Why me? response to the Ministry of Justice Restorative Justice Progress Report and Action Plan


Ministry of Justice Progress report for the period 2014 – 2016

Overall this report talks about activities rather than outcomes and therefore is a list of events and actions but with no evaluation of impact of the activities which have been undertaken. We do acknowledge however that the Ministry of Justice (MoJ) is now undertaking work to consider how to evaluate Restorative Justice (RJ) and we very much welcome this work. It is clear from our work that victims participation in RJ has benefits, including economic benefits for them and society, and should be considered as part of any evaluation exercise.

There is an significant omission in addressing the issues raised by 2016 Office for National Statistics Crime Survey statistics reporting that only 4.2% of victims were aware of the for the option of RJ. We acknowledge and welcome the commitment to take forward the recommendations of the Victim Commissioner reports but would invite the MoJ to also give consideration to the research and reports from non governmental organisation and delivery services.

Why me? have campaigned on behalf of victims for over seven years and has established a strong reputation and respect from key stakeholders. We feel strongly that victims should get value for money on the investment the government has made with regard to RJ and our independent status allows us to give critical and constructive opinions. We will continue to offer views on areas where improvements are necessary. Our Valuing Victims campaign 2016 & 2017 are examples of this work.
We note that there does not appear to be any progress update on Objective 1.1(c) in relation to the use of Restorative Justice in serious and complex cases. Victims of these types of crime tell us they have been blocked and dissuaded from pursuing RJ, or that they simply did not know about it. Professionals say they do not know about RJ or how to make victims aware of the option. This is a concern as the Victims Code (2015) states in chapter 2, Part A, section 7.7 that victims of all crime are entitled to receive information about local RJ services and how to take part. This makes us wonder about the value of the Victims’ Code.


Ministry of Justice Restorative Justice Action Plan for the Criminal Justice System for the period to March 2018

Overall we consider the plan to be simple, clear and achievable. We acknowledge Police and Crime Commissioners (PCCs) have a key role in the delivery of restorative services as part of victim services and we will seek to support PCCs’ and the Ministry of Justice PCC relationship managers to discharge this duty.

Why me? welcomes the identified priority that more remains to be done to make sure victims have equal access to RJ and services offered are of good quality.

We acknowledge within the report the vision to continuing to work with the Restorative Justice Council to understand the extent and nature of RJ provision. We would invite the MoJ, however, to draw on the expertise and experience of other non-governmental organisations, such as Why me?, which have done so much to develop and promote RJ.

Why me? considers the action to work with PCCs’ and police to make sure that police inform victims about RJ and pass their contact details to a local provider in line with victims code to be key and we will be watching developments with great interest. We know from our research that information sharing is a key blockage to victims accessing restorative services, particularly in cross border cases.

Why me? do have concerns regarding the action: relating to prisons and probation services simply providing a supportive environment for RJ. This passive approach will not succeed because very few offenders will actively seek to participate in a restorative process. There is strong academic evidence that RJ can significantly reduce the likelihood of reoffending. We feel this should be acknowledged and that offender managers should be encouraged to be proactive in the use RJ as a tactical tool for reducing reoffending in addition to supporting victim led work. We feel that this should be fully considered in the delivery of the following stated action: Prepare and publish a paper setting out how RJ works within the CJS and the responsibilities of different CJS agencies in the successful delivery of RJ by March 2018. We think this is long overdue and will be a useful reference for all Criminal Justice Service agencies.
Why me? fully supports the emphasis on the delivery of good quality and safe RJ services. We consider there is a significant omission regarding the use of RJ in serious and complex cases. We know from the cases we have supported that this remains an issue for victims, who find it difficult on occasions to access RJ services for these types of cases. The following are 2 examples.

Amber (not her real name), who was stabbed eight times by her partner and who then met him in an RJ meeting brokered by Why me?, said she had been blocked by everyone she asked for RJ:

“Why me? were the first people I spoke to who did not judge me [for wanting to meet my partner]. I needed to do this for me. I have moved from being a victim to a victor.”

Carolyn (not her real name), met the man who raped her, but only after being dissuaded and refused by professionals. She persisted and finally met him.

Our serious and complex case work provides an evidence base which we believe can inform national policy and we will offer this to the Justice Minister.

Overall we are pleased to finally see these strategic documents and in particular the action plan to further develop RJ. We acknowledge that there has been significant investment by the government in RJ but there is still more to do. Why me? will continue to seek to anchor RJ as an option for all victims in their recovery.

April 2017