

Report for: Cabinet

Item number:

Title: Cabinet Response to Scrutiny Review on Restorative Justice

Report

Authorised by:



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Ward(s) affected ALL

Report for Key/

Non Key Decision: N/A

1. Describe the issue under consideration

1.1 Under the agreed terms of reference, Scrutiny panels can assist the Council and the Cabinet in its budgetary and policy framework through conducting in-depth analysis of local policy issues and can make recommendations for service development or improvement. The panels may:

- Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- Conduct research to assist with specific investigations. This may involve surveys, focus groups, public meetings and/or site visits;
- Produce reports and recommendations, on issues affecting the authority's area, to Full Council, its Committees or Sub-Committees, the Executive, or to other appropriate external bodies.

1.2 The Overview and Scrutiny Committee on 17 July 2017 agreed that the Children and Young People's Scrutiny Panel would undertake a review on the issue of Restorative Justice as a potential approach for our response to concerns about worrying trends in levels of serious youth violence and exclusions in the borough.

1.3 The issues considered by panel included the following:

- The current use of Restorative Justice and how successful this has been;
- Best practice examples from elsewhere;
- The potential for its extension in Haringey; and
- Increasing take up and exposure amongst black and minority ethnic communities, especially young black men.

1.4 Restorative practice is an innovative way of working that focusses on prevention and repair of harm. It allows for the effective communication in a range of situations for example in Youth Justice facilitating understanding of both

perpetrator and victim perspectives enabling both parties to develop a way forward toward a positive outcome.

- 1.5 Restorative Justice is an approach endorsed by the Youth Justice Board (Ministry of Justice), to underpin work undertaken by the Youth Offending Services, including Haringey. In work with children and young people, restorative processes are used to work with groups and gangs, and to enable the involvement of victims in reparation work with young people, including an apology to them for the crime. Police forces are increasingly using the approach proactively to repair and build relationships with specific groups within communities.
- 1.6 This is a significant report as it cuts across several of the Council's priorities. It sets out evidence of the benefits of a Restorative Justice approach in reducing harm and promoting the repair of relationships.
- 1.7 The recommendation within the report that suggests piloting the approach in specific areas of Children and Young People's Services and considering how to expand this in schools is welcome.
- 1.8 Restorative Justice is also a relationship-based model of practice. Relationship based approaches are being considered within the Borough to embed "Think Family" principles in Haringey, Restorative Justice complements and fits well with this approach.
- 1.9 Workforce Development is critical to enable staff to have an appropriate set of tools for use in their work with children and young people; Restorative Justice will be one of a range of solutions used in the borough aimed at addressing the issue of serious youth violence and school exclusions.
- 1.10 The final report from the Review is attached at Appendix 1. This outlines the conclusions and recommendations of the Panel, which were approved by the Overview and Scrutiny Committee on 26 March 2018.

2. Cabinet Member Introduction

This review of restorative justice provides strong evidence of its benefits as an approach and application across a range of settings for organisations engaging with young people, encouraging desistance from offending, and whom are at risk of school exclusions.

An aspect of this review was learning about the benefits of implementing a relationship-based approach that enables young people to consider the detrimental impact of conflict, crime and harmful behaviour upon others. It provides tools with which to communicate safely and creatively, and to find positive ways forward together. It can build empathy in those who, initially, lack an awareness and understanding of the impact of their own behavior on others.

Restorative justice has the potential to offer clear and measurable benefits to reduce young people's involvement in crime whilst also reducing school exclusions. There is also evidence that restorative justice can provide value for

money by reducing reoffending rates whilst at the same times providing tangible benefits to victims.

3. Recommendations

- 3.1 That Cabinet consider the Scrutiny Review Report in **Appendix 1** and approve the responses to the Scrutiny recommendations as outlined in **Appendix 2** of this report.

4. Reasons for decision

- 4.1 The evidence supporting the Panel's recommendations on the potential for promoting and extending the use of Restorative Justice and a Restorative Practice approach in Haringey is outlined in the main body of the Report (**Appendix 1**).

5. Alternative options considered

- 5.1 The evidence supporting the Panel's recommendations is outlined in the main body of the Report (**Appendix 1**). The Cabinet could choose not to accept the recommended response by officers to them, as outlined in Appendix 2. The potential implications of alternative courses of action are referred to within this, as appropriate.

6. Background information

- 6.1 The Children and Young People's Scrutiny Panel 2017/18 work programme agreed its Review of Restorative Justice within Children and Young People's Services on 17 July 2017.
- 6.2 The review applied a "scrutiny in a day" format, with all the evidence heard in the course of one evidence session, which took place on 27 February 2018.
- 6.3 The final Report of the review is attached as Appendix 1 and outlines the outcome of the work and the findings, conclusions and recommendations that the Panel has made. These were approved by the Overview and Scrutiny Committee on 26 March 2018.

7. Contribution to strategic outcomes

- 7.1 The work undertaken by the Panel will contribute to Priority 1 of the Corporate Plan – "Enable every child and young person to have the best start in life, with high quality education". It is particularly relevant to Objective 5 - "Children and families who need extra help will get the right support at the right time to tackle issues before they escalate". Furthermore, it also relates to Corporate Plan Priority 3 – "A clean, well maintained and safe Borough where people are proud to live and work." It has particular relevance to Objective 5 - "To work with partners to prevent and reduce more serious crime, in particular youth crime and gang activity."

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

8.1 Finance

At this stage, it is assumed that no additional resources are required to undertake the proposed pilot. If later there is a proposal to implement the restorative practice approach more widely, the costs and potential savings will need to be appropriately modelled.

8.2 Procurement

Strategic Procurement notes the contents of this Report and supports its recommendations. Any requirement for external training resources in order to implement and imbed Restorative Practice in the Council and wider services must follow a compliant competitive process in order to be in line with Contract Standing Orders and to obtain best value.

8.3 Legal

Under Section 9F of the Local Government Act 2000 (“LGA”), Overview and Scrutiny Committee has the power to make reports or recommendations to Cabinet on matters which affect the Council’s area or the inhabitant of its area. Overview and Scrutiny Committee must by notice in writing require Cabinet to consider the report and recommendations. The report and recommendations should be presented to the next available Cabinet meeting together with an officer report where appropriate.

Under Section 9FE of the LGA, there is a duty on Cabinet to respond to the Report, indicating what (if any) action Cabinet proposes to take, within 2 months of receiving the report and recommendations.

8.4 Equality

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

The Scrutiny review found that Restorative Justice, and wider restorative practice, could have help to:

- i. Lower exclusion levels– BAME and children with special educational needs are over represented in school exclusion
 - ii. Reduce escalation to the criminal justice system – Children from BAME communities, particularly boys, are over-represented in the criminal justice system.
- Given that Restorative Justice can support improvements in outcomes in areas where BAME communities, boys and children with special educational needs are over-represented, it is considered that commitments made in the response to the report are positive for groups with protected characteristics.
 - A full Equality Impact Assessment will be carried out on the revised Young People’s Strategy as it develops.

9. Use of Appendices

Appendix 1 – Overview and Scrutiny Committee – 26th March 2018
Scrutiny Review on Restorative Justice

Appendix 2 – Response by the Children’s Service to recommendations

10. Local Government (Access to Information) Act 1985

None