

Justice Committee

Community Justice (Scotland) Bill

Written submission from the Restorative Justice Forum (Scotland)

1. The Restorative Justice Forum (Scotland) brings together statutory and voluntary sector bodies, academics and individuals which are interested in the development of restorative justice in Scotland for use in responding to criminal offences, both in relation to adult offenders and young people who have caused harm. Restorative justice involves a number of practices, including conferencing, direct mediation and indirect mediation, but all have in common that they involve voluntary and facilitated communication between an offender (or person who has caused harm) and the victim of that offence (the person harmed). At the Forum's recent meeting, it considered your Consultation an important opportunity and decided to respond in relation to the proposed arrangements for community justice.

2. The Forum notes that there has been considerable experience with the use of restorative justice as part of community justice in other jurisdictions. One example is its use as part of a community sentence in Thames Valley (England) through the auspices of Thames Valley Community Rehabilitation Company (CRC – formerly Thames Valley Probation - see <http://www.thamesvalleycrc.co.uk/about-us/what-we-do/our-work/rehabilitation-activities/>) which was evaluated for the Ministry of Justice in England. Another is its use in resettlement from prison into the community, by, for example, Remedi in South Yorkshire (<http://www.remediuk.org/> - also evaluated for the Ministry of Justice). For young people, there is the experience of statutory youth conferencing in Northern Ireland and in Australia, both of which have also been evaluated very positively.

3. Restorative justice as part of community justice or resettlement is as yet relatively underdeveloped in Scotland. The move to the national body, Community Justice Scotland, will though provide opportunities to develop new services. Restorative justice delivered by trained facilitators has been shown to be very helpful to victims and also to reduce the frequency of offending. It can benefit communities where there have been instances of crime and anti-social behaviour from one group of offenders. It also fits in well with a strengths-based approach to desistance as used in supervision practice and in resettlement from custody – it is seen as potentially very important in promoting desistance (offenders stopping committing crime). We note that the Parliament is particularly interested in relation to women offenders (your question 7). It is worth pointing out that the results of the evaluations in England with adult women offenders and in Northern Ireland in relation to statutory youth conferencing with girls and young women hold up as well for women as for men.

4. We hope, therefore, that the Parliament, in discussing the Bill, will create structures and means to enable innovation in justice practice and supervision – and that it will prove possible to develop restorative justice as a key element in community justice for both women and men (and young people). Community Planning Partnerships have had different priorities up to now, focusing on crime reduction. We hope that they will be enabled to embrace their new roles in

community justice, and that Community Justice Scotland will become a focus for the development of good and innovative practice in community justice. In other words, we hope that the Bill will provide an opportunity not just to develop appropriate structures, but also to enable partnership working and innovative practice. If there is anything the Forum can do to aid this, we would be very happy to contribute our knowledge and experience in Scotland and from other jurisdictions.

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