

Community Justice Files 11

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An Evaluation of the Northern Ireland Youth Conference Service

Restorative justice occupies a central position in the response to youth crime in Northern Ireland. The 'youth conferencing' model of restorative justice has much in common with the New Zealand family group conferencing system, but places more emphasis on the position of the victim. In Northern Ireland it was decided, for reasons of accountability, certainty and legitimacy, that the youth conferencing model should be a statutory part of the formal justice system.

The youth conferencing service was introduced in December 2003. It was initially available in Belfast before, in April 2004, being extended to include Fermanagh and Tyrone. The legislation establishes two types of conference: diversionary and court-ordered. A diversionary conference can only take place if the young person admits they have committed the offence and consents to the process. An admission or finding of guilt is necessary for a court-ordered conference. Both types of conference are intended to result in a recommendation to the prosecutor or court about how the young person should be dealt with.

The youth conference will usually consist of a meeting in which a young person is helped to reflect on their actions and offer some form of reparation to the victim. The victim is invited to attend, and speak with the young person, if they wish. The conference concludes by devising an action plan – an agreed contract with sanctions for non-compliance intended to address the needs of the victim, the young person and the wider community.

A major evaluation of the youth conference service has recently been published. This draws on a major piece of research in which 185 conferences were observed, structured interviews were completed with victims and offender conference participants and semi-structured interviews were undertaken with conference participants as well as with magistrates, police and staff from the Public Prosecution Service.

The report concludes that the implementation of youth conferencing in Northern Ireland is going well. Overall, participants report a high level of involvement and satisfaction

with the process. The report argues that, whether or not the system is subsequently found to have an impact on re-offending, it can be argued to be of inherent value as it is generally seen to be a fair and helpful response to youth offending. The report does make a number of recommendations for improvement. These include amending the law to permit the use of a youth conference alongside a mandatory penalty. This would enable motoring offenders, who do face mandatory penalties, to benefit from the conference approach. The report concludes with a recommendation for continued research and monitoring, including an investigation of reoffending rates.

Welcoming the report, Northern Ireland criminal justice minister David Hanson MP said 'Youth conferencing provides an inclusive and restorative approach to healing the harm caused by crime. It encourages young offenders to take responsibility for their actions and, for the first time, provides victims with a say in the outcome.'

The report, authored by Catriona Campbell, Roisin Devlin, David O'Mahony, Jonathan Doak, John Jackson, Tanya Corrigan and Kieran McEvoy, is available at http://www.nio.gov.uk/evaluation_of_the_northern_ireland_youth_conference_service.pdf

Restorative Justice in Practice

Home Office Findings 274 discusses the findings from the second phase of the evaluation of three restorative justice schemes. These three schemes were funded by the Home Office under its Crime Reduction Programme from mid-2001 for two to three years. The schemes are CONNECT, which works with cases from two magistrates' courts in Inner London, both between conviction and sentence, and after sentence. CONNECT offers a wide range of restorative justice services from indirect mediation to conferencing. Justice Research Consortium (JRC) works on three sites in London, Northumbria and Thames Valley, using conferencing as the sole method. REMEDI provides mediation services, both direct and indirect, in South Yorkshire.

The key points emerging from the evaluation include:

- The three schemes were generally well-implemented. Victims were prepared to become involved with the schemes, with participation levels very high when cases involved young offenders.
- In those schemes where participants were given a choice of approach, indirect mediation was more commonly chosen than direct mediation or conferencing.
- Where victim and offender met, key participants (victim, offender and their 'supporters') spoke for relatively equal proportions of time. Facilitators were rated as impartial and not dominant.
- In 60% of the observed conferences run by JRC the offenders admitted quite a lot or a lot of responsibility for the offence. Almost all offenders showed remorse and offered apologies. Only rarely did the offender and victim disagree significantly about the responsibility for the offence.
- JRC conferences also had a focus on the future and, in particular, on what the offender should do to avoid further trouble.

The report also suggests that national guidance might be required as restorative justice approaches for adult offenders are developed. These should cover the obtaining of details about the victim, the confidentiality of what is said in a conference, the extent to which the proceedings should be private and role of the facilitator. For more information see <http://www.homeoffice.gov.uk/rds/pdfs06/r274.pdf>

Vulnerable and Intimidated Witnesses

Home Office Online Report 01/06 examines the provisions made for vulnerable and intimidated witnesses following recommendations made in the 1998 report 'Speaking up for Justice'. The report identifies two main continuing problems. The first is that many victims are not properly assessed as vulnerable or intimidated. Secondly, even when victims are correctly identified their needs are often not met: special measures are not provided or incorrect or unhelpful steps are taken. For example, the report discusses the advantages and disadvantages of measures such as the use of CCTV, screens and video-taped evidence in court.

The report makes a number of recommendations. It suggests that vulnerable defendants should be entitled to the same measures as vulnerable witnesses. It also argues for improved training so that police and prosecution staff are better able to identify vulnerable and intimidated witnesses. The report also argues for greater awareness of some of the less frequently used special measures, for example pre-court visits, the use of pagers (so that witnesses need not wait in the court building) and the removal of wigs and gowns. The Witness Service emerges as the most effective agency in the evaluation and the report argues that further thought should be given to its role and funding. It suggests that the Witness Service could exist as a more formal link between the witness and all the other agencies, relieving pressure on the police and acting as a single point of contact for a witness. The report ends with the reminder that a successful court case relies not just on the conduct of the court proceedings but also on the investigation and pre-trial stage, and that the needs of vulnerable and intimidated witnesses must be considered at these points too. The report, authored by Mandy Burton, Roger Evans and Andrew Sanders, is available at <http://www.homeoffice.gov.uk/rds/pdfs06/rdsolr0106.pdf>

Advocates for Victims

The government has announced plans to give families bereaved through murder and manslaughter a greater say in criminal proceedings. From April 2006 a pilot victims' advocate scheme will run at five crown courts: Old Bailey, Cardiff, Manchester Crown Square, Winchester and Birmingham. This project is the government's response to a consultation exercise about the experiences of bereaved relatives. For a full account of this consultation exercise see http://www.dca.gov.uk/consult/manslaughter/manslaughter_resp.pdf

Announcing the scheme, the Lord Chancellor explained that victims' advocates would make a statement to the court outlining the effect that the death and its consequences had had on the bereaved family. These advocates will either be lawyers or representatives

chosen by the family and granted right of audience by the judge. Lord Falconer concluded 'This is something that the families of victims of homicide cases need to have. It will give them a voice within the court process - something they have wanted for a long time and something they have deserve.'

National Reassurance Policing Programme

Home Office Research Study 296 reports an evaluation of the National Reassurance Policing Programme (NRPP) in England between 2003 and 2005. 'Reassurance policing' stems from an initiative in Surrey intended to address the gap between the public perception of rising crime and the falling crime rate.

The outcomes sought by the NRPP are:

- Reduced anti-social behaviour and improved quality of life.
- Reduced fear of crime and improved sense of safety
- Increased public satisfaction with, and confidence in, the police
- Improved social capacity.

The policing approach of the NRPP can be summarized as:

- Targeted police activity directed at the crime and disorder which matters in the neighbourhood
- Community involvement in the identification of priorities and decisions about the action to tackle them
- Providing visible, accessible and familiar authority figures in the neighbourhoods, particularly police officers and police community support officers.

The evaluation draws on data from six NRPP sites which were pair matched with control sites. However, the report notes that a variety of policing approaches were evident in the control sites and, as a result, some NRPP sites may have had a harder task in achieving statistically significant change relative to their controls. Outcomes were measured using police statistics and, principally, through a telephone survey in each site.

Comparing results from all six trial sites against all six control sites, the evaluation demonstrates that the NRPP had a positive impact on crime, perceptions of crime and anti-social behaviour, feelings of safety and public confidence in the police. There was not a clear increase in social capacity, with measures such as the willingness of neighbours to intervene and increased voluntary activity showing no change.

The report outlines a number of implications for policy, practice and research. It argues that a national roll-out of neighbourhood policing can be expected to deliver improvements in crime levels, public confidence, feelings of safety, fear of crime and perceptions of anti-social behaviour. This approach needs to go beyond public meetings and could include, for example, street briefings, door knockings and 'have a say days'. The evaluation also suggests that neighbourhood policing approaches alone are not sufficient to improve public confidence in the police across the board. The report identifies the

useful contribution that cost-benefit analysis could bring to the debate about neighbourhood policing, explaining that this could not be achieved in this evaluation because of the lack of agreement about how to account for factors such as fear of crime or low public confidence. The report, authored by Rachel Tuffin, Julia Morris and Alexis Poole is available at <http://www.homeoffice.gov.uk/rds/pdfs06/hors296.pdf>

Positive Futures - Impacting on Young People's Lives

Positive Futures is a sports-based intervention programme for young people across England and Wales intended to help those living in some of the most socially deprived neighbourhoods find routes back into education, volunteering and employment. The recently published third Impact report describes a number of the project's successes. For example:

- 109,546 young people have been involved in Positive Futures since 2002, with more than 46,000 currently involved in projects
- between March and September 2005, 736 young people have returned to full time education
- over 4,000 participants signed up for, or completed, training or awards
- 509 participants have been involved in volunteering projects and around 600 have secured employment
- 50 per cent of project partners identified lower levels of drug use as a result of Positive Futures.

Crime Concern, the national crime reduction agency, will take over responsibility for the management of Positive Futures from April 2006. Priorities for the next stage of Positive Futures include supporting existing projects, communicating the success of the scheme and expanding the project further with backing from the commercial sector and other partners. The full report can be found at <http://www.drugs.gov.uk/publication-search/183400/pf-impact-report?view=Binary>

Forthcoming Events

Mental Health and Crime

Nacro's 6th Annual Mental Health and Crime conference will take place at the University of Nottingham Jubilee Campus on 12th and 13th September 2006. The conference aims to explore how services for mentally disordered offenders can be fully integrated with mainstream criminal justice and health and social care arrangements. For more information, contact Anne Richardson on 020 7840 6466 or email: anne.richardson@nacro.org.uk