

Justice and Community Safety Directorate

About Restorative Justice

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Restorative justice (RJ) is a structured process that allows the exchange of information between the people most affected by an offence - the victim, their family and friends and the offender and their family and friends. This process gives people the opportunity to talk about:

- **What happened?**
- **How were people affected?**
- **What needs to be done to make things better?**

These exchanges can take the form of face-to-face meetings or by indirect methods such as third party mediation, taped recordings or letter exchanges. These exchanges of information are called conferences.

RJ is a community based response to crime that emphasises the consequences of an offence and holds the offender responsible for an act of wrongdoing. It focuses on the personal involvement of the offenders, victims and the community.

It is a process that allows victims to:

- gain an understanding of the circumstances of the offence;
- have a voice in describing the impact of the offence; and
- identify what they need to make things better.

Essentially this means that victims are given a voice about what happened to them. They are listened to and supported through this process by those who are most important to them - their family, friends and others close to them. Having family and significant others hear about what happened to them and understand the impact of an offence upon them is of great value to victims. The process also helps to empower victims to regain their confidence, optimism and sense of safety. It provides victims with information to help them understand the offence and their response to it.

Victims benefit by being able to form an agreement with the offender about what the offender needs to do to repair the harm that has been done to them. If victims want an apology, financial reparation or some commitment from the offender about the future, RJ gives them the opportunity to ask for it.

The process gives a person who has offended the opportunity to:

- take responsibility for the offence;
- gain insight into the impact the offence has had on others; and

- repair the harm to the victim by way of an agreement.

RJ helps to reconnect people and relationships. It gives the opportunity to disapprove the offending behaviour while identifying the offender as a good person. Focusing on the harm caused, rather than the person, reduces the potential for labelling and denigration of the offender. Research has shown that it can also reduce reoffending.

Offenders are assisted to accept responsibility for the harm they have caused and be involved in finding ways to repair that harm. The process helps them to rebuild relationships with other significant people in their life by showing they are accepting responsibility for their behaviour and trying to repair the harm.

RJ has been criticised as a soft option, relevant only to first-time offenders and useful only as a diversionary tool. Scientifically valid research has shown that RJ can reduce offending and can have its strongest impact on serious crimes, violent crime and prolific offenders. The research is very clear on the benefits for victims and their supporters.

Restorative justice processes can be very powerful and alter the way that people subsequently feel and behave. They are also very challenging for offenders as there is nowhere to hide in a conference - offenders face the people they have harmed, the victims, the victim's supporters and their own family.