



Gateshead Youth Justice Service

Victim Policy

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Crime can impact many people's lives in various ways and being part of the Criminal Justice System, it is important for the Youth Justice Service to have a central part in the support offered to victims of youth crime. While following Youth Justice Board National Standards and Ministry of Justice Code of Practice for Victims (November 2020), Gateshead Youth Justice Service provides victims with the opportunity to engage in a Restorative Justice process. This process offers ways to redress the balance by giving victims of crime an opportunity to have their say and have their harm acknowledged.

'Restorative Justice brings those harmed by crime or conflict and those responsible for the harm into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward.' (Restorative Justice Council, www.restorativejustice.org.uk)

The aims of this victim policy are:

- To ensure that the needs and wishes of victims through Restorative Justice are a key focal point in the work that the Youth Justice Service undertake with young people.
- To provide a framework that promotes best practice, following the National Standards in correlation with Youth Justice Board, the Restorative Justice Council, and the Victim Code of Practice.
- To provide victims of the crime with quality information about the Restorative Justice options available to make a personal informed choice about participation.
- To provide victims of crime with a quality service by having a group of trained and qualified staff to facilitate Restoratives approaches.
- In order to enhance the choices available to victims, the Youth Justice Service will promote, develop and support multi-agency initiatives within the Northumbria Police Force area as well as initiatives within local communities within Gateshead.

In accordance with National Standards for both the Youth Justice Service and the Probation Service, it is a statutory duty of the Probation Service to provide a service to victims of sexual and violent offences where the offender has received a custodial sentence of 12 months or more.

Gateshead Youth Justice Service are committed to following the Council's equal opportunities policy. This shows a commitment to tackling inequality, discrimination, and disadvantage. We strive to treat everyone regardless of race, religion, gender, sexual orientation, or abilities with respect and offer equal access to services.

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The victim offer

Restorative Justice allows victims of crime to have their harm acknowledged using one of the options requested. Victims of crime are given sufficient information about all the RJ options available to allow them to make an informed choice. This information is shared through one or more methods including face to face, over the phone, in writing (letter from the victim worker and a leaflet.)

At the initial point of contact with any victim it will be emphasised that any involvement in the process is voluntary. The designated victim worker will ensure that all victims are given accurate, balanced and realistic information which will allow them to make decisions as to whether they wish to be involved in the process or not.

To ensure that all victims of crime are given an opportunity to participate in the Restorative Justice process and to facilitate all victims' requirements and requests they are given the following RJ interventions as options:

- **Restorative meeting;**
- **Mediation (Direct or Shuttle);**
- **Reparation (both for the benefit of the community and /or specifically requested by the victim);**
- **Letter from the young person (apology or explanation);**
- **Be kept updated about the progress the young person is making on their intervention;**
- **Other forms of multimedia can also be used to record indirect mediation between parties.**

If a victim indicates that they do not want to be involved in the process after they are given the information. Gateshead Youth Justice Service will respect their decision. However, if someone decides later that they would like to take part in the process; the Gateshead Youth Justice Service will endeavour to accommodate the request.

With the agreement of the victim at the initial contact stage, Gateshead Youth Justice Service will contact victims by phone at different times during the young person's intervention to update them on the progress.

If a victim is unhappy or dissatisfied with their treatment by representatives of Gateshead Youth Justice Service, they may choose to make a complaint via the Council's Corporate procedure. The Youth Justice Service will ensure that victims are aware of the procedure.

Contact

The Police Officer seconded from Northumbria Police to Gateshead Youth Justice Service will access victim details as per the Data Protection Act 1998. The Police Officer will pass the information on to the designated Victim Liaison Officer. The Victim Liaison Officer has an Enhanced DBS certificate and has also received relevant clearance from Northumbria Police Service to access this information.

Victims of crime will be asked by the Police if they wish to be referred to Victims First Northumbria. Gateshead Youth Justice Service has an agreed procedure with Victims First to ensure that victims receive a seamless service. At the point of contact by the Youth Justice Service, if the victim requires a referral to Victim First Northumbria this will be made by our service.

Gateshead Youth Justice Service can offer a face-to-face meeting to each victim, however if a victim does not wish to meet then information will be shared over the phone and can be followed up in writing if requested. A letter will be initially sent to a victim informing that contact will be made as well as a Restorative Justice information pack.

With liaison with Northumbria Police, a risk assessment will take place and if there are any identified risks, staff will follow Gateshead Youth Justice Service policies and procedures in relation to home visits to service users.

During the initial contact, the victim liaison officer will discuss the details of the young person's order/ intervention. From this the Victim Liaison officer and the victim will discuss the impact this may have had. This will follow a discussion around Restorative Justice including the researched benefits to the victim of crime in relation promoting recovery. During the discussion, if the Victim Liaison officer identified any additional needs linked to the offence, the victim will be offered additional support and signposted to relevant agencies where necessary.

Gateshead Youth Justice Service are committed to the principle aim of Youth Justice System around swift justice, but the service recognises that victims may need time to consider their options and consult with family and friends. Victims should not be pressurised or coerced into any decision. Due to this, victims will be left with the information, and they will be contacted at an agreed later date to discuss Restorative Justice again.

In the case of Referral Orders where there are time constraints for the initial panel meeting, it is our aim to offer contact within two working days of sentencing. The victim will be invited to attend the initial panel which will take place 20 days from the court date. If the victim is not prepared for this deadline, they will be invited to attend the review or final panel.

Gateshead Youth Justice Service is committed to contacting all victims of crime where appropriate, and in doing so recognise that victims have the right to be listened to and kept informed. Where the young person has committed offences against more than one victim, Gateshead Youth Justice Service will attempt to contact each victim individually. In the case of Referral Orders where victims may attend the initial panel meeting, consideration also needs to

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be given to the rights of the young person, where the attendance of more than one victim may create an imbalance.

The Court may ask for a Pre-sentence Report to be completed, this will provide the Court the most up to date and relevant information in relation to the young person and the offence. In turn the Court can consider the best possible sentencing options to make the needs of the victim and make sure rehabilitation of the young person are paramount. As this is the case, the Victim Liaison Officer will contact the victim within two working days of the request from Court. The victim's wishes and requests in relation to Restorative Justice will be included in the report.

Issues raised by cases where the victim and offender are members of the same family or are otherwise known to each other can be complex therefore need to be treated with sensitivity. Cases that involve Domestic Violence and Sexual offending also need to be treated with sensitivity and Gateshead Youth Justice Service will do so on an individual basis.

Confidentiality

In any intervention the protection of confidential information for all participants will be a priority. Any information about the victim will only be given to the young person with the victim's specific consent. Personal information concerning the young person will also only be given to the victim with the young person's parent or carers permission. However there is an exception for the details regarding the type of sentence received, an offence focused intervention plan, the progress they have made and finally, where appropriate the month of release from custody.

Information will be given to the relevant worker as to whether the victim would like involvement in a restorative process and what this may include. They will not be given detailed information unless it is identified that it would greatly assist the work being done with the young person and then only with the consent of the victim. This will assist in ensuring that any information that may lead to an increase in the imbalance of power created by the offence or re-victimisation is protected. The exceptions to this would be any issues of a child protection nature and the prevention of grave crimes or serious harm.

Within any Restorative approach which involves a face-to-face meeting, both parties should be asked to accept confidentiality within that forum, with exception as mentioned in the previous paragraph. If this cannot be agreed then the meeting should not proceed.

Data Retention

Any written records or files containing information about the young person or victim will be stored separately. Gateshead Youth Justice Service will destroy victim information no later than three months after the closure of the case. Information will also be used to provide performance indicators for local and national monitoring.

Monitoring and reviewing

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This policy is a working document and as such will be regularly reviewed and updated to reflect development in theory and practice. A key aspect of this monitoring will be the feedback received from victims contacted by Gateshead Youth Justice Service. Victims of youth crime where appropriate may be contacted by telephone, receive a home visit, sent an evaluation form after a Restorative conference, and sent a satisfaction survey after their involvement with the Youth Justice Service ends. This will relate to both praise and criticism and will be used to assist, development and improve practice to ensure that a high-quality service is maintained.