



**Essex Restorative  
& Mediation  
Service**

# **20** ANNUAL **20/21** REPORT

**PFCC**   
POLICE, FIRE AND CRIME  
COMMISSIONER FOR ESSEX

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# Foreword

**The Essex Restorative and Mediation Service is celebrating its sixth year of helping victims of crime and holding offenders to account for their actions and to take responsibility for the harm they have caused.**

The Service works hand in hand with organisations such as the police, prisons and victim services. Putting the victim at the centre of what it does, our team, supported excellently by highly trained volunteers, gives victims the chance to have their say, have questions answered and potentially even meet the person who caused them harm.

I'm very pleased to say that our service makes a real difference to people's lives. Feedback from victims who have used the service show that they are better able to move on with their lives and would highly recommend the service to others.

Over the past 12 months, satisfaction levels with the service have remained high at 90 per cent and above. Seeing the feedback from victims and perpetrators that they were treated with respect and received an effective, timely and beneficial service demonstrates the need for a strong focus on restorative outcomes. We can see the evidence on reoffending with 79 per cent of perpetrators having not reoffended after 12 months and 100 per cent saying they will behave differently in the future.

This year we have begun to make the case into using Restorative Justice as an effective outcome for victims of domestic abuse and seen a rise in referrals of this nature of 133 per cent.

We continue to promote the use of Restorative Justice and Mediation with our partners, in order that they see the benefit of referring those who they have contact with. We will continue to push for post sentence referrals to increase, whilst maintaining the high standards we currently hold for community tensions and out of court disposals.

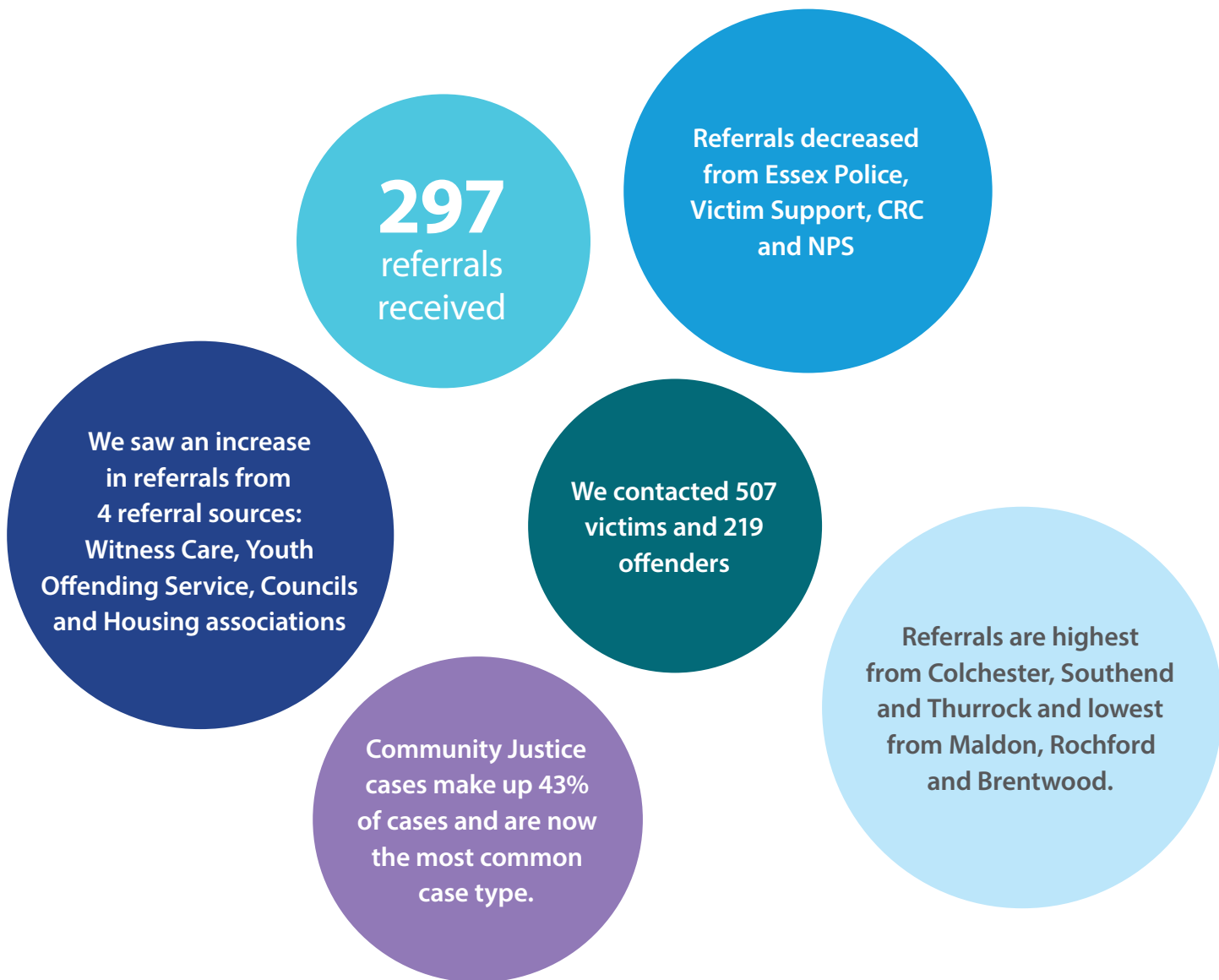
We remain very pleased and appreciative of the work of our volunteer facilitators. Logging 680 hours of volunteering work and ensuring the service continued even in the face of a global pandemic and national lockdowns. The service could not achieve the results it does without their dedication, and we would like to thank them for their hard work, flexibility and positivity this year.

The staff and volunteers of the Essex Restorative and Mediation Service ensure that victims are heard in the criminal justice system. This is so important as victims must be at heart of everything we do.



**Roger Hirst**  
Police, Fire and Crime Commissioner for Essex.

# One year at a glance



- 156 participants took part in restorative communication
- Domestic abuse related referrals increased by 133% and Hate crime referrals by 22%
- Victims rated the service 4.5/5 and offenders rated it 4.9/5
- Our referrers rated the service 4.8/5
- 100% of our volunteers said they felt valued
- We delivered 59 training and awareness sessions to our partners

Outcome	Within 6 months	Within 12 months	Within 2 years
Re-offended	8 (10%)	16 (21%)	24 (31%)
Not re-offended	70 (90%)	62 (79%)	54 (69%)
Total	78	78	78

# We Said, We Did

**We set out some aims in our previous report, here is how we did against them.**

We said	We did
<p>We will increase post-charge referrals.</p> <p>Post-charge referrals made up 7% of total referrals in 2019-20. We wanted to increase this through raised awareness of victims rights and understanding that it should be the victim who decides whether to explore RJ or not. We wanted to engage our lowest referrers, Prisons and Probation Services to improve take up rates for RJ.</p>	<p>We delivered 54 training sessions to Police Officers and staff. The teams that we presented to included detectives, family liaison and witness care officers as well as local and community policing teams. This training included clear information that our service could offer benefits to those involved in anything from community issues to serious offences. We included video examples of those who have been able to move forward positively as a result of completing an RJ process.</p> <p>Alongside this message of RJ availability, we ensured that everyone that received our training was made aware of the rights that victims have under the Victims Code of Practice to receive information on RJ, regardless of the offence.</p> <p>Due to COVID restrictions and process changes, delays were made to accessing prisons and probation services. Engaging post sentence referrers remains a priority for ERMS this year.</p> <p>Despite our efforts, post-sentence referrals rose from 17 to 18 referrals this year and will continue to be an area of focus for improvement.</p>
<p>We will increase awareness of RJ</p> <p>We will focus on more promotion of the good work that we do and offer refresher training in geographical areas with the lowest referral numbers as well as those teams who deal with our least referred offence type.</p>	<p>We delivered 59 training and awareness sessions this year. Most were local, but a number of our presentations were delivered to a national, and even international audience. The majority of these sessions were delivered to local services such as Essex Police, magistrates and students at the University of Essex, however, we were also invited to speak at the WhyMe national hate crime conference and to give advice to the RJ development team in Poland. We also organised a national webinar focusing on the use of RJ in cases of domestic abuse which reached over 160 people.</p> <p>We aimed to improve take up in areas with the lowest referrals. Maldon referrals reduced by 2, however the other lowest areas did increase; Rochford by 5 and Epping by 8.</p> <p>We published 5 case studies on our website and posted on social media to more than 50,000 people.</p> <p>This year, we hope to raise our volume of referrals and will therefore continue to promote the use of RJ and mediation through awareness sessions and promotion of case studies.</p>

We said	We did
<p>We will improve RJ access for survivors of domestic abuse</p> <p>We will embed RJ into the PFCC’s plan around tackling domestic abuse and increase referrals in this area. In order to effectively manage an increase in referrals of this nature, we will upskill at least 2 new facilitators.</p>	<p>We successfully embedded the use of RJ with DA incidents within the PFCC’s Police and Crime Plan Extension. This extended plan now pledges to:</p> <ul style="list-style-type: none"> <li>■ Increase the use of restorative justice as a proven way to prevent domestic abuse reoffending and help victims cope and recover.</li> <li>■ Increase the number of referrals to the Essex Restorative and Mediation Service, to support those impacted by sexual violence and abuse and domestic abuse</li> </ul> <p>We worked with Essex Police to begin the process of amending the community resolution (CR) process to allow CRs to be given for those aged 16 and 17 for domestic offences, where appropriate. This would open the door to more referrals from Essex Police for incidents of this nature. Currently, Essex police officers are not able to refer domestic related incidents for RJ alongside a police outcome. This policy is based on national NPCC guidance and is something we are supporting the Restorative Justice Council to address in order to allow all victims their rights to RJ where safe.</p> <p>Our November 2020 webinar was attended by over 160 people and focused on the experiences of Lucy, a domestic abuse survivor who took part in a restorative justice process. The event received glowing feedback and has led to discussions around using Lucy’s story in the Domestic Abuse Investigation (DAIT) team’s training package.</p> <p>We continue to meet with organisations who support survivors of domestic abuse to discuss opportunities for RJ and have trained 2 more volunteers to facilitate these sensitive cases, bringing this pool of advanced level volunteers up to 5.</p> <p>Domestic abuse related referrals have increased from 6 referrals last year to 14 this year and work will continue on ensuring that victims of domestic abuse receive their right to RJ.</p>
<p>We will improve RJ access for victims of hate crime</p> <p>We will build on the work already happening in this area by continuing to work with our hate crime partners to promote the use of RJ in this area.</p>	<p>We engaged with Community Policing Team inspectors to ensure the message that RJ can be used with hate crime was effectively delivered. This led to a change in our training package to include more direct information relating to hate crime which is included in all of our training deliveries.</p> <p>A successful RJ outcome for a hate crime related case has been published on our website to promote the benefits of this work, and we continue to be part of the Hate Crime Prevention Partnership for Essex.</p> <p>This year we have seen an increase of hate crime related referrals from 18 to 22.</p>
<p>We will focus on complex and sensitive cases</p> <p>We aim to upskill volunteers to take on these cases. We will also build relationships with ISVA and IDVA services.</p>	<p>We upskilled 2 facilitators to enable them to take on complex and sensitive cases involving domestic and sexual abuse. We will continue to monitor referral numbers for our serious and complex cases and look to upskill more volunteers as and when referral numbers in this area begin to steadily increase.</p>

# We delivered an effective service

## Referral Sources

This year, the service received 297 referrals, a drop of 6 referrals from 2019/20. Referrals to ERMS had dropped by 146 last year compared to the year before (2018/19), so referrals numbers being maintained at around the 300 mark, especially considering the difficulties in delivering RJ during a global pandemic, is a positive achievement.

Referrals in the last year have increased from most of our referral sources including a new referral source; Witness care, who submitted 12 referrals this year. Referrals also increased significantly from the youth offending service (86% increase), councils (52% increase) and housing organisations (50% increase). Referrals from our main source, Essex Police, however did drop by 21% from 247 to 204 total referrals. We also saw a decrease in referrals from Victim Support (67% decrease), CRC (100% decrease) and NPS (200% decrease). Work is being carried out by officers within Essex Police in

order to identify the cause of the reduction in referrals. We intend to use this feedback to influence our training and refresh plan and any further action required to address the reduction in referrals.

If we look at referrals by area; Colchester, Southend and Thurrock remain our highest referral areas, despite a reduction in referral numbers of 16%, 43% and 37% respectively. Maldon was our lowest area of referrals with 3, a decrease from 5 last year. Rochford and Brentwood also had low numbers of referrals with Rochford increasing from 4 last year to 9 this year and Brentwood decreasing from 12, to 9. We will target the areas in the lower referral range to improve awareness and encourage take up.

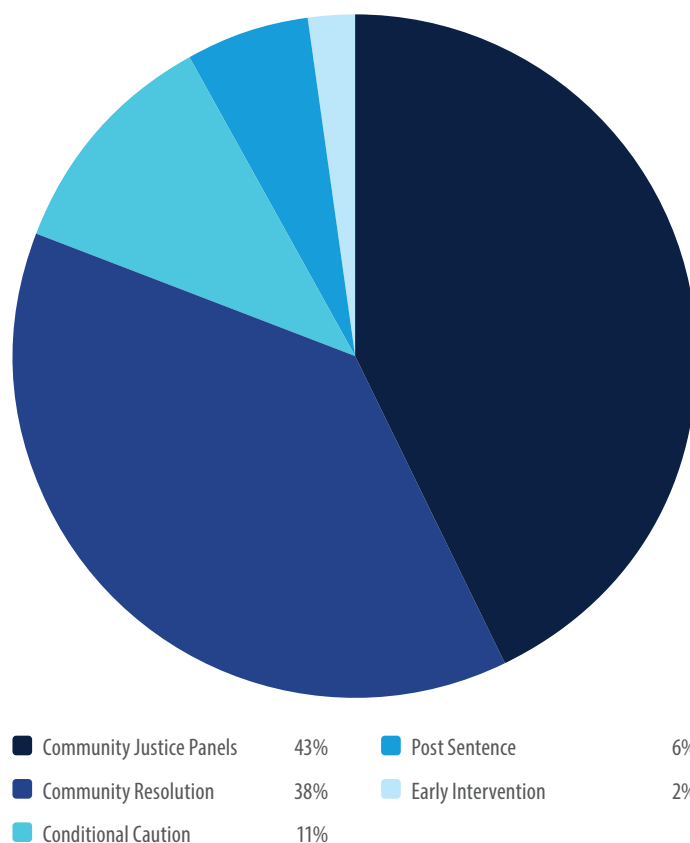


“ The issue was handled with sensitivity, and updates were sent throughout. I had no experience or expectations of the service, but was treated wonderfully through what has been a very stressful time. ”

### Referral types

Reflecting the change in referral sources, the make up of referral type has also changed this year. Community Justice Panels (typically mediation cases), now make up the majority of referrals at 43% (previously 22%) and Community Resolution referrals dropping to 38% (previously our highest referral type at 53%). All other referral types remain around the same.

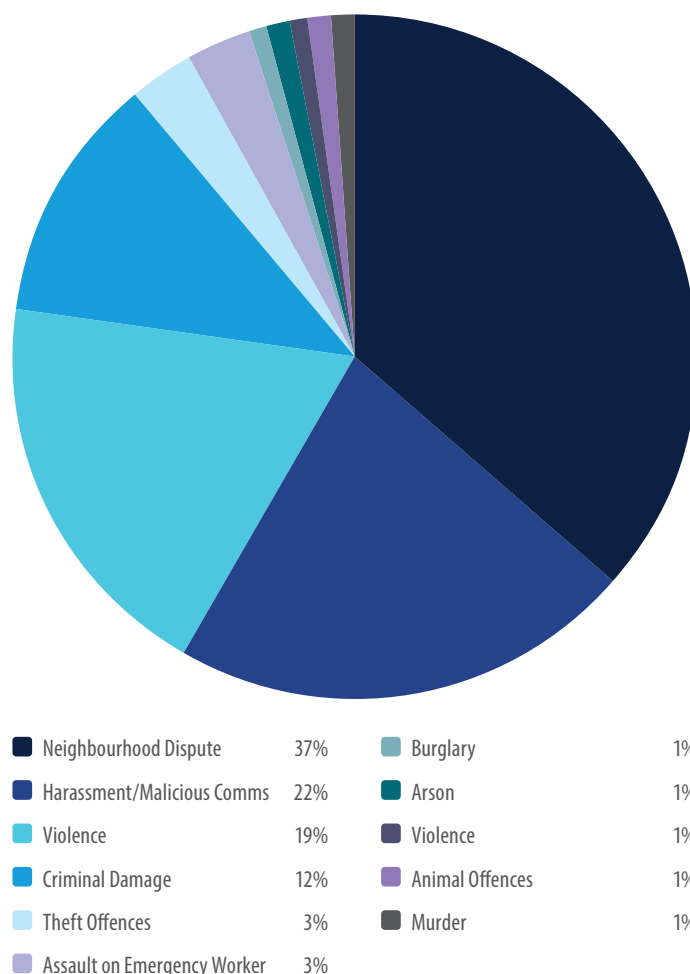
Post sentence remains at the lower end of the referral numbers and has stayed at 6% of our total referrals. We hope to make use of the reunification of the Probation Service in June 2021 to reinvigorate the RJ agenda in this organisation. Work will continue in 2021/22 to increase the numbers of post-sentence referrals for Restorative Justice by 40%.



### Incident types

Neighbour Dispute cases made up 37% of referrals this year, with violent incidents reducing from 31% of referrals last year (our biggest incident category) to 19% this year. The incident type make-up reflects the change in referral source as Councils and Housing associations are more likely to refer a neighbour dispute or harassment type referral.

Last year, we set out to increase referrals for victims of Domestic Abuse and Hate Crime. The service received an increase in domestic abuse referrals by 133%, and an increase in hate crime referrals by 22%.



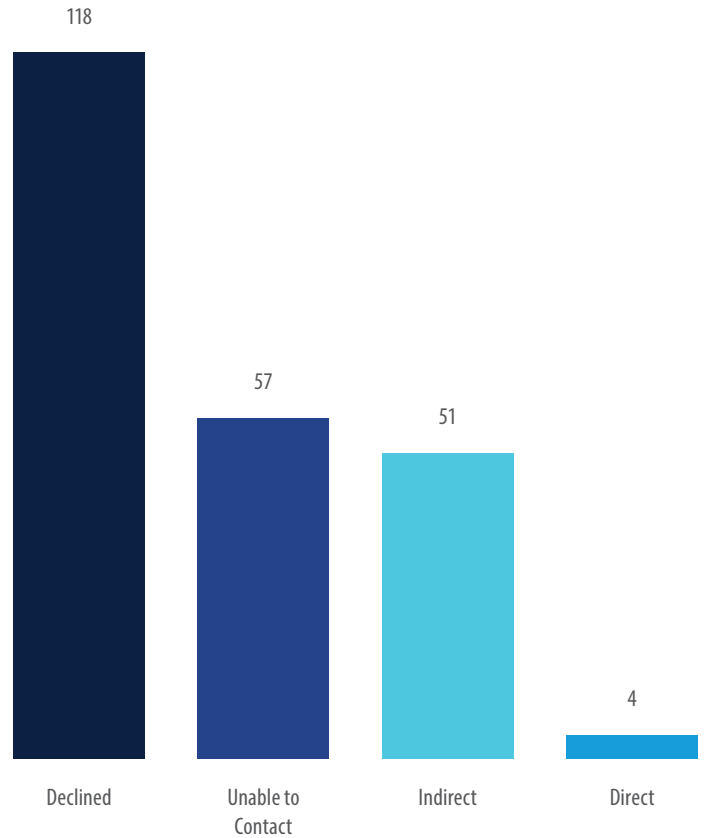


### Case outcomes

We made contact with 507 victims and 219 offenders to offer a restorative process. In 175 cases one or more parties either declined to take part, or could not be contacted. 55 cases resulted in a successful outcome, meaning 156 participants were able to have communication with the other party.

An increase in indirect outcomes, and decrease in direct outcomes was expected this year due to national lockdowns and social distancing rules. The team completed 6 more indirect outcomes this year than last. The percentage of successful outcomes slightly increased this year from 23% of all referred cases last year to 24% this year.

67 cases are currently active and it is therefore likely that successful outcomes will increase further.



“ The facilitator was incredibly helpful and guided me through the process and made it easy to understand and answered my questions. ”

## Impact on reoffending

Our 2019/20 report showed that out of 95 cases reviewed, 84 harmers had not reoffended within 6 months, 72 had not reoffended within 12 months and 11 had not reoffended within 3 years however, 55 cases had not yet reached the 3 year mark. These outstanding cases have now been reviewed, showing that of the 95 reviewed cases, 62 harmers had no further incidents recorded demonstrating a reoffending rate of just 34% after 3 years.

This year, we reviewed cases from April – September 2018 which had resulted in a positive outcome. We reviewed the data to see if the person responsible for the harm had any further incidents recorded. After removing any cases in which there was no record found of the harmer, we reviewed 78 cases. We decided to review cases after 6 months, 12 months and 2 years for any further incidents recorded by Police.

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Re-offended	8 (10%)	16 (21%)	24 (31%)
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If we look more closely at the data, we can see that face to face outcomes are more likely to improve reoffending rates. Those who had received a direct process accounted for only 1 of the 24 perpetrators who had further incidents recorded by Essex Police. The other 23 had taken part in an indirect process which means they communicated by any means other than face to face.

In comparison, the Government proven reducing reoffending rates over 12 months show that nationally, 32.8% of adults and 51.4% of young people committed further offences between April 2018 and March 2019<sup>1</sup>.

<sup>1</sup> Proven reoffending statistics: January to March 2019 - GOV.UK ([www.gov.uk](http://www.gov.uk))

“ The issue was handled with sensitivity, and updates were sent throughout. I had no experience or expectations of the service, but was treated wonderfully throughs what has been a very stressful time. ”

## Feedback

Victim feedback has been very positive over the last year with victims rating the service 4.5/5. Two thirds of victims that we asked reported that the process had a positive impact on their situation and 80% said they felt better after speaking with facilitators. 80% of victims would recommend the service to others.

Satisfaction rates for those responsible for the harm was even higher with them rating the service 4.9 out of 5 and 100% of respondents reporting that impact of the process on them was positive. All respondents also answered 'yes' to the questions "Do you think that you have a better understanding of how your actions affect others as a result of this process" and "Do you think that you will behave differently in future as a result of the RJ process".

Getting feedback is an area which the service can focus on to improve next year. We received feedback from 11 victims and 6 perpetrators in this year, a return rate of 10%. Next year we will look to improve feedback return rates to 20%.

**100% of referrers said they would use the service again and rated it an average of 4.8 out of 5.**

// The facilitator was very open, articulate and supportive. She took on board our feedback and built a good rapport. Having initially been resistant to this process and a bit dubious, I felt this was really helpful to close out this incident and ensure there was positive closure. //



# We adapted

**In a fast changing world of lockdowns and social distancing, our team were quick to adapt to a new way of working. This case study demonstrates how we can utilise technology to continue to deliver an effective service.**

## Virtual Mediation – A New Way of Working

The COVID-19 pandemic has caused a lot to change in the way many organisations run their business. Lockdown, social distancing and working from home has meant that we have had to adapt a process which is traditionally carried out face to face into a virtual world.

In August 2020, we received a referral which resulted in 3 parties involved in a neighbour dispute agreeing to take part in mediation.

Working within Government guidelines, we conducted our initial meetings with two of the neighbours in person, ensuring safety measures were in place. One of the parties was nervous about meeting in person due to Covid-19, so one initial meeting took place online using the MS Teams meeting platform.

After further discussion and consultation with each party, and a realisation that restrictions would not allow us to meet face to face for some time, we began to explore other options for carrying out a mediation meeting between the neighbours.

As the concerns raised were different between all three neighbours, we felt it be best to carry out two separate mediations rather than a group one so each participant would be able to raise their own concerns and provide an opportunity for the other to respond to these individual issues raised.

## Telephone mediation

In preparation for online mediation, one of the participants disclosed she did not have access to a laptop. We decided to carry this mediation out via telephone, as a shuttle mediation. As we would before any mediation process, we spent a

considerable amount of time with each party to prepare them and asked them to delegate half a day for the mediation to take place. Each participant was asked to consider questions they would like to ask their neighbour and issues they would like to raise. On the day, the mediator called each party to briefly explain the process of telephone mediation and, after agreeing to the ground rules, the mediation started. After a two and a half hour mediation calling each party back and forth, an outcome agreement was reached and read back to both parties, which they agreed to the terms and signed electronically. A copy of the agreement was shared with each party.

## Online mediation (via MS Teams)

The following week, an online mediation was carried out between the other two parties. Instructions and ground rules were sent in advance along with a separate link should each party want to have a 'break out room'. The meeting lasted around 2 hours and each party had their opportunity to have their say with an open discussion on what agenda items they wanted to cover, and this was formed into an outcome agreement. Similarly, the agreement was signed by both participants electronically and a copy was sent to all involved.

## Evaluation

When following up with the parties afterwards, one of the parties noted that the online mediation was probably more comfortable than meeting in person as it felt less 'formal', more comfortable being in her own home and she still felt able to have her say and listen to the other party's concerns.

## We Valued volunteers

Due to restrictions on face to face contact, the service couldn't offer the usual meetings and events in which we thank and reward our volunteer facilitators. Many felt that the new virtual way of working was difficult and some decided to take a break from facilitating until face to face meetings with participants could happen again.

Despite the challenges, our dedicated volunteers clocked in 680 voluntary hours and rated the service 4.9 out of 5 as a service to volunteer for. 11 volunteers responded to our annual feedback request, they had been volunteering for the service for between 1 and 6 years. 82% said they felt recognised and 100% said they felt valued. To maintain a connection with the volunteers, the team organised virtual coffee mornings for anyone to drop in to, began a weekly newsletter and created a new training team. We also continued to hold group meetings, although these changed to virtual rather than face to face. The outstanding work of the Essex Restorative and Mediation Service's volunteers was recognised in 2020 when a member of the team was awarded 'Volunteer of the Year' by Essex Police.

### What do you like best about the role?

- The variety of cases, the people I work with and the team working that results
- Exposure to work I would never have imagined myself involved in
- It can be unpredictable but the team are so helpful and caring
- We added to the team this year, with 6 new facilitators being trained in November. We also upskilled 2 volunteers to work on our most complex and sensitive cases. Our volunteers rated the training that they had received this year as 5/5.
- In September 2020, Nottingham Trent University published a study on Exploring individuals' experience of volunteering with Essex Restorative and Mediation Service<sup>2</sup>. The study found that volunteers felt that the support that they received was very good.
- 100% of our volunteers find the work interesting, challenging and rewarding.
- Our participants rated facilitators 4.9 / 5\*



<sup>2</sup> G. Kidd, Dr R Kitson-Boyce & Dr P Athwal-Kooner, 'Exploring individuals' experience of volunteering with Essex Restorative and Mediation Service', Resources - Restorative Justice ([restorativeessex.co.uk](http://restorativeessex.co.uk)).

## We raised awareness

**To maintain good relationships and keep RJ in focus for our partners, we continue to attend multi-agency meetings. These meetings include Youth Out of Court Disposal Panels for Essex every week, regular Local Action Group meetings across the county and the Essex Police Out of Court Scrutiny Panels. These meetings mean that we can encourage partners to consider the use of a restorative outcome for the low-level crime and anti-social behaviour issues they face daily. We are also represented on the county wide Reducing Reoffending Board and Hate Crime Prevention Partnership Board to ensure that RJ is considered across the strategy in these areas.**

We delivered 59 training sessions this year, to a range of audiences and even across the continent. We trained 4 volunteers to help staff in the delivery of awareness sessions to 9 different Police functions, community groups, councils, magistrates, universities and voluntary services. The majority of these sessions were delivered to local services, however, we were also invited to speak at the WhyMe national hate crime conference and to give advice to the RJ development team in Poland.

Feedback was sought from a programme of 5 awareness sessions delivered to local policing teams to more than 700 officers over 2 months. Of the 280 responses received, 87% agreed that their knowledge had improved as a result of the training and that they could use this in the workplace. 91% agreed that the trainer's knowledge of the subject was of a high standard.

We continued to promote our work using case studies on our website and posted on social media to more than 50,000 people.

### Domestic abuse

One area which we focused on this year was raising awareness on the use of RJ with domestic abuse cases. Essex Police policy prohibits officers referring a domestic related case for RJ but with our input, this is being addressed and we hope to have this amended by next year. We were able to achieve a change in policy for young people aged 16-17 who are now able to be referred for RJ following an out of court disposal for an offence relating to domestic abuse.

In 2020, the Police, Fire and Crime Commissioner published an extension to his Police and Crime Plan. For the first time, reference to Restorative Justice was added to Priority 3 – Breaking the Cycle of Domestic Abuse and Priority 4 – Tackling Gangs and Serious Violence.

In November 2020, we organised a national webinar focusing on the use of RJ in cases of domestic abuse which reached over 160 people.

This improved awareness has led to an increase in domestic abuse referrals from 6 to 14.

## Future focus

### 1. Increase referral volume

Referral numbers have steadily declined since a peak in 2018. We aim to increase referral numbers this year by 15%. We will focus on gaining greater engagement from areas with the lowest referral numbers and encouraging more use of RJ post-sentence.

### 2. Increase post sentence referrals

Despite our efforts, post-sentence referrals fell from 17 to 18 referrals this year and will continue to be an area of focus for improvement. Engaging post sentence referrers remains a priority for ERMS this year and we aim to increase post sentence referrals by 40%.

### 3. Enhance volunteer skills

We will upskill our volunteers in line with the rate of referral increase for complex and sensitive cases. These are cases in which there is a highly traumatic impact to the victim or their family such as loss of life or life changing injury. Volunteers who meet the criteria for these advanced cases will be offered extra training before taking them on.

### 4. Allow equal access to RJ for Domestic Abuse survivors

We will continue to work with Chief Officers in Essex Police to allow them to refer victims of domestic abuse for an RJ process. It is our hope that by next year, the change in policy will be in effect.

### 5. Improve feedback return rates

Getting participants experience through evaluation is valuable. We will review and amend our processes to increase the feedback return rate to 20%.



“ The whole process was calm and gave you the opportunity to talk to someone about the issues. Facilitators never made you feel rushed which was nice, they gave time to explain and express yourself. ”

# Restorative Justice

Essex Restorative and Mediation Service provides safe and effective communication between people in conflict to encourage mutually agreed, positive outcomes for all involved.

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