

Fraud Case Study

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Introduction:

This case study refers to an offence of Fraud. This was committed against a vulnerable, elderly lady, by someone she had considered to be a close friend. Following an initial referral to the Victim Care & Advice Service (VCAS), by DC Matthews of Redcar CID, a subsequent referral was made to Restorative Cleveland, with a view to progressing possible restorative justice.

Referral Background:

The offender received a custodial sentence of 32 months for the offence but and the victim was left with several unanswered questions and in continued emotional distress. The crime left the victim a shadow of her former self; very nervous, subdued and scared by what she had experienced. At this time the victim was still feeling very afraid, she would not open the curtains of her house because the offender lived close by. She only left the house when really necessary and was self-medicating, with alcohol, on an evening.

RJ Intervention Preparation:

Paul and Nicola of Restorative Cleveland arranged to meet the victim, along with her VCAS support worker, to make her aware of the various restorative justice interventions available. The victim stated that she had certain questions she would like to ask the offender, such as 'why she had done that to her seeing as they had been friends' and 'what had she done with the money?' The offender, who was awaiting sentence at court, stated that she would like to see the victim to explain her actions and to be given the opportunity to apologise. The victim was made aware of this and agreed to meet her in a face-to-face meeting.

The meeting took place between the victim and the offender at HMP Low Newton. This was facilitated by Paul and Nicola, with a supporter also attending for the offender, from the prison's Offender Management Unit. During the meeting the victim was able to tell the offender how the offence had impacted on her, both financially and emotionally, and was able to ask the questions she had wanted answers too for several months. The offender was able to give an explanation for why she had committed the offence and apologised for the pain and upset she had caused.

The Impact of the RJ Intervention:

During the meeting it became apparent to both facilitators that the victim, who had been the more vulnerable of the two, was becoming empowered by the process through her body language and her eye contact towards the offender. As a result, the offender, who had always been 'in charge' of the friendship, felt uncomfortable and nervous as she had never seen her victim so confident. In fact, this resulted in the offender asking for some time out, in the agreed break out room. Both the victim and offender made a formal agreement that upon her release from prison they would just walk past each other and would allow each other to rebuild their lives. Although this was not a lawful agreement it allowed for both parties to feel that they had come to a mutual decision for both of them. This agreement was further backed up by the integration of licence conditions and an exclusion zone. However, the agreement they made was a personal one.

As a result of the Restorative Justice conference the victim was able to move forward with her life positively. She was no longer afraid her confidence grew, to such a degree that she was able to talk about her story and how Restorative Justice had helped her at the Restorative Cleveland launch in November 2018, in front of a room full of people! This case is a great example of the positivity that an RJ intervention can bring to those involved.