

Area West Committee – 20th July 2011

8. Community Justice Panel (Executive Decision)

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Purpose of the Report

The purpose of this report is for members to consider allocating a financial contribution of £2,500 to the South Somerset Community Justice Panel.

Public Interest

The South Somerset Community Justice Panel (SSCJP) operates across the district to resolve issues of low level crime and anti-social behaviour. The project operates a form of restorative justice whereby local volunteers and criminal justice professionals are brought together to decide on what action should be taken to deal with incidents of antisocial behaviour. The panel brings together victims, offenders and their supporters face to face to deal with the consequences of an offence, and decide collectively how to repair the harm.

Recommendations

That Area West Committee allocate £2,500 of one-off funding to the South Somerset Community Justice Panel to enable the project to continue through 2011/12, from the Area West Service Enhancement budget.

Background

The South Somerset Community Justice Panel (SSCJP) project was set up in 2004 in response to public perception of low police numbers and the closure of the local Magistrates Court in Chard. The local newspaper ran a campaign called Bring Justice Home; the initial intention was to get the court re-opened. Local councillors explored the possibility of setting up a local panel to deal with low level antisocial behaviour. After discussion with various agencies, agreement was reached and a steering group was set up to take it forward.

The Role of Community (Restorative) Justice Panels

A range of restorative justice practices now operate around the country, and the techniques are well recognised as effective means for dealing with low level crimes and antisocial behaviour. Support for the establishment of Community (Restorative) Justice Panels operating at a town or neighbourhood level feature strongly in both *The Coalition: Our Programme for Government* and the Green Paper *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders*, both issued by the coalition government in 2010.

The SSCJP was the first in the UK of its kind, and has been cited by the Government as an excellent example of effective practice. The project operates a form of restorative justice whereby local volunteers and criminal justice professionals are brought together to decide on what action should be taken to deal with incidents of antisocial behaviour.

The panel brings together victims, offenders and their supporters face to face to deal with the consequences of an offence, and decide collectively how to repair the harm. Victims tell offenders how they've been affected; offenders have a chance to take responsibility and make amends.

The Role of SSCJP in South Somerset

Since the early success of the pilot, the project has been rolled out across the district and panels now operate in each of the 4 SSDC areas (and is also expanding across the County in Frome, Taunton and Wellington). The panels are made up of trained community volunteers, and most cases are referred either by the police or local Housing Associations.

The project is managed by a full-time manager, a seconded full-time police officer and a part-time co-ordinator, who report to a strategic management group made up of partner agencies.

In 2010/11, the SSCJP:

- received 92 cases
- 7 cases were referred from Yarlington Housing and 85 from Avon & Somerset Police
- Offences included assault, arson, criminal damage, neighbour disputes, public order offences, threatening behaviour, possession of cannabis, racial harassment, TWOC, violence against the person, affray, ASB, parking dispute, theft with violence to secure entry, burglary, damage to motor vehicle, hate crime, malicious communications, public indecency, shoplifting and verbal abuse
- Supported a team of 45 trained volunteers
- Trained the majority of PCSO's in South Somerset, together with response officers/beat managers who have completed the full 3-day and some the basic training
- Expanded geographical coverage with new panels being set up in Frome, Taunton and Wellington

To ensure that the restorative justice practices remain credible and robust, training of volunteers is delivered by 2 qualified trainers accredited by the International Institute of Restorative Practices (IIRP), including an intensive 3 day course followed by a 1 day advanced practice module.

The process strongly indicates that by working with the community and managing conflict and tensions, repairing harm and building and strengthening relationships, individuals and communities become far better equipped at managing conflict and reducing levels of antisocial behaviour.

- Victims of crime are given a voice in a safe, controlled environment, where they can express the affect the crime had on them. They are better equipped to 'move on' from the incident itself and are less likely to re-criminate
- By allowing the person causing the harm to understand how their actions had affected the victim and the community, they are able to take responsibility for their actions, make amends and are less likely to re-offend
- The community has more faith in the justice system, and is able to witness the process and results

Results

- Re-offending rates for individuals going through the CJP process stand at **3%** compared to 64% going through the court system and 71% going through Community Orders (probation)
- Victim satisfaction levels with the process stand at between 90-95%
- Feedback from Yarlinton Housing and the Police is very positive. They recognise that the CJP can produce savings of up to **75%** on the costs of cases, particularly in officer time. In addition they find that the outcomes of using CJP enhance the community's understanding and satisfaction of the services they provide.
- Figures for crime and anti-social behaviour in South Somerset have dropped over the past 4 years
- The SSCJP has generated much interest both locally and nationally for the innovative way it deals with conflict, works with volunteers and for the results it produces.
 - The previous Attorney General, Lord Goldsmith, and present Attorney General, Baroness Scotland, have both expressed support for the SSCJP
 - In 2005 the SSCJP received an award from Avon & Somerset Criminal Justice Board for outstanding achievement in engaging local communities in the criminal justice system
 - In 2006 the SSCJP received the SCC Chairman's Award for Engaging Local Communities.
 - The model is also cited in the Home Office Guide for using Restorative Justice (2006) and quoted in the All Party Parliamentary Local Government Group enquiry into Justice in Communities (2009)
 - In 2010 the CJP received the Queen's Award for Voluntary Service

In 2010 a PhD Student, Jac Armstrong, carried out an evaluation of the experiences of the victims of crime who were then referred to the SSCJP. The results show very positive feedback with high levels of satisfaction from victims. The report will be published in August 2011.

View from Other Agencies

Avon & Somerset Police

There is strong support for the SSCJP from the police because of the significantly low re-offending rates and the recognised savings in dealing with cases outside of the court system. The police are also currently considering their future commitment to the SSCJP and are examining what future support they will be able to give, including the officer role (due to retire in January 2012), as well as any future core funding. Chief Inspector Sean Williams has been given the lead on CJP and stresses that the police recognise the benefits of CJP for the following reasons:

- Cost savings – dealing with cases through CJP is significantly cheaper than through the courts
- Re-offending rates – significantly lower than other methods in the criminal justice system
- Offenders avoid 'criminalisation'
- Customer satisfaction – over 90% of all victims are satisfied with the process
- Potential expansion – the Police would like the CJP to roll out across the Avon & Somerset Force Area. As the project expands there will be benefits of economies of scale, which will further reduce costs on a case-by-case basis.

The police believe strongly that CJP is 'the way forward' in terms of dealing with low level criminal behaviour and ASB. Ideally, while SSCJP has been devolved across South Somerset and into other parts of Somerset and indeed the country, there is still work to be done to develop it further across Somerset.

"Without question it is the way forward in terms of dealing with local issues and the beauty of CJP is that it does not criminalise anyone unnecessarily. By entering this process, the victim has the opportunity to face the other party and thus the satisfaction levels immediately become much higher. It also means that there is a far better chance of a long term solution and less chance of re-offending". *Inspector Jackie Gold*

Yarlington Housing Group

Yarlington are very supportive of the SSCJP and have committed £10,000 per year for 3 years (including 2011/12). The tangible benefits of the CJP for Yarlington include:

- Effective dealing with local issues at a local level
- Significant financial savings, through avoidance of court costs
- Keeps people in existing properties rather than having to move due to neighbour disputes
- Very positive feedback from tenants involved in the process
- Community confidence that issues are dealt with quickly and effectively

Currently Yarlington is the only Housing Association contributing financially to the project but there is potential for other Housing Associations to contribute. Plans are in place to raise awareness amongst these other providers. There could be an option of Housing Associations 'buying in' the service on a case by case basis. Meanwhile Yarlington envisage ongoing support to the SSCJP.

SSDC Review

Despite the SSCJP being recognised as good practice by the Government, the Green Paper has only provided indication that programmes were being developed. Any Act of Parliament would be in late 2011. Approaches to the Ministry of Justice in 2010 to provide further project funding for 2011/12 have not resulted in any commitment from the government.

The project is currently run by a full time manager, part time co-coordinator, a full-time police secondment and 45 trained volunteers. The manager and co-ordinator are 'hosted' by SSDC and are based in SSDC's Area West offices in Chard.

Funding has been short-term and in April 2011 SSDC was asked to consider financial support towards the project running costs. Other funding had come to an end and the staff employed were put at risk of redundancy.

Some funding was committed from other agencies and SSDC offered £10k of 'bridging' funding to enable the project to continue on the condition that a review of SSDC future support was carried out before any further funding requests were considered. The review to include:

- 1) Cost analysis to cover cases dealt with and costs per case
- 2) Fit with other RJ practices across the District and in each area (to include an options appraisal considering if the work of the team could be continued in a different way by mainstreaming through partner organisations)

- 3) Risk assessment of closure including impact on beneficiaries, SSDC finances and reputation
- 4) Set out the prospects for long term, sustainable funding of the CJP, so that SSDC Area Committees can consider the use of short term, transition or other funding to enable this to happen

1) Cost Analysis

The project is currently run by a full time manager, part time co-ordinator, a full-time police secondment and 45 trained volunteers. Staff are currently located in SSDC offices at Holyrood Lace Mill, Chard (which includes 'below the line' recharges of approx £5,000 pa for payroll, IT and invoice payments, currently picked up by Area West Development).

The overall costs of the SSCJP are as follows:

2011/12 Draft Budget	Budget (£)	Total (£)
<i>Above the line costs</i>		
Salaries (inc. on-costs)		
Manager	36,000	
Part-time Coordinator	14,000	50,000
Travel and subsistence	1,000	1,000
Volunteer expenses	2,500	2,500
Printing and stationery	300	300
Hire of premises for Panel meetings	200	200
Volunteer training	1,000	1,000
Total Budget required		55,000
<i>Below the line costs</i>		
Full time police secondment (currently funded by police)	45,000	
Office space, IT and payroll support (currently provided by SSDC)	5,000	

The project supports 45 volunteers who each contribute an average of 8 hrs per panel. 2 volunteers per panel = 16 hrs per panel x 92 panels = 1,472 hours per year x minimum wage = **£8,832** of hidden costs per year.

NB. in March 2011 the CJP incurred a redundancy of the Assistant (full-time) Manager. The remaining staffing structure is the minimum required for effective operation.

Benchmarking Costs

The Local Government Association published a "cost of crime" table for benchmarking purposes. It gives the national average unit costs of dealing with each crime as:

Criminal Damage £612
 Common Assault £648
 Theft £720
 Commercial criminal damage £890

with other costs for other cases being considerably higher.

By way of comparison, the average unit cost per case for the Community Justice Panel is around £130 - see appendix on pages 20-21.

2) Other Restorative Justice Practices in South Somerset

2a) Low level, 'on the spot' resolution

In minor, street-level incidents, the Police may encourage offender and victim to resolve things 'on the spot.' Whilst in the past the Police have been encouraged to use restorative justice techniques themselves for low level crime and antisocial behaviour (even as far as having a round-table 'panel'), they are now instructed to refer all suitable cases to the SSCJP as this is recognised as the most credible and effective tool for resolving issues.

2b) Acceptable Behaviour Contracts (ABCs)

An Acceptable Behaviour Contract (ABC) is an early intervention made against individuals who are perceived to be engaging in antisocial behaviour. Though they may be used against adults, almost all ABCs concern young people.

The contract, drawn up and agreed upon by the agencies concerned in consultation with the individual, contains both negative and positive conditions, detailing behaviour the individual will cease to partake in and what activities the individual will pursue to change their behaviour. They were frequently used as evidence to support an application for an Antisocial Behaviour Order.

Yeovil Crime Reduction Partnership carries out Acceptable Behaviour Contracts for low level theft, antisocial behaviour and some first offences such as shoplifting. These are carried out in Yeovil, Chard and Sherborne. ABCs can also be issued by police and PCSOs to restrict people's activities and movements. The scheme has seen 56 offenders accept an ABC since 2009; of these 55 have been successful in that they do not re-offend. The ABC would involve a ban from premises, which lasts for six months and covers 106 town centre premises. The ban is lifted if the offender signs a contract promising not to repeat their bad behaviour.

ABC's can be an effective tool which police use across the county, but where a more victim-oriented response is needed they will refer to the CJP, and are increasingly raising awareness of officers in Yeovil (and across the force area) of the benefits of CJP as this they consider to be the main tool for restorative justice.

2c) Restorative Justice in Schools

In 2008/09 Somerset County Council ran a comprehensive programme of restorative justice in secondary schools across the county. 2 full-time co-coordinators trained teachers in RJ techniques and schools were offered support as they integrated RJ into their own policies and practices.

However the County Council no longer operate the programme and the co-ordinator posts no longer exist. As a result, the use of RJ is now patchy across Somerset.

Some schools have maintained the practice and retain the skills amongst teachers who went through the training, eg. Ansford in Castle Cary. In other schools, close working with the local PCSO has ensured that RJ is used on a regular basis to deal with particular incidents, eg. Holyrood in Chard.

It is widely recognised that use of RJ with school children can have longer term benefits. Not only are they less likely to become involved in crime, they also become familiar with RJ from a young age and are therefore more likely to embrace the process when they are older. In Swansea, a programme of RJ has been rolled out across all primary schools in the local authority area, with evidence already indicating significant improvements in the behaviour of students as they move up to secondary school.

There may be opportunities for SSCJP to offer training for schools based on the 'Writing Wrong' programme.

3) Risk Assessment of Closure

- Victims of crime and antisocial behaviour would be significantly disadvantaged in that they would be less satisfied in the way the crime was dealt with, more likely to retaliate and also more likely to suffer from stress or depression as a result of the crime committed against them
- If the CJP were to close, approx 100 cases per year would be referred to the courts instead of through the CJP
- The offenders would be 60-70% more likely to re-offend, than had they gone through the CJP
- The specialist training and expertise of 45 volunteers and PCSOs would be lost
- Communities would feel less involved in tackling local issues of antisocial behaviour
- 2 members of SSDC staff would be made redundant at a cost to SSDC (there is currently £14,000 in reserves)
- There would be a negative impact on SSDC reputation – the CJP has been a highly regarded, high profile initiative in South Somerset at very little cost so far to the local authorities
- Without SSDC support, the project would likely continue until March 2012. However, with a small amount of one-off bridging funding, the long term sustainability of the project should be secured.

4) Funding

- At the outset, the Home Office, GOSW, and Mendip and South Somerset Community Safety Partnership, provided funding of £60,000 to pilot the project until March 2006
- The successful completion of the pilot stage led to further Home Office Funding and M&SSCSP funding to support the project through to 2010. This together with £4,000 from Area East Community Safety Action Panel enabled the roll out of panels to Ilminster, Crewkerne and Area East.
- Additional funding has been secured along the way from the Accelerated Neighbourhoods Partnership Fund, which enabled further roll out of panels in Yeovil, Somerton and Frome Area and maintained the service up until March 2011.
- Somerset County Council provided £7,000 in 2009 to support the production of a DVD.

Other support has been provided in kind by Avon & Somerset Police through a full time officer secondment (at a cost of approx £45,000 pa) and by SSDC through "pay and rations" support and office accommodation (at a cost of approx £5,000 pa). Financial and

operational support from the main agencies has been vital to the success of the project, particularly in the pilot/development phase.

For 2011/12, the following funds have been confirmed:

£1k Crimebeat
 £10k Yarlington
 £10k Medlock Charitable Trust
 £10k SSDC reserves
 £2k Pat Ripley Trust

Avon & Somerset Police has committed the costs of their secondment until January 2012.

In addition, at least £5k should be generated in income via consultancy/training fees from the IIRP.

Funding Gap

	2011/12	Sources of income (committed)	Total (£)
Total Budget required			100,000
Police (secondment)		45,000	
SSDC (reserves)		10,000	
Yarlington		10,000	
Medlock Charitable Trust		10,000	
Crimebeat		1,000	
Pat Ripley Trust		2,000	
Consultancy fees (projected)		5,000	
<i>Charitable trusts/grants and further consultancy fees (target)</i>		<i>17,000</i>	

Avon & Somerset Police are currently considering if any further funds can be committed for 2011/12 to ensure the continuation of the project and support the proposals in the Business Plan, which would see the project develop and roll out across the county.

The Future

Due to the success so far of the SSCJP and the positive feedback from both victims, offenders and agencies, it is the intention of the SSCJP to have restorative justice practices available and offered, where suitable, to all victims of crime and those harmed by antisocial behaviour across Somerset.

The SSCJP Business Plan includes the following strategy:

1. to further expand Justice Panels
2. to increase the use of Justice Panels therefore making it even more cost effective
3. to offer and deliver training and consulting to other areas
4. to achieve charitable status (N.B. Now achieved – June 2011)
5. to obtain sufficient funding that enables the project to continue on a firmer footing

There is a drive nationally to have Community Justice Panels (or 'Neighbourhood Justice Panels) across England and Wales. In 2012 the Government is planning to introduce Police and Crime Commissioners (PCCs) to ensure greater accountability to the public. It is the intention that the PCCs would manage and distribute all relevant community safety funding across the Avon and Somerset area. However it is unlikely that the PCC will be in a position to allocate any funds to community safety projects/initiatives until April 2013. Whilst the SSCJP would seem to be a likely fit with future priorities for funding, there is no guarantee, and this is still 2 years away.

However £250,000 of Home Office funds will be allocated to Somerset in 2012/13, and with the new formation of a County-wide Community Safety Team, there is a possibility that funds could be passed on to the SSCJP in 2012/13. **A good case will need to be put forward** for this including strong evidence of the benefits of the SSCJP to the range of agencies in the Somerset Community Safety Partnership.

There are fears that we will see an increase in reported crime as the period of austerity the country finds itself in continues. There will be increased demands on services the partner agencies provide, particularly the police. The CJP will be an integral part of alleviating this pressure and the police and Yarlinton are planning to actively promote the use of CJP as a crucial tool in their aims to reduce crime and antisocial behaviour, and resolve local disputes.

With sustainable funding the CJP will be able to increase the number of volunteers recruited and trained, and increase the number of cases that are referred.

As the programme rolls out across Somerset, approaches should be made to the other local authorities, including Mendip District Council, Frome Town Council and Taunton Town Council. Panels have now been set up in Taunton Deane and Wellington, with TDBC committing £15k to each Panel. Other Housing Associations should be contacted.

It has always been envisaged that the project would be "floated off" as a charity. Charitable status has now been achieved and this will open up further funding opportunities from trusts and foundations in addition to those currently being explored.

The recent assessment of the SSCJP carried out by the Third Sector and Partnerships Manager recommended the following:

- Area Committees each consider requests of £2,500 of 'bridging' funding from area budgets with funding being ring fenced to support work within South Somerset. This being **one-off funding** to support the CJP through 2011/12 to enable the project to continue whilst other funding is secured.
- Officer support is given to helping the CJP prepare quality materials to support funding applications and in preparation for the incoming Police Commissioner in 2012.
- Discussions are held with county-wide colleagues at an early stage about allocating funds from the government's Community Safety funding for 2012/13.
- Further promotion of the training/consultancy skills with a target of generating £10-£15k per year.
- Offering training package to schools (such as the Writing Wrong programme) to generate further income.

- SSDC continues to provide accommodation, IT support, management and payroll support up to **March 2013**, to enable the smooth transition to charitable status and for the organisation to become self-supporting.
- SSDC provides officer support as the SSCJP establishes itself as a charity; SSDC consider member representation on the SSCJP board as an observer.
- Officer support to SSCJP with seeking other sources of funding including:
 - agencies operating in Mendip to enable work to continue in Frome, including Mendip District Council and Frome Town Council
 - Taunton Town Council and Wellington Town Council for the development of the panels in Taunton and Wellington
 - Housing Associations – raise awareness of the benefits of the SSCJP, as well as request for funding; explore option to purchase service on a case by case basis
 - Big Lottery Reaching Communities Fund
 - Yeovil and Chard Town Councils
 - Further contributions from A&S Police
 - Yapp Charitable Trust – provide repeat/core funding for charities working with those at risk of repeat offending
 - Other local grant making trusts

Financial Implications

If the recommendation is supported, £17,500 will remain in the Area West Service Enhancement budget for 2011/12.

Corporate Priority Implications

4. Ensure Safe, Sustainable and Cohesive Communities
 4.13 Increase the number and scope of restorative justice panels in the district by 2011.

Carbon Emissions & Adapting to Climate Change Implications (NI188)

None.

Equality and Diversity Implications

- Increased access to the justice system

Background Papers:

Review of SSDC support for Community Justice Panels, (Area Chairs, June 2011)
South Somerset CJP Business Plan, May 2011
IPPR New Directions in Community Justice, 2005
Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders, Home Office 2010
The Lean Community Safety Partnership – A guide to making your partnership more efficient, effective and productive, LGA 2010