justice system, the RJ Manager will need to plan early engagement with key agencies as this will be essential to ensure the success of the new venture. The relevant agencies include Victim Support, Courts, Judiciary, Magistracy, Police, Establishments, Probation and other agencies offering support or programmes for offenders or victims.

- 5.2** A series of initial events is important, to bring key agencies together to share in thinking about the RJ process and how each agency might contribute and benefit.
- 5.3** The need to set up and maintain processes to ensure that the RJ profile remains visible must also be recognised and acted upon. The RJ team will need to devote a considerable amount of time to maintaining visibility to criminal justice agencies. Methods used in UK schemes have included facilitators attending court, as visible reminders to judges, presenting reports in person, placing highly visible stickers on court files, and approaching prisons where RJ was proposed in relation to resettlement. Prisons can promote their schemes through giving a high profile to their representation on existing multi-agency partnerships and in liaison with potential referral agencies. This visibility is vital to ensure a flow of suitable cases for RJ, and to help overcome hurdles in order to carry out the RJ process effectively, e.g. obtaining victim details from the police, or organising an RJ conference in an Establishment with a high-profile observer from an agency known to be sceptical about RJ.
- 5.4** Agreements and protocols will need to be set up with the other criminal justice agencies. Research has shown that this can require a lot of time, effort and persistence from the new scheme managers and much goodwill from the existing agencies.

Protocols need to be set up with:

- Those referring cases to the scheme.
  - Police, to obtain victim contact details.
  - Establishments where offenders are remanded, or serving sentences and in which conferences might be held.
  - Probation offices where officers are preparing pre-sentence reports on offenders, or supervising offenders.
  - Victim Support in the locality.
- 5.5** The RJ Manager will also need to ensure procedures are put in place for keeping in touch with each agency regularly and in relation to issues arising from particular cases.
- 5.6** Leaflets should be made available to the agencies to bring RJ to the attention of their service users.

**Appendix 6C** refers: Leaflet for Sentencers

**NOTE:** This leaflet is in a PDF format – schemes may use the contact as a model but the artwork is copyright.

- 6. Ensure processes and venues are victim and offender friendly, i.e. locations for conferences, reception procedures, transport arrangements, access arrangements, provision of interpreters, assistance with childcare etc.**
- 6.1** The RJ Manager should ensure that all processes and venues for RJ conferences are victim and offender friendly.

#### **Locations for conferences**

- 6.2** This is particularly important for RJ conferences and meetings as participants may be nervous and in an emotional state. Locations for conferences and meetings should be checked for suitability for the process involved. Neutral venues such as community halls and conference centres are ideal, but probation offices could be considered as well, in appropriate cases. Such venues should be checked for privacy, quiet, ease of access, and parking facilities in the vicinity. Activities likely to be taking place in adjacent rooms should be checked, e.g. a Zumba dance session next door should be avoided! It is advisable to provide two rooms or areas, especially for half an hour before the conference so that the offender and victim and their supporters can assemble separately and are not embarrassed by having to meet at this stage. A second area is also useful in case any participant wishes to withdraw temporarily during the conference process.



### Conference reception procedures

- 6.3 Conference reception procedures should be welcoming and designed to put participants at ease.
- 6.4 Transport arrangements. When necessary, arrangements should be made for appropriate financial assistance for travel to be available for victims and offenders.
- 6.5 Access arrangements. Provision should be made for disability access.
- 6.6 Interpreters. Access to a pool of interpreters should be available so that ready provision can be obtained where necessary.
- 6.7 Assistance with childcare. Any issues concerning childcare need to be taken into account when setting dates and times for conferences.

### Conference observation and video recording

- 6.8 Enabling observers from key partner agencies to attend is a vital way of promoting the use of RJ. Video recording can be used to inform those unable to be present and for training/promotion purposes. A protocol needs to be developed which includes consent forms and agreements about the confidential use of such material.

## 7. Develop system of user feedback from first engagements and conferences

(using prescribed feedback form – see **Appendix 7D**)

- 7.1 User feedback is an essential element to ensure that the best possible outcomes of the RJ process are achieved for victims and offenders. While the principal users are the victim and offender, many other users are likely to be involved, from supporters of the victim and offender, to Offender Managers/Supervisors, police officers and co-facilitators.
- 7.2 The main source of feedback is likely to come from those attending an RJ conference. A feedback form to cover the essential elements of the pre-conference preparation, the conference itself, and the post-conference period, including the outcome agreement (where made) and its review, is likely to provide very important sources of feedback. Telephone or face-to-face interviews shortly after the conference are also recommended for gathering useful feedback. The Conference Feedback Form can be found at **Appendix 7D** and must be used (by those schemes included in the NOMS Capacity Building Programme) to gather feedback from key conference participants. Post-conference feedback should be sought, using the prescribed form, within 7 days from the date of the conference. This form will form part of the evaluation of the NOMS Capacity Building Initiative and should not be amended or adapted by schemes taking part in this programme.
- 7.3 Where RJ has not proceeded to a conference, a different form of feedback may be required, e.g. if a letter of apology was written, feedback from the victim could be sought to ascertain the value of this approach for the victim and any learning from the individual experience that would be useful to the facilitator and the development of good practice. Records should be kept of the use of alternative restorative approaches and their outcomes (see Section 7 for more details).

## 8. Use feedback to develop and improve systems and processes

- 8.1 Use of feedback from all the users involved is essential to enhance and develop the practice of RJ. The RJ Manager needs to consider how best to access, share and learn from this feedback.

- 8.2** A system of regular supervision should be organised to provide support, development and reflective practice for facilitators.
- 8.3** Self-assessment, casework discussion among peers and feedback from co-facilitators are also valuable forms of review and reflection on practice. The celebration of good practice is also important. The RJ Manager should ensure that routine provision is made for such discussion at team meetings, no matter how pressing other business items may be.
- 8.4** The improvement of overall provision can be achieved through setting realistic targets and regular monitoring of practice.
- 9. Ensure participants give written consent to participation in RJ processes, including consent to participation in research and evaluation**
- 9.1** It is important that participants give free and informed consent to participation in RJ processes, including consent to participation in research and evaluation. Note that no one should be excluded from participation in RJ processes simply because they do not consent to participate in research and evaluation.
- 9.2** Explanations should be written and given in clear, simple language to ensure understanding of the main processes. Participants may go through various stages of willingness to participate, and while their views must always be respected, it is helpful to them and the process to be able to remind them of their undertaking if their commitment falters. Managers should ensure that documents giving brief explanations of the main components of the undertaking are prepared and used in all cases.
- 10. Specific considerations for Establishment-based conferences**
- 10.1** The best practice guidance above applies equally to community and Establishment-based conferences but, in addition, there are some specific considerations for Establishment-based conferences.
- 10.2** A protocol should be developed between the relevant Trust and Establishment (or internally, if an Establishment-based scheme) describing the roles and responsibilities of the various partners involved in making an RJ conference happen. Consideration should be given to the issuing of an Establishment Operational Instruction detailing how Establishment staff deal with the practical and security issues relating to RJ conferences taking place within the Establishment.
- 10.3** The preparation of victims, their supporters and the offender supporters attending prison conferences needs to be handled sensitively and with care. Some victims will show high levels of anxiety about the venue whilst others will be reassured by the high level of control and security offered by a custodial setting. High levels of anxiety and apprehension on the part of a victim may be allayed by a pre-visit to the Establishment, or the viewing of a specifically made DVD aimed at reassuring potential participants regarding the Establishment environment.
- 10.4** Those attending Establishment conferences should be advised in writing of the security requirements as a condition of entry to the Establishment and also told of the need for appropriate ID.
- 10.5** Adequate time must be allowed for the processing of conference participants ‘through the gate’, and it is good practice to ensure that the victim and offender parties arrive at the gate at staggered times so that they are escorted to the conference venue separately.
- 10.6** It is recommended that the prisoner be allowed a brief period of time (5 minutes or so) with his/her family supporters prior to the commencement of the conference.



- 10.7** In the case of a Trust facilitator arranging an Establishment-based conference, the facilitator should notify the Establishment in advance of the conference taking place in accordance with any local protocols. It is for the facilitator to be satisfied that the exact location of the venue is 'fit for purpose'. If special security arrangements are necessary, the facilitator should liaise with the Security Governor to ensure that they are clear and can be put in place.
- 10.8** As part of the preparation of prisoners they should be advised that they may feel quite emotional after the conference and that it may be helpful for them to have someone to talk/de-brief with them, rather than return to an empty cell (this could be another prisoner he/she knows well, an Establishment-based supporter who attended the conference, or a Listener). This is an important issue that needs to be addressed in respect of all Establishment-based conferences.
- 10.9** Security and the safety of all parties is paramount and it is recommended that one of the persons responsible for the convening of the conference (e.g. a back-up facilitator) should, for the duration of the conference, position him/herself within easy reach of an alarm bell. Establishments may require a prison member of staff to be present for security reasons – it would be good practice for this to be someone who knows the prisoner.
- 10.10** With the provisos of the above specific considerations, all other practical arrangements and preparations proceed in the same manner as a community-based conference.

### WHAT HAPPENS NEXT?

After this meeting the RJ facilitator will either:

- Start the preparations for an RJ Conference with the offender.
- Or, leave you to think about what you want to happen.
- Or, accept that you would prefer not to take part.
- Plan with you a way to be involved that is helpful to you.

### PLEASE REMEMBER

You are in control of the process we will not proceed without your agreement.

**HOW DO I FIND OUT MORE?**  
Phone or fax using the details below:

Thames Valley Restorative Justice Service

A multi-agency partnership working for the Thames Valley Criminal Justice Board to provide restoration for victims and offenders in the Thames Valley.





**Victim Support**

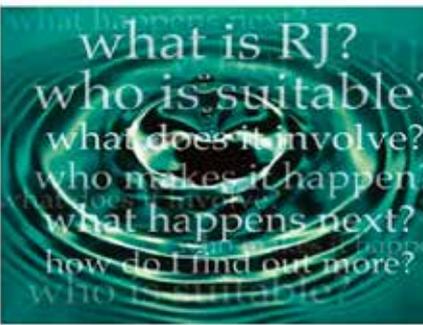
**To find out more contact:**  
Bicester Probation Office  
Units 9 & 10  
Tallerman Business Centre  
Tallerman Road  
Bicester  
Oxon OX26 6HR  
Tel: 01869 328562 or 01869 328500  
Fax: 01869 328528

VERSION 2 2008

giving victims  
**a choice**  
INFORMATION FOR VICTIMS

This leaflet describes how you could have your say in how the sentence imposed on the person who harmed you is carried out.

Thames Valley Restorative Justice Service

### WHAT IS RJ?

Restorative Justice is the opportunity for you to have your say as part of the offender's community sentence, to ask questions and to see if anything can be done to put right the harm that was caused by the offence. It may involve meeting the offender to talk about:

- What happened.
- Who was affected, and how.
- What can be done to make things better.

If you do not want to take part, other ways will be explored for the offender to repair the harm.

### WHO IS SUITABLE?

If you have experienced an offence as a personal victim (not domestic violence) you are eligible to take part in the programme. The offender will be expected to:

- Accept responsibility for causing harm.
- Be willing to meet you, but only if you choose to meet him / her.
- To explore ways of making amends for the harm caused.

### WHAT DOES IT INVOLVE?

The programme involves you meeting with a Restorative Justice Facilitator who will talk to you about:

- What happened in the offence.
- How you and others were affected by what happened.
- What questions and concerns you are left with following the offence and its aftermath.
- Whether there are things that can be done as part of the offender's sentence that would make things better.

At the end of that meeting you would be asked to decide about whether to meet with the offender, or to identify another way in which he/she could make amends.

After that a meeting, or some other event would take place for the offender. At the meeting the offender may come to a voluntary agreement with you to further repair the harm in some way, but that is not a requirement of his order.

Some time later the offender would be involved in a review with his/her Offender Manager about whether he has complied with the agreement and what has been achieved.

Thames Valley Restorative Justice Service

### WHO WILL BENEFIT?

Victims often want to understand why the crime happened to them. They also want to play some part in the process of what happens to the person who committed the crime. Victims want to know that they are not likely to be harmed by the same person again. This process gives you a chance to ask those questions, to play a part in the Criminal Justice process and to be clear about the offender's future intentions. At all points in the process your welfare will be the most important concern of the Facilitator.

RJ can enable offenders to work towards positive outcomes for their victims and themselves. RJ means that offenders have the chance not just to say sorry and feel sorry, but to do something about it.

### WHO MAKES IT HAPPEN?

RJ is organised by a trained RJ facilitator from the Thames Valley Statutory Adult Restoration Service. The Thames Valley Statutory Adult Restoration Service has experience of running hundreds of RJ conferences as part of an international research programme, which has demonstrated overwhelming satisfaction from victims. The Service is approved by the Local Criminal Justice Board and is currently doing work for Thames Valley Police on a Project involved with Conditional Cautioning working with Thames Valley Probation, Thames Valley Police, Prison Services and Victim Support.

### WHAT HAPPENS NEXT?

If you are suitable then the person writing your Pre-Sentence Report will propose a Specified Activity Requirement with RJ.

If the Court makes such an order you will be contacted after sentence by an RJ Facilitator. They will then arrange to see you for your first meeting.

The victim will then be contacted and their views taken into account.

The preparation and other meetings will follow. Some time later a review meeting will take place to review what has been achieved and to look forward to the future.



A multi-agency partnership working for the Thames Valley Criminal Justice Board to provide restoration for victims and offenders in the Thames Valley.





Victim Support

## making Amends

INFORMATION FOR OFFENDERS

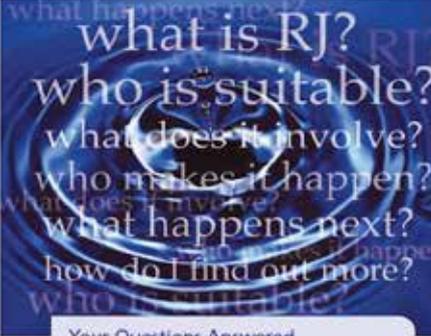
Restorative Justice (RJ) as a Specified Activity Requirement of a Community Order, or a Suspended Sentence Order



### HOW DO I FIND OUT MORE?

Our contact details are on the back of this leaflet, so give us a ring if there is anything you want to know more about.

**To find out more contact:**  
 Thames Valley Restorative Justice Service  
 Bicester Probation Office  
 Units 9 & 10  
 Talisman Business Centre  
 Talisman Road  
 Bicester  
 Oxon OX26 6HR  
 Tel: 01869 328562 or 01869 328500  
 Fax: 01869 328578  
 Email: restorative\_probation@thames-valley.pro probation.gsi.gov.uk

Your Questions Answered

VERSION 1.0009

### WHAT IS RJ?

Restorative Justice is the chance for you to put right the harm you have caused. It may involve meeting the victim to talk about:

- What happened.
- Who was affected, and how.
- What can be done to make things better.

If the victim does not want to meet you, other ways will be explored to repair the harm.

### WHO IS SUITABLE?

You are suitable if you have committed a violent offence with a personal victim (not domestic violence) or an offence of household burglary. You will be expected to:

- Accept some responsibility for causing harm.
- Be willing to meet the victim, if the victim chooses to meet you.
- Follow through the programme, if a Requirement is made.



### WHAT DOES IT INVOLVE?

The Requirement involves taking part in at least four meetings which will include:

1. Meeting to find out what you think about what happened and what you can do about it.
2. Helping you prepare.
3. Meeting the victim, or another activity, such as writing a letter of apology.
4. A review meeting with your Offender Manager and the RJ Facilitator.

You may come to a voluntary agreement with the victim to further repair the harm in some way, but that will not be a requirement of the Order.

### WHY DO IT?

RJ gives you the chance to make a real difference to the person to whom you have caused harm. Victims often want to understand why the crime happened to them. They also want to play some part in the process of what happens to the person who committed the crime. Victims want to know that they are not likely to be harmed by the same person again.

By helping you face up to the consequences of what you have done RJ can help you to feel better about what happened and enable you to put it

### WHO MAKES IT HAPPEN?

RJ is organised by a person from the Thames Valley Restorative Justice Service who is a trained RJ Facilitator. They will meet you for each of the meetings. The Specified Activity Requirement with RJ is made alongside a Supervision Requirement. Your Offender Manager and the RJ Facilitator will work closely with you to make sure that the process works best for both you and the victim.



behind you. You can use your sentence to achieve a positive outcome for yourself and the victim. RJ means that you have the chance not just to say sorry and feel sorry, but to do something about it.

### WHAT HAPPENS NEXT?

If the offender is eligible and suitable and the PSR proposes a Specified Activity Requirement with RJ alongside a Supervision Requirement, then the Court may make such a Requirement.

The PSR Author will have liaised with the service provider (TV RJS) to confirm that appropriate arrangements can be made to implement the Order.

Within 15 days of sentence the offender will be contacted by an RJ Facilitator to arrange for the assessment meeting. The victim will then be contacted and their views taken into account. If the victim does not wish to meet the offender then some form of indirect communication or reparation will be agreed.

The preparation and intervention meetings will follow. Some time later a review meeting will take place to review what has been achieved and to look forward to the future.





A multi-agency partnership working for the Thames Valley Criminal Justice Board to provide restoration for victims and offenders in the Thames Valley.





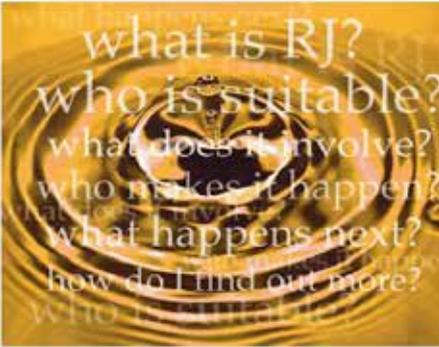
Victim Support

**To find out more contact:**  
 Thames Valley Restorative Justice Service  
 Bicester Probation Office  
 Units 9 & 10  
 Talisman Business Centre  
 Talisman Road  
 Bicester  
 Oxon OX26 6HR  
 Tel: 01869 328542 or 01869 328500  
 Fax: 01869 328528  
 Email: restorative.protection@thames-valley.protection.gsi.gov.uk

## making Amends

INFORMATION FOR SENTENCERS

Restorative Justice (RJ) as a Specified Activity Requirement of a Community Order, or a Suspended Sentence Order

VERSION 3 2009

### WHAT IS RJ?

Restorative Justice is the opportunity for an offender to put right the harm they have caused. It may involve meeting the victim to talk about:

- What happened.
- Who was affected, and how.
- What can be done to make things better.

If the victim does not want to meet the offender, other ways will be explored to repair the harm.

### WHO IS SUITABLE?

An offender who has committed a violent offence with a personal victim (not domestic violence) or an offence of domestic burglary, is eligible for the Requirement. The use of RJ for other offences may be appropriate where there is a personally harmed victim. The offender will be expected to:

- Accept some responsibility for causing harm.
- Be willing to meet the victim, if the victim chooses to do so.
- Follow through the programme, if a Requirement is made subject to Probation National Standards.

### WHAT DOES IT INVOLVE?

The Requirement involves taking part in at least four meetings which will include:

1. An assessment meeting to explore the possibilities of making amends.
2. A preparation meeting to prepare for the reparation event, which could be a meeting with the victim, or some other form of reparation.
3. The meeting with the victim, or reparation activity, which may involve an activity such as writing a letter of apology.
4. A review meeting with the Offender Manager and the RJ Facilitator.

The offender may come to a voluntary agreement with the victim to further repair the harm in some way, but that is not a requirement of the Order.



### WHO WILL BENEFIT?

Victims often want to understand why the crime happened to them. They also want to play some part in the process of what happens to the person who committed the crime. Victims want to know that they are not likely to be harmed by the same person again.

By helping the offender to face up to the consequences of what s/he has done, RJ provides the offender with the chance to make a real difference to the person to whom they have caused harm. RJ can help the offender to use their sentence to achieve a positive outcome for themselves and the victim. It means that the offender has the chance not just to say sorry and feel sorry, but to do something about it.

### WHO MAKES IT HAPPEN?

The Thames Valley Restorative Justice Service provides a trained RJ Facilitator who will meet the offender at each meeting. Restorative Justice, as a Specified Activity Requirement, can only be made alongside a Supervision Requirement. The Offender Manager and the RJ Facilitator will work closely together to make sure that the offender gets the most benefit from the experience.



# SECTION 7.

## RECORDING SYSTEMS AND EVALUATION

**NOTE:** The data reporting requirements to the Institute for Criminal Policy Research and adherence to a specific Service Level Agreement referred to in this Section only apply to those Establishments and Trusts involved formally in the NOMS RJ Capacity Building Programme.





## CHECKLIST 7.

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

### NOMS RJ Implementation: Recording systems and evaluation

CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST		
Name of responsible manager:		
Contact details (location):		
Telephone number:		Email address:
Date of project commencement:		Date of 'sign off':
CHECKLIST		
Action	Date achieved	Notes
<input type="checkbox"/> Identify activities and processes which need to be recorded in order to facilitate effective, accountable and safe practice		
Prepare recording systems to:		
<input type="checkbox"/> Record key monitoring and evaluation data as required by the Service Level Agreement* and local needs (and in accordance with the data requirements set out in <b>Appendix 7A</b> )		
<input type="checkbox"/> Gather and record risk assessments		
<input type="checkbox"/> Record offender contacts		
<input type="checkbox"/> Record victim contacts		
<input type="checkbox"/> Keep written records of participants' consent to take part in both RJ intervention and the evaluation		
<input type="checkbox"/> Record the progress of the case		
<input type="checkbox"/> Record details of alternatives to full conferences (i.e. nature of alternative, outcome and effectiveness)		
<input type="checkbox"/> Record user feedback from first engagements and conferences (using prescribed* feedback form – <b>Appendix 7D</b> )		
<input type="checkbox"/> Ensure relevant quality standards are being met		
<input type="checkbox"/> Give access to those who need information and prevent access by those who don't		
<input type="checkbox"/> Make quarterly data returns to the research team – <a href="mailto:a.crossley@bbk.ac.uk">a.crossley@bbk.ac.uk</a> (as detailed in <b>Appendix 7A</b> )		

## 1. Identify activities and processes which need to be recorded in order to facilitate effective, accountable and safe practice

- 1.1 The Planning Group/RJ scheme manager will, in the planning stage, need to consider what data needs to be recorded, how, where, by whom, and who will have access to it.

Recorded information will provide:

- Data for evaluation for NOMS Capacity Building Programme SLA needs and local requirements
- Operational data for casework purposes
- Operational data for accountability and good management
- Data to identify best practice, learning opportunities, barriers and blocks (particularly in the early stages of the scheme)

- 1.2 Detailed case data will need to be kept securely in the RJ 'office', but for RJ to become fully integrated into the Trust/Establishment's offender management and to ensure good co-working with offender managers, RJ activities need to be recorded in the Trust/Prison's offender management system (refer to Checklist 8: point 3.1).

## 2. Record key monitoring and evaluation data as required by the NOMS Capacity Building Programme Service Level Agreement and local needs

- 2.1 The Trust/Establishment has agreed, under the Service Level Agreement with NOMS, to collect data for evaluation. The Planning Group/RJ scheme manager will need to ensure that adequate recording systems are in place to identify and record the relevant information.

- 2.2 Other monitoring and evaluation will depend on the needs of the host organisation. These may include, for example, recording facilitator time per case, length of time each case takes from allocation to completion, number of offender/victim consents per facilitator (refer to point 5.1 below). **The minimum information requirement for the NOMS Capacity Building Programme evaluation is set out in this section (Appendix 7A refers).** It is expected that all of this information will be necessary, or at least useful, for internal monitoring, and collecting the evaluation data should not prove an additional burden. This data can be recorded in a simple spreadsheet system. Templates in both Excel and Access should be obtained from the research team ([Ali Crossley on a.crossley@bbk.ac.uk](mailto:Ali.Crossley@bbk.ac.uk)).

## 3. Gather and record risk assessments

- 3.1 Risk assessment is an essential component of delivering safe RJ interventions. Risk assessments need to be a continuous process, starting with case identification through to the case closure. Risk assessments undertaken at key stages of the RJ process need to be formally recorded for accountability purposes (refer to Checklist 5).

## 4. Record offender contacts

- 4.1 Each facilitator should maintain their own working case notes, and in addition every contact with an offender should be recorded on the Trust/Establishment's relevant system (refer to Checklist 8: point 3.1). Where RJ is being delivered as a statutory intervention, the Trust/Establishment will need to ensure that the relevant information is recorded in order to monitor compliance and provide evidence in the case of non-compliance.



## 5. Record victim contacts

- 5.1** Victim records must be kept in separate files from offender records, and should not be available to anyone outside the RJ team, although with the necessary consent it may be appropriate to disclose information in specific circumstances. The detail of victim contacts must not be recorded on offender case records, unless specific consent has been given by the victim.

## 6. Keep written records of participants' consent to take part

- 6.1** The Trust/Establishment will need to consider how to record participants' consent – should this be a signed consent form, notes made by the facilitator, or other means?

Offender participation in an RJ process is voluntary (although may be subject to the 'presumption in favour' principle previously described in **Appendix 2C**). With informed consent it can become part of an Order or Licence condition, so the Trust/Establishment may want to obtain written consent from the offender before participation becomes statutory.

- 6.2** Consent to pass details on to the NOMS Capacity Building Programme Evaluation Team must be sought as part of these processes. Reluctance to take part in the evaluation should not rule out participation in RJ processes.

## 7. Record the progress of the case – see Appendix 7B

- 7.1** Facilitators should keep their own case notes; these should be sufficient to enable a colleague to take over the case at short notice if necessary. The Trust/Establishment will need to consider how much information the facilitator should 'log' with the RJ office whilst a case is in progress. Recording the progress of the case will provide valuable monitoring data to evaluate the success of the project. The Planning Group will need to consider what data will be required.

It is suggested that for each case the required data will include:

<ul style="list-style-type: none"> <li>• Date of referral</li> <li>• Source of referral</li> <li>• Date of allocation to facilitator</li> <li>• Name and agency of RJ Facilitator</li> <li>• Type of offence</li> <li>• Seriousness of offence</li> </ul>	<p><b>Role Appendix 7G refers –</b> Case Monitoring Worksheet</p>
<ul style="list-style-type: none"> <li>• Dates of victim contacts</li> <li>• Whether victim is willing to participate</li> <li>• Conference/indirect RJ/no communication</li> </ul>	<p><b>Appendix 7B refers –</b> Contact Log</p>
<ul style="list-style-type: none"> <li>• Details of conference</li> <li>• Date of closure</li> </ul>	<p><b>Appendix 7C refers –</b> Conference Write-up Record</p>
<ul style="list-style-type: none"> <li>• Outcome agreement monitoring</li> </ul>	<p><b>Appendix 7E and 7F refer –</b> Conference Agreement Follow-up and Conference Agreement Form</p>

- 7.2** Research shows that victim satisfaction is affected by how well they are kept informed of the offender's compliance with outcome agreements. The Trust/Establishment is advised to implement a system to prompt facilitators to follow up on the outcome agreement and check that victims have been informed (refer to Checklist 8: point 8.1). Victims must be informed of failure to meet obligations as well as success.
- 8. Record user feedback from first engagements, conferences (using prescribed feedback form – see Appendix 7D) and conference outcome agreements (see Appendix 7E for guidance)**
- 8.1** User feedback is an essential element to ensure that the best possible outcomes of the RJ process are achieved for victims and offenders (refer to Section 6, paragraph 7). To capture such feedback from RJ participants, a post-conference follow-up questionnaire is included (**Appendix 7D** refers). Feedback should be gained from key participants within 7 days of the conference taking place. This feedback can be gained via a personal interview or telephone call, using the questionnaire as a structure and the answers being noted on the form. This will provide valuable data about the success of the project. Conference outcome agreements **must** be followed up to ensure that obligations are met and participant satisfaction is maintained. Research has shown that victim satisfaction drops significantly if this work is not undertaken. These follow-up interviews, usually undertaken by phone, must be recorded and reported for evaluation.
- 8.2** Where RJ has not proceeded to a full conference, sites should record information about the alternative used. Records should capture details of the type of activity, whether it has been effective, and how you know it has been effective (or not).
- 9. Ensure relevant quality standards are met**
- 9.1** The Trust/Establishment will need to identify local and national quality standards which should be met, and set up the relevant systems to monitor compliance. As a minimum, it is suggested that these include:
- The timely progression of cases. Unnecessary delay can cause distress to both parties and the opportunity to progress cases to face-to-face meetings can be lost if delay occurs
  - The timely recording/logging of case activity
  - Ensuring good case records are maintained
  - Ensuring participants' satisfaction is ascertained following the conference or other intervention, and following the progress of the conference outcome agreement
  - Staff supervision records.
- 10. Give access to information to those who need it and prevent access by those who don't**
- 10.1** All offender and victim records must be kept in separate files to ensure that, should a participant wish to have access to their file under the Data Protection Act, no information about other participants will be inadvertently disclosed.
- 10.2** The Trust/Establishment will also need to consider who within their organisation will have access to data, and whether outside agencies will need access.
- 10.3** The Trust/Establishment will have a Data Protection policy, with which the RJ programme will comply. The Trust/Establishment will need to identify areas of the RJ process where data protection could potentially be compromised, for example, RJ involves facilitators travelling, making home visits, and possibly keeping information out of the office overnight.
- 10.4** If case information is sent by post, victim and offender information should be posted under separate cover in accordance with the organisation's policy.
- 10.5** The Trust/Establishment will have a Confidentiality Policy which will apply to all RJ staff. In addition, RJ facilitators should receive training and guidance on the disclosure of information between offender and victim. If facilitators have permission to pass information to other participants, this should be recorded on the relevant case notes.

This section specifies the data required from sites participating in the NOMS Capacity Building Programme for the evaluation, as agreed in the Service Level Agreement. The research team is conscious that the requirements may appear daunting. However, the information will be necessary for participating sites' internal records and monitoring. It should, therefore, prove useful for sites rather than an additional burden.

The research team is on hand to discuss any questions, concerns or needs with regards to data collection or the evaluation. Please do not hesitate to contact Ali Crossley, the research lead, on 07771 984526 or [a.crossley@bbk.ac.uk](mailto:a.crossley@bbk.ac.uk).

## 1. A case-tracking system

Both the evaluation team and the area coordinators will need a simple and robust data collection system that will allow them to track the activities both of the coordinators themselves and the facilitators. Information will be required on all cases that are allocated to facilitators by the coordinator.

**Information required for the evaluation is as follows:**

- **Offender identifying details** – age, first name, last name, DoB, PNC-ID, prison number, local UCRN (unique case reference number).
- **Referral details** – source of case, referral stage.
- **RJ case outcome** – case outcome (conference, letter of apology, indirect mediation, victim empathy work, breach/revoke, rejected/unsuitable), reason why conference (if applicable), why rejected (if applicable) and date of outcome.
- **Participant agreement** – victim agrees, offender agrees (yes, no).
- **Offence details** – special status (PPO, MAPPA, IOM, YOT), tier (1-4), ethnicity (16+1 categories), gender, main offence, other offence.
- **Details of sentence** – sentence, length of supervision, date of sentence, co-defendants (0–3+).
- **Facilitator name and agency** (and second facilitator name and agency in those cases where the process is facilitated by more than one person).
- **Date of allocation of case to RJ Facilitator.**

The RJ data collection spreadsheet will provide most of the information needed by the evaluation team to track the restorative activities flowing from the training. It should allow the construction of a flow chart of the history of all cases from allocation to completion.

**The spreadsheet should be obtained from Ali Crossley** ([a.crossley@bbk.ac.uk](mailto:a.crossley@bbk.ac.uk)).

Where coordinators already have data collection systems to collect information on RJ processes, they are asked to extend these systems as necessary to collect the data required by the evaluation team. Where coordinators are developing a data collection system from scratch, they may like to use or adapt the template that the evaluation team has designed.

## 2. Collecting data on conferences and other RJ outcomes

Separate data collection systems will be used to record details of conferences, and related activities. The draft forms (refer to **Appendices 7B–G**) should provide all the quantitative data that the evaluation team needs. Coordinators using forms different from those set out below should ensure their systems collect the data required by the evaluator. **Information required for the evaluation is as follows:**

- **Case activity** – details of contact with victim and offender, including time and type.
- **Conference write-up record** – details of those present, date and times; brief background of incident; description of the dynamics of the conference, especially key turning points; key lessons learnt; and (where applicable) information on the effectiveness of video conferencing for (a) the victim and (b) the offender.

- **Alternative outcome details** – if it didn't go to full conference, what was the alternative used? Was it effective and how do you know?
- **Post Conference Follow-up** (using prescribed questions, see **Appendix 7D**).
- **Conference Agreement Follow-up Process** – details of the agreement elements requiring action (by whom and target date) and whether or not the element has been completed (including completion date).
- **Restorative Justice Conference Agreement**
- **Case details** – as set out in the Case Monitoring Worksheet.

**NOTE:** The research team will also be observing a selection of the RJ conferences taking place in participating sites. Please email Ali Crossley (a.crossley@bbk.ac.uk) with the date, time and venue of upcoming conferences (and ensure conference participants are comfortable with her observing the meeting).

### 3. Summary of key steps for data collection

- Obtain a template of the data collection spreadsheet from the research team (a.crossley@bbk.ac.uk) or, if using your own data collection system, ensure the system collects the data required for the evaluation.
- Familiarise yourself with the draft forms (**Appendices 7B–G**) used to collect data on conferences and other RJ outcomes. If using forms different to these, ensure that your forms collect the data required for the evaluation.
- Record information on the nature and effectiveness of activities undertaken as alternatives to full conferences (using own recording systems).
- Make quarterly returns (of the data collection spreadsheet and forms 7B–G) to the research team (a.crossley@bbk.ac.uk). The research team will remind you of upcoming data return deadlines, but as a rule returns should be made on the 1st day of December, March, June and September (if the 1st falls over a weekend, the return should be made on the Friday). The last return will be on 1 June 2014.
- Ensure the research team is made aware of all upcoming RJ conferences (a.crossley@bbk.ac.uk) and sent details of the date, time and meeting venue.

- To be submitted to RJ Admin within 24 hours of contact.
- Victim and offender visits/contacts/personal information must be logged and kept separately to ensure that the parties cannot have access to each other’s personal information.

<b>Case Number &amp; Initials:</b>	
<b>Contact Date:</b>	
<b>Contact Type:</b>	
<b>Action:</b>	
<b>Appoint Kept code:</b>	
<b>Time Spent:</b>	
<b>Extended Notes:</b>	
<b>Next Appointment:</b>	
<b>Date and Time:</b>	
<b>Person with:</b>	
<b>Location:</b>	
<b>Contact Type:</b>	

RESTORATIVE JUSTICE Scheme Blankshire

**\*PRISON/COMMUNITY CONFERENCE WRITE-UP RECORD**

\*Delete as applicable

<b>Case No.:</b>		<b>Conference Date:</b>	
<b>Location:</b>		<b>Start Time:</b>	
		<b>End Time:</b>	
<b>Offender Name:</b>		<b>Victim Name:</b>	
<b>RJ Facilitator &amp; Agency:</b>		<b>2nd or Back-up Facilitator &amp; Agency:</b>	
<b>Researchers present:</b>		<b>Other observers –</b>	
<b>Offender Supporters</b>			
<b>Name</b>		<b>Relationship to victim</b>	
<b>Victim Supporters</b>			
<b>Name</b>		<b>Relationship to victim</b>	
<b>Other Participants</b>			
<b>Name</b>		<b>Relationship to victim</b>	



**Brief Background of incident:**

**Brief Description of the dynamics of conference, especially key turning points:**

**Key lessons learnt:**

**If video conferencing was used, was it effective for the:**

**(a) Victim?** Yes  No       **(b) Offender?** Yes  No

**How do you know?**

**Signed:**

**Date:**

<b>Participant:</b>		<b>From:</b>	
<b>Tel no:</b>		<b>Facilitator:</b>	<b>Case No:</b>

<b>Date:</b>	<b>Results/phone back when?</b>
<b>Follow-up completed:</b>	

- Hello ....., I am ringing to see how you thought the conference went?**

Well/very well       Badly/very badly       Able to say what I wanted to  
 Not able to say what I wanted to       Pleased with what offender said  
 Disappointed       Pleased with outcome       Disappointed with outcome
- Was there anything which particularly pleased you about the conference?**

Yes       No
- Was there anything which particularly disappointed you?**

Yes       No
- How did you feel immediately after the conference?**

Really pleased       Excited       Relieved       Buzzing, on a high  
 Depressed       Worried       Angry
- And now?**

Pleased       Reassured       Depressed       Worried       Angry
- Do you have any worries now stemming from the conference, or the Restorative Justice process?**

Yes       No       Offender/victim has threatened me  
 Worried offender/victim may find/contact me  
 Worried offender/victim/supporters know where I live



- 7. What do you think has been the impact of the conference on you overall?**  
(tick relevant box and write comments in the space below)
- Positive       Negative       No impact       Don't know
- 8. (if not handed out at conference) Have you received the conference agreement?**       Yes       No  
What do you think about the conference agreement now? How do you think it will go?
- 9. To help future conferences for other people, is there anything which would have been more helpful if it had been done differently? Were you adequately prepared for the conference process?**
- 10. Did you feel sufficiently supported through the conference process? And did we take into account any special needs you may have had in taking part in RJ?**
- 11. Would you recommend anyone else to take part?**
- 12. Is there anything else you'd like to know?**
- 13. If you have had previous contact with the Criminal Justice and Court system how did this experience of using RJ compare with your previous experience?**
- 14. This programme is being evaluated by independent researchers. May we pass on your contact details to the research team so that they can ask you about your experience?**
- 15. Finally, would you be happy to speak to future conference participants who are unsure about doing RJ, to tell them of your experience? Would you also be happy to speak to the media?**

**Restorative Justice Project – Probation Trust/HM Prison?**

**CONFERENCE AGREEMENT FOLLOW-UP**

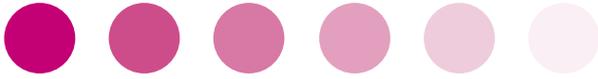
Offender/Victim: .....

Date of conference: .....

Agreements			Actioned			Signed off
Agreement elements requiring action	By whom	Target Date	Yes/No	Date done	Comments	

Statements	Comments	Date

See notes for completion and use overleaf



### Example: Restorative Justice conference outcome agreements: a tracking system

A system is necessary to track the completion of commitments made and goals planned ('objectives') in the outcome agreements agreed as part of a Restorative Justice conference. This ensures that offenders are held to their commitments and victims are given confidence in the process. Research (Shapland 2011) shows that the completion of outcome agreements is related to both victim satisfaction and reduced re-offending. The measures below can be put in place to ensure that all participants' expectations of the outcome agreement are tracked, chased and reported on.

Conference outcome agreements will be monitored as follows:

- 1.** The facilitator will ensure that every participant is given a copy of the outcome agreement to take home from the conference, as a reminder either of an objective they have promised to fulfil, or that they are expecting to be fulfilled by another participant. Where this is not possible, the conference agreement document will be sent by the RJ Administrator, who will photocopy it and send it to participants within three working days of the conference.
- 2.** A copy of the outcome agreement should be sent to RJ Admin as soon as possible after the conference. RJ Admin can then record the agreement and its objectives, using the above form, as soon as is practicable after the conference has taken place.
- 3.** RJ Admin will make entries on the offender's running record detailing the objectives agreed upon. These will be recorded under a future date (which will have been decided on when the outcome agreement was made). This means that when the goal date comes around, an entry detailing the objective and what is expected to have happened will be ready and waiting on the running record as a reminder.
- 4.** RJ Admin will also record the individual objectives on to a calendar (manual or electronic). This will enable a 'pop-up alarm' (or daily check) to appear in the days leading up to the agreed completion date of the objective. This will prompt RJ Admin to contact the facilitator, who can then follow up with the relevant conference participant to ensure the objective has been acted on. Victims will be informed of progress where this forms part of the agreement.
- 5.** As an overall recording measure, RJ Admin can create a tracking spreadsheet on which to record outcome agreements. This will include the individual objectives of each outcome agreement, along with the date by which they are to be achieved, the participant involved in the action, the name of the facilitator who will be following up on the action, and notes on the eventual completion of the objective(s).

**RESTORATIVE JUSTICE CONFERENCE AGREEMENT**

Case No		
Action or Statement	Person responsible	Dates
Signed by:		

**RJ 2003 CJ Act – CASE REFERRAL & MONITORING WORKSHEET**

POST-SENTENCE COMMUNITY OFFENDER DETAILS				
<b>Name</b>		<b>Case No</b>		
<b>Address</b>		<b>UCRN</b>		
		<b>PPO/IOM (Y/N)</b>		
		<b>Tier 1/2/3/4</b>		
		<b>Tel No.</b>		
<b>DoB/age</b>		<b>Ethic Background</b>		<b>Sex M/F</b>
<b>Full list of offence(s)</b>				
<b>Location of offence</b>		<b>Date</b>		
<b>*Brief details of offence(s)</b>  <small>*(include any information about use of weapon or violence and any encounter between the victim and offender at the time of the offence)</small>				
<b>Sentence</b>		<b>Length of supervision</b>		
<b>Sentenced on</b>		<b>Sentencing Court</b>		
<b>RJ notified on</b>		<b>Purpose of sentence</b> <small>(if stated by court)</small>		

**RJ 2003 CJ Act – CASE REFERRAL & MONITORING WORKSHEET (CONT)**

<b>PS Author</b>		<b>Req 1</b>				
<b>Offender Manager</b>		<b>Req 2</b>				
<b>Office</b>		<b>Req 3</b>				
<b>Office Co-Defendants</b>						
<b>Any other information, including Compensation details:</b>						
<b>PSR:</b> Attached / Not available						
<b>CPS :</b> Requested ..../.../.... / Attached						
<b>Victim info :</b> Requested ..../.../.... / sent separately						
<b>RJ Facilitator</b>		<b>Date of Allocation</b>				
<b>CASE PROGRESS LOG</b>						
<b>Event</b>	<b>Date</b>	<b>Off. Att. Y/N</b>	<b>OM Att. Y/N</b>	<b>Within NS* Y/N</b>	<b>Reason if not within National Standards</b>	<b>Log complete</b>
<b>Date of planned first contact</b> <small>*Within 15 working days of sentence</small>				*	*	
<b>First contact (actual)</b>				NA	NA	
<b>Victim contact</b>		NA	NA	NA	NA	
<b>Second contact</b>				NA	NA	
<b>Third contact</b>				NA	NA	
<b>Fourth contact</b>				NA	NA	
<b>Fifth Contact**</b>				NA	NA	
<b>Final/Review meeting</b>				NA	NA	

\* Probation National Standard for 1st contact is within 15 days of sentence

\*\* In cases which require more than 4 contacts the total duration of the requirement must not be more than 4 days



# SECTION 8.

## INTEGRATION WITH OFFENDER MANAGEMENT PROCESS





## CHECKLIST 8.

[Blankshire Probation Trust/HMP Blank/Blanktown IOM Team]

### NOMS RJ Implementation: Integration with Offender Management

CONTACT DETAILS OF MANAGER COMPLETING CHECKLIST		
Name of responsible manager:		
Contact details (location):		
Telephone number:		Email address:
Date of project commencement:	Date of 'sign off':	
CHECKLIST		
Action	Date achieved	Notes
<input type="checkbox"/> Ensure that all relevant OM staff have a basic knowledge of RJ principles, aims and models of delivery via training events, briefings or team meetings		
<input type="checkbox"/> Ensure that information available from OASys is used to inform planning and delivery of RJ processes		
<input type="checkbox"/> Ensure that information available from case recording systems is used to inform planning of RJ processes		
<input type="checkbox"/> Ensure that the Offender Manager is fully integrated into the RJ process and enabled to support the offender to achieve successful completion		
<input type="checkbox"/> Ensure that the offender supervisor (where relevant) is fully integrated into the RJ process and enabled to support the offender to achieve successful completion		
<input type="checkbox"/> Ensure that RJ is integrated into the sentence plan and adopt the ASPIRE and SEEDS models of offender engagement		
<input type="checkbox"/> Ensure that outcome agreements are linked to sentence plans and regularly reviewed as part of the sentence planning and delivery process		
<input type="checkbox"/> Following the RJ intervention, ensure that there is a system in place to inform victims of progress, where this is agreed		
<input type="checkbox"/> Align RJ referral and delivery processes against relevant offender management's local and national standards		
<input type="checkbox"/> Ensure there is a method of identifying, recording and responding to the diversity needs of the offender as relevant to the RJ intervention		

- 1. Ensure that all relevant OM staff have a basic knowledge of RJ principles, aims and models of delivery via training events, briefings or team meetings**
  - 1.1** Trusts/Establishments may choose to have an initial ‘soft’ or pilot launch of the RJ process prior to a full launch. It is important that staff have a working knowledge of RJ principles prior to RJ ‘going live’ in the area or establishment. Staff at all grades and roles in the organisation will need some knowledge of RJ in order to support the delivery team, identify appropriate cases and promote the intervention where appropriate. Staff can be briefed via use of an organisation’s intranet or by verbal or written briefings (**Appendices 8A and 8B refer** – RJ in a Nutshell text for local adaptation to a range of audiences). This can easily be adapted into a PowerPoint format. The inclusion of administrative staff in briefings is crucial, given their role in the coordination of the intervention and overall case management.
  - 1.2** While small numbers of cases may be involved in the initial launch of the RJ project, knowledge of the intervention is quickly passed both formally and informally within the organisation and between interested parties. Briefing staff in a timely manner can assist them to answer queries, dispel myths or prevent inappropriate cases being referred, for example, by misinformed sentencing benches or over-enthusiastic wing staff. Establishments/Trusts may wish to prepare a short briefing for a resettlement unit, or the local sentencing bench prior to implementing the RJ scheme can adapt the material provided (**Appendices 8A and 8B refer**).
- 2. Ensure that information available from OASys is used to inform planning and delivery of RJ processes**
  - 2.1** Data gleaned from OASys, such as offence type, can assist to scope the number of potentially eligible cases (see RJ process and case identification checklist). Once the scheme is ‘live’, concordance between proposals to the court and sentences passed can be analysed, as can sentence plans of eligible prisoners within Establishments.
  - 2.2** OASys assessments contain much qualitative information relevant to the planning and delivery of an RJ intervention, including a summary of the offence, a summary of criminogenic needs and risks, and diversity issues. Particularly relevant sections of OASys 1-13 in relation to RJ are sections 2 (analysis of offending), 10 (emotional wellbeing), 12 (attitudes) and 13 (health and other considerations, including diversity/equality). Attention to the risk of harm sections is crucial to both the safety of the victim and those involved in delivery of the RJ intervention. Staff involved in RJ delivery may need some basic training or assistance in navigating OASys to obtain relevant information. However, information gained from such assessments should never replace direct communication among the case-specific team.
- 3. Ensure that information from case recording systems is used to inform planning of RJ processes**
  - 3.1** Practical information such as appointment times, contact details and current prison establishment is readily available to the RJ facilitators via case recording systems. Diversity/equality needs of the offender should be easily accessible, as should a snapshot of risk factors, including any risk to staff. A more detailed consideration of case recording systems can highlight attitude to the victim or the RJ intervention. The case recording system should be used by all members of the case-specific team (including the RJ facilitator) to record contact with the offender. Enforcement information to and from the RJ facilitator should be considered. As with OASys, case recording systems should not replace effective communication between Offender Managers and RJ facilitators, however, facilitators should be equipped to navigate and update the relevant system at relevant times. It is recommended that RJ facilitators have direct access to the host organisation’s case recording system. Where facilitators cannot input information directly on to the case recording system, an arrangement should be made for the information to be inputted via another source. Information regarding victims should be recorded in a separate location in order to maintain confidentiality.



- 3.2 Case recording systems can support evaluation of RJ outcomes and provide performance information if the intervention is recorded accurately.
4. **Ensure that the Offender Manager is fully integrated into the RJ process and enabled to support the offender to achieve successful completion**
- 4.1 Offender Managers (OMs) can be considered the project manager of a sentence through the preparation and management of an effective sentence plan. The OM's role in an RJ intervention includes the following:
- Motivating and supporting the offender in between formal RJ sessions
  - Answering questions and providing clarification regarding the RJ process
  - Identifying and highlighting risks, for example, underlying attitudes suggesting a possibility of re-victimisation
  - Delivering and maintaining momentum of actions agreed in outcome agreements
  - Identifying relevant diversity needs of offender
  - Staging and sequencing of interventions
  - Supporting the offender at conference and to take forward the outcome agreement
- 4.2 To fulfil the above role, OMs require a basic understanding of the RJ process and principles, which may be delivered in a 'soft launch' of the RJ project via verbal or written briefings (**Appendix 8A refers: 'RJ in a Nutshell'**). Nominating RJ champions in OMUs/Resettlement Units or locating facilitators within OM teams can help embed RJ effectively (**Appendix 8B refers: RJ Champions Getting the Message Across**).
5. **Ensure that the Offender Supervisor (OS) where the offender is in an Establishment, is fully integrated into the RJ process and enabled to support the offender to achieve successful completion**
- 5.1 OSs fulfil the role of the OM as above, and in a custodial environment provide an understanding of the context of that environment. They will need an understanding of the RJ principles and processes and Offender Management staff in custodial establishments should be included in the RJ roll-out. Where both an OM and an OS are involved, the following concerns can arise:
- Information can become confused, diluted (or lost) when passed between OM, OS and RJ facilitator
  - Role boundaries can become confused regarding delivery of the RJ intervention, leading to uncertainty for the offender or victim
  - OM and OS may both consider themselves the most appropriate support for the offender at conference
  - Outcome agreements may require input immediately following the intervention and some time later (e.g. following release from prison)
6. **Ensure that RJ is integrated into the sentence plan and adopts the ASPIRE and SEEDS models of offender engagement**
- 6.1 RJ should not be seen as an 'add-on' to the sentence plan, but an integral part of it. ASPIRE (**A**ssessment, **P**lanning, **I**mplementation, **R**eview and **E**valuate) provides a framework for effective sentence planning and can be applied to RJ interventions (see NOMS ASPIRE training resource pack). Offenders must feel engaged and invested in the RJ process to maximise the likelihood of a positive outcome for the victim and offender. Areas involved in the rollout of SEED (**S**kills for **E**ffective **E**ngagement and **D**evelopment) will find that RJ interventions complement this method of offender supervision.

- 6.2** RJ interventions provide a unique opportunity to strengthen the relationship between OM/OS and offender while retaining focus on the harm caused by the offending behaviour. Regular reviews of sentence plan objectives sustain momentum of the intervention (particularly following conference) and encourage the offender and OM/OS to regard the RJ intervention as a process rather than an isolated, albeit meaningful, event.
- 6.3** Outcome information captured in OASys sentence plans can be utilised to support performance and quality measures and commission resources in the future.
- 7. Ensure that outcome agreements are linked to sentence plans and regularly reviewed as part of the sentence planning and delivery process**
- 7.1** Significant stages in an RJ intervention may prompt a review of the sentence plan in a formal or informal capacity. Outcome agreements should be given equal priority as the conference or reparation activity. Agreements may be made at conference for the victim to be informed of the progress of parts of an outcome agreement and in such cases it is equally important that agreed objectives are achieved.
- 7.2** Aligning outcome agreements with sentence plans contains the expectations placed upon offenders and, as they are formed in a collaborative process during the RJ intervention, engage the offender in the sentence planning process. Such involvement can be evidenced in section 3, 4, 6 and 9 of the sentence plan, providing evidence for local or national Quality Assurance audits.
- 8. Following the RJ intervention, ensure that there is a system in place to inform victims of progress (where this is agreed)**
- 8.1** Where it has been agreed that a victim is informed about the progress of an offender, or a particular activity the offender is to undertake, it is important that there is a process in place to facilitate this. Failing to deliver such agreements will negatively impact victim satisfaction and undermine confidence in the effectiveness of the process. Boundaries and timescales should be set to agree what will be shared and when, including an end date, and should be shared with both victim and offender. For example, where an offender agrees to seek treatment for substance misuse, information may be shared regarding an initial engagement with a treatment provider, but ongoing updates regarding their path to recovery would not be appropriate.
- 8.2** Victims should be given updates via the original RJ facilitator where possible and such tasks should be factored into the facilitator's workload. Ending contact with the victim should be planned and timescales communicated to the victim to enable them to accept the intervention has reached a natural close.
- 9. Align RJ referral and delivery processes against relevant Offender Management's local and national standards**
- 9.1** Local interventions standards should form a framework for delivery of the RJ intervention and scheme managers should be mindful of such standards when agreeing the timescale for notification, commencement, delivery and completion. The overriding principle for an RJ intervention must be achieving a positive outcome for both victim and offender and the delivery of the intervention should be paced according to the needs of both parties (see pp. 40–41: Practice Framework – National Standards for the Management of Offenders April 2011).



- 9.2** The principles of the Offender Management Model (OMM), phases 2 and 3, offer an opportunity to identify priority custody cases for RJ interventions. It is likely that the delivery of Offender Management phases 2 and 3 will change in the near future. Implications resulting from this change may require areas to invest in joint training with local Establishment staff, consider delivering more RJ interventions during periods on licence, or offering RJ interventions as part of a deferred or suspended sentence.
- 10. Ensure that there is a method of identifying, recording and responding to the individual diversity/equality needs of the offender as relevant to the RJ intervention**
- 10.1** While there are some factors/conditions that may render an offender unsuitable for an RJ intervention (see Checklist 3: RJ process and Identification), most diversity/equality needs can be responded to in order to facilitate a successful conference. Diversity/equality issues should be highlighted in discussion between the RJ facilitator and the OM/OS, in the OASys assessment, and on the local case management recording system. Diversity/equality needs are dynamic and may change in the course of the offender journey (for example, with substance misuse or mental health difficulties). Assessment for suitability in this regard will be an ongoing process.
- 10.2** Plans should be made as to how diversity/equalities issues will be responded to in order to maximize the likelihood of a successful outcome for both victim and offender. Good practice and creative solutions to diversity should be shared among the RJ and Offender Management teams in order to encourage a culture of flexibility and responsibility.

This briefing note can be used in a range of ways, including being issued as a notice to staff, circulated as a leaflet, or placed on an intranet. It can also be prepared as a PowerPoint Presentation.

**Please note it requires adaptation to suit local circumstances (see below).**

**Restorative Justice (RJ) is:**

- A powerful and effective approach which focuses on how to repair the harm done by crime.
- It works best in face-to-face meetings.
- When we bring together the offender, their family, friends and supporters; the victim, their family, friends and supporters, and anyone else affected by the crime.
- To talk about what happened, who was affected and how and what can be done to make things better (an outcome agreement is agreed by all those present).

**How will RJ be used in Blankshire Probation Trust/HMP Blankshire?**

- In Blankshire Probation Trust/HMP Blankshire, we will use RJ .....

**Who is eligible and suitable for RJ?**

- Those who have pleaded guilty to offences of violence, domestic burglary and other offences of personally directed harm, who are at risk of custody. Cases of domestic violence are not usually eligible. Sexual offences can only be undertaken in exceptional circumstances by an experienced facilitator.
- Eligible cases will be assessed by the RJ Team as to their suitability to take part in RJ. Suitability will depend on the attitude of the offender towards their victim and their capacity to take responsibility for causing harm.

**Does RJ work?**

- Yes, RJ has been shown to reduce the rate of re-offending when delivered in both community and prison settings.
- Victims were very satisfied with the process and more than three quarters of the victims who took part would recommend it to others.
- It increases confidence in the Criminal Justice system and has the capacity to reduce the costs of the CJ system by reducing re-offending.

**How does RJ work for victims?**

- RJ gives victims a unique chance to ask questions of the offender, express their anger and explain how they have been affected by the crime.
- RJ addresses the emotional impact of crime, which can be ignored by Court processes.
- RJ can enable victims to gain a sense of closure, put the offence behind them and move forward.
- RJ has been shown to reduce Post-Traumatic Stress Disorder symptoms in the most serious cases.

**How does RJ work for offenders?**

- RJ is a uniquely powerful way of enabling offenders to understand the harm caused by their actions.
- This powerful experience motivates offenders to change.
- The motivation is assisted by the outcome agreement which is prepared during the third phase of the conference, when the participants look at how to make things better.



- Offenders use the outcome agreement (which becomes part of their supervision plan) to develop a more pro-social pattern of behaviour.
- Researchers (Shapland) believe that this process fits with desistance theory, whereby offenders begin to tell different stories about themselves and stop offending.

### Who are the RJ Unit?

The RJ Unit are a group of newly trained RJ Facilitators managed by .....

**They can be contacted on .....** **at .....**

### How do I propose someone for RJ?

Describe your referral process here.

### What happens after a referral has been made?

Describe how the case process works from the point of referral, through offender contact, offender assessment, victim contact, risk assessment, conference preparation, conference, outcome agreement action, and closure.

### What do I need to do as an Offender Manager/Offender Supervisor?

- Refer eligible offenders
- Motivate offenders to take part (once selected) and work closely with the RJ Facilitator
- Attend the RJ conference
- Support the implementation of the outcome agreement

Our RJ Facilitator will work with you to maintain the offender's motivation and keep you informed of progress.

### Who do I go to if I have got any questions?

Describe arrangements for liaison with the RJ Unit. This may be direct or through a team/office/wing/unit-based RJ Champion.

### Getting the Message Across

#### Why do we need RJ Champions?

We know that RJ can be an effective intervention to reduce re-offending, improve victim satisfaction and improve confidence in the Justice system. All staff in our Trust/Establishment need to be aware of the power of RJ to help victims and contribute to the reduction of re-offending so that we can make best use of this powerful tool. Some staff need to have a broad general awareness of what RJ is about and how it works, whilst other staff need to know enough details to enable them to make appropriate referrals and to support and motivate offenders who will be taking part.

RJ Champions within our Trust/Establishment will play a key role in:

- Disseminating information about RJ to teams and units
- Informing staff about the development and progress of the programme/project/scheme
- Supporting referral processes and ensuring that eligible cases are referred
- Identifying blocks to effective operation of the programme/project scheme and reporting them to the manager
- Raising the profile of RJ within relevant teams and units through team meetings and other opportunities

RJ is most effectively delivered when the Offender Manager works closely with the RJ Facilitator to:

- Motivate offenders to take part in RJ after sentence
- Attend the conference to support/challenge the offender and provide information as to the work being undertaken by the offender during the order
- Support the offender to carry out the agreement reached at the conference

#### What will they do?

RJ Champions can address all these issues at a local level by:

- Keeping RJ on their team's agenda
- Making sure that RJ is proposed in every eligible and suitable case
- Supporting PSR authors by advising in relation to potentially suitable cases
- Making sure that RJ is regularly discussed in meetings with their local Benches
- Gathering 'good news stories' in relation to cases where RJ makes a positive difference to an offender's progress

#### How will they do it?

- Ensuring there is a regular team meeting discussion of RJ at least once a quarter
- Working with the RJ Manager to undertake a regular audit of proposals/lack of proposals in eligible cases and feeding back to the team (sample of one month's proposals undertaken annually)
- Reporting the findings of RJ audits to the team on an annual basis
- Contribute to the design of team-based training to address the training needs of PSR authors and case managers, to be delivered by RJ staff



- Giving advice to colleagues as necessary and referring to the RJ Manager in complex cases
- Ensuring RJ is on the agenda with local Benches at least once a year
- Drawing the attention of the RJ Manager and the Communications Manager to successful cases “good news stories”, so that they can be written up and used as case studies

#### **How will we know if RJ Champions make a difference?**

- Increase in number of RJ referrals
- Increase in proportion of eligible PSRs in which RJ is proposed
- Increase in proportion of PSRs where RJ is proposed that result in RJ Specified Activity Requirements
- More even spread of RJ proposals across the teams/units within the area/Establishment
- Increased number of cases where we can demonstrate that outcome agreements have been completed by offenders
- Bank of RJ success stories which can be used to promote RJ more widely

## GLOSSARY

For the purposes of this guide the following terms have been used to mean as follows:

**Offender:** Any person convicted or sentenced to a community sentence or a custodial sentence. It includes persons held in custody (prisoners) and also any person pre-conviction who has admitted causing harm to a victim.

**Victim:** A person who has suffered harm as the result of a criminal offence. RJ (within the terms of the NOMS Capacity Building Programme) only includes those victims whose offenders have been convicted of an offence which caused harm to them and whose offender is eligible and suitable to take part in a face-to-face meeting. The term 'victim' is used for the sake of brevity, although in an RJ conference they will be referred to as a 'person who has suffered harm'. One of the main purposes of RJ is to assist in the process whereby persons who have suffered harm are enabled to put the experience behind them and to no longer see themselves as victims.

**Establishment:** Any HM Young Offender Institution or HM Prison (including contracted prisons).

















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