

flows from the face-to-face contact and the expression of feelings about the crime. Developing a model in which victims want to take part must be a priority. With proper judicial oversight, and effective infrastructure victims are likely to feel more confident in taking part.

Whether the government's policy will help achieve this is open to question. Paying greater attention to the needs of victims and communities could further restorative justice. But the Prime Minister's commitment to "toughen up every aspect of the

criminal justice system to take on the criminal and support the victim" sounds less than restorative.

Rob Allen is Director of *Rethinking Crime and Punishment*.

Restorative Justice: the way ahead is available from Justice, 59 Carter Lane, London E14 5AQ, price £15.

Justice for all

Debra Clothier describes the benefits of restorative justice work for both victims and offenders.

When crimes are committed a number of people are involved: offenders, victims and communities. Why then is attention after the event usually focused only on the offender? When offenders are in court, they generally are not asked to speak on their own behalf but have others to speak for them, often in a jargon that they do not understand, months after the incident. What happens with regard to 'punishment' frequently appears to bear no relation to the original offence or the harm that was caused. Victims do not get their needs met; for example if the offender pleads guilty, victims have no further involvement in the process, on occasion leaving them frustrated and angry. Victims have told us that the criminal justice system does not meet their needs and in fact can cause them more harm; no wonder many witnesses do not attend court or even report crimes.

Restorative justice can go some way to resolve some of those issues without causing further harm to either victim or offender. It is not a panacea and cannot be fully applied in every situation, but it can be of great value. It is based on repairing the harm done, it gives the opportunity for some form of communication between those who have been harmed and those who have caused the harm, and it enables the community to be involved. It looks to the future rather than the past. What this usually means is that the victim can say to the offender (face to face or indirectly) what impact the crime had on them and their family, have that acknowledged, and ask questions. This may help to dispel some of the anger or frustration that can still be present some time after an incident, and reduce their fear of being revictimised. Offenders can tell their story (which the conventional process often does not allow for); they usually apologize and understand, often for the first time, the real consequences of their behaviour. An agreement is usually reached which looks to the future, including some form of reparation or compensation to the victim and/or an agreement from the offender to address some of the issues which may have contributed to the offending.

Victims have said things like "my fear and anger disappeared the minute I saw him, he looked so small and scared" and "I feel I can move on now, I know he won't come back". Offenders have said "I had no idea that this

was what I had done, I didn't mean to" and "I feel that I have done the right thing for once".

If RJ is so good, why is it not used throughout the criminal justice system? There is still a lack of understanding about what it is, and particularly about the change of ethos that is required in order for it to be effective. It is not another form of punishment but a process aiming to repair harm as far as possible. *The Crime and Disorder Act 1998* states as its aim 'reducing offending', and most agencies carrying out criminal justice work take this as their starting point.

Traditionally agencies have worked with either one party or the other, promoting an adversarial environment. In a number of YOTs, victim liaison officers have been employed to do victim contact work. This move I feel, is a negative one, as it potentially side-lines restorative work. All YOT staff need to be properly trained in restorative work, including understanding victims' needs; this also should include Youth Offender Panel members, who have very limited restorative training and in some areas have been taking the role of magistrates rather than facilitating a restorative process.

There are some encouraging developments, which may start to address these problems. A Training and Accreditation Group set up by the Home Office, involving practitioners and trainers, has published *Best Practice Guidance*, which will form the basis for a recognised qualification in restorative practices. An organisation called the Association for Restorative Practitioners is being formed which hopes to safeguard the quality of work taking place and offer support. There are many heartening stories about victims who have found the restorative process helpful, and offenders whose attitude was changed by the encounter. If the principles proposed by the Restorative Justice Consortium are maintained, more people will benefit, and we can begin to move from a retributive to a restorative system of justice.

Debra Clothier previously managed a number of restorative justice pilot sites for Nacro before becoming the Chief Executive of the Restorative Justice Consortium.