

HEDDLU DE CYMRU • SOUTH WALES POLICE



Appendix 2



CADW DE CYMRU'N **DDIOGEL** • KEEPING SOUTH WALES **SAFE**

RESTORATIVE APPROACHES

CJ v RJ

Criminal Justice Route

- Offence
- Punish
- LIMITED VICTIM INVOLVEMENT IN CJ route

Restorative Justice Route

- Offence
- Recognise Injury
- Heal/Repair
- VICTIM VIEWS HEARD BY OFFENDER

Benefits of Restorative Approach

- Significant Improvement in Victim Satisfaction
- Reduction in Reoffending
- Community Cohesion – offenders repair the harm done to individual or neighbourhood

OFFENCES

- RA CAN BE USED FOR ALL LOW LEVEL OFFENCES
- **RA CANNOT BE USED FOR DOMESTIC VIOLENCE**
- AGGRAVATING AND MITIGATING CONSIDERATIONS
- USE COMMON SENSE AND OFFICER'S DISCRETION
- ANY DOUBTS ON WHETHER RA IS SUITABLE FOR A CERTAIN OFFENCE - CONTACT SUPERVISOR FOR GUIDANCE

REMEMBER: VICTIM MUST AGREE TO RA
OFFENDER MUST ADMIT OFFENCE AND AGREE TO RA
CONSIDER IMPACT ON COMMUNITY

MULTIPLE OFFENDERS

- Treat everyone as an Individual – depending on offending history. (PNC and Niche)

REOFFENDING

- Previous RA disposal refer to Supervisor for guidance.
- In some instances where an RA disposal is the most appropriate way to deal with this incident a full rationale must be updated on the OEL.

Juveniles

- Process not delayed for Parent or Carer.
(Best practice to contact via telephone to explain process).
- Officer to convey the young person home after delivering RA approach if parent is not in attendance.
- In all cases parents and carers must be informed of the RA Disposal. (Before the officer finishes tour of duty).
- As in all cases officers must use professional judgement to decide on capacity (if in doubt use other disposals or postpone to gather further information).
- Youth Offending Teams should be notified of all RA Disposals.

DISPOSALS

- The current role out of RA disposals will include:
 - ❖ **Verbal Apology**
 - ❖ **Written Apology**

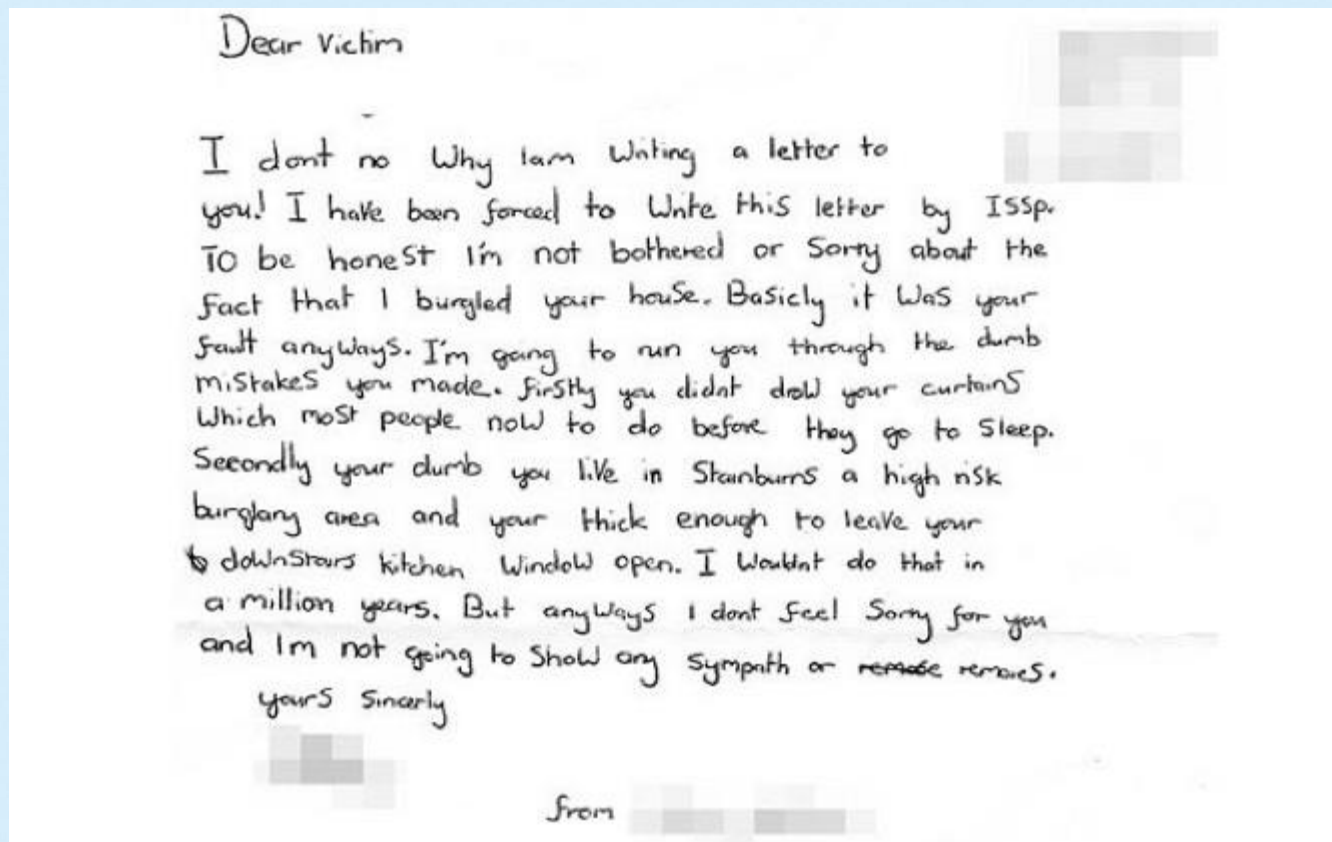
“Any letter will be read by an Officer before delivery to a victim, the offender may offer a letter it is the victim’s decision whether they accept it.”
 - ❖ **Consider simple solutions requested by the victim**

“Reparation cannot be enforced, but 95% of all agreements are kept, less than 50% of Court Orders are completed.”

What could be included in an Apology?

- Acknowledge that what you did was wrong – taking responsibility for actions.
- Acknowledge impact of actions – understanding hurt/distress caused to victim.
- Express regret/empathy at the consequences of your actions.
- Agreeing not to repeat the behaviour.

What NOT to be included in an Apology?



NICHE – RA ENTRY

- Niche OEL
- In Type – Select Crime Outcomes
- Go to Entry – Click F3 – Select CR08c – Restorative Approach
- Drop down menu – complete with rationale

NICHE- Supervisor Check

- Niche OEL
- Select New Entry
- In Type – Select Crime Outcomes
- Go to Entry – Click F3 – Select C019 – Supervisor Check
- Approve if you are satisfied that the RA process has been followed and comprehensive rationale provided

RECORDING

- Both Victim and Offender to sign PNB or Electronic PNB to record that both parties agreed for an RA disposal.
- Record on OEL.

PILOT TRIAGE FOR 18 TO 25

- At present anyone aged between 18 and 25 who meets the eligibility can still be dealt with via the RJ process for very low level crime but can be referred to the Triage Pilot if the officer feels this is a more appropriate course of action for example any support needs identified.

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

The Act includes new measures designed to give victims and communities a say in the way anti-social behaviour is dealt with – one of which is a Community Remedy:

Community Remedy – gives victims a say in the out-of-court punishment of perpetrators of low-level crime and anti social behaviour.

WHEN INTRODUCED INTO SWP – THIS IS AN AREA WHERE AN
RA APPROACH CAN BE CONSIDERED AND UTILISED

RA Approach for Community Remedy

- The officer must have evidence that the person has engaged in anti-social behaviour;
- The person must admit their behaviour and agree to participate in the Restorative Approach;
- The officer must believe the evidence is enough to satisfy a caution but considers that a community resolution using RA is more appropriate;
- Obtain views of victim on whether they agree to RA and a Community Remedy.

- **IMPLEMENT RA APPROACH**