

Restorative Justice: Everything you need to know

A victim and an offender come together in space and time. The offender causes harm to the victim. Perhaps by physical assault, or stealing property from the victim. The harm can include mental or physical abuse, and can occur in the absence of the victim. And other parties could be affected by the harm caused: family; friends; colleagues. As a consequence of the offender's actions, a conflict and harm has occurred between the victim and the offender. If or when the offender is identified, and the police arrest them for the crime, the mechanisms of the Criminal Justice System comes into play. The purpose of the justice system is to bring about justice, it's not about reconciling the conflict or addressing the harm that exists between the victim and the offender. In fact, if we look at the way the Justice System works, it becomes apparent that the parties actually involved in the conflict or harm (the victim and the offender) become increasingly separated. The police investigate the crime and collect the evidence, police custody officers ensure the safety of the offender while in custody. Victim services help the victim with emotional and practical support. The Crown Prosecution Service ensures that there is sufficient evidence to prosecute the offender. The defence solicitor represents the offender and advises whether to plead guilty or not guilty. Witness Services look after the needs of the witnesses, including the victim, if they are required in Court. If the offender pleads guilty, the victim will not be asked to attend Court. Legal clerks ensure that the Court process works. The jury determines the innocence or guilt of the offender. The judge oversees the trial and decides on the sentence for the offender. Probation services manage the offender during and after they have served their sentence. Prisons incarcerate the offender for the length of any custodial sentence. So justice is seen to be done, but the original conflict and harm is still there. The only people who can resolve this conflict are the victim and the offender (the person who has harmed and the person who caused the harm).

With the restorative Justice approach the focus is on bringing the victim and the offender together. This provides them with the opportunity to communicate with each other directly or indirectly often for the first time since the original conflict or harm. This might be by an exchange of letters or it might be in a face to face meeting. Of course, both must agree to the meeting which will only occur following careful preparation and a risk assessment by a trained Restorative Justice Practitioner. The meeting facilitated by the Practitioner follows a structured approach and takes place in a neutral and safe environment. Both are given the opportunity to have their say. The victim might ask; "Why did you choose me?" "Have you

been following me?” “What’s happened to my iPad?” “Do you know how this has affected my children?” and they might say; “I want to see you change”, “I don’t want this to happen to anyone else “I haven’t slept properly since”, “I’ve had to move house” and the offender? The offender has the opportunity to answer the questions asked of them and perhaps explain their behaviour to the victim and for probably the first time, they see and hear the real impact of their actions on another human being. At the end of a Restorative Justice meeting, the victim and offender decide together how the offender can repair the harm that they have caused and, perhaps, how the offender can take steps to change or stop their offending behaviour in future. This may be by providing answers, an apology, a promise to change their behaviour or not to approach the victim in future. It can also be a reparative activity. The parties then go their separate ways. But the victim has been given a voice. Answers to their questions, and the opportunity to move on which helps them to cope and recover from the crime. And the offender is presented with an opportunity to take responsibility for the harm that they have caused, display remorse and be motivated to change their lives.