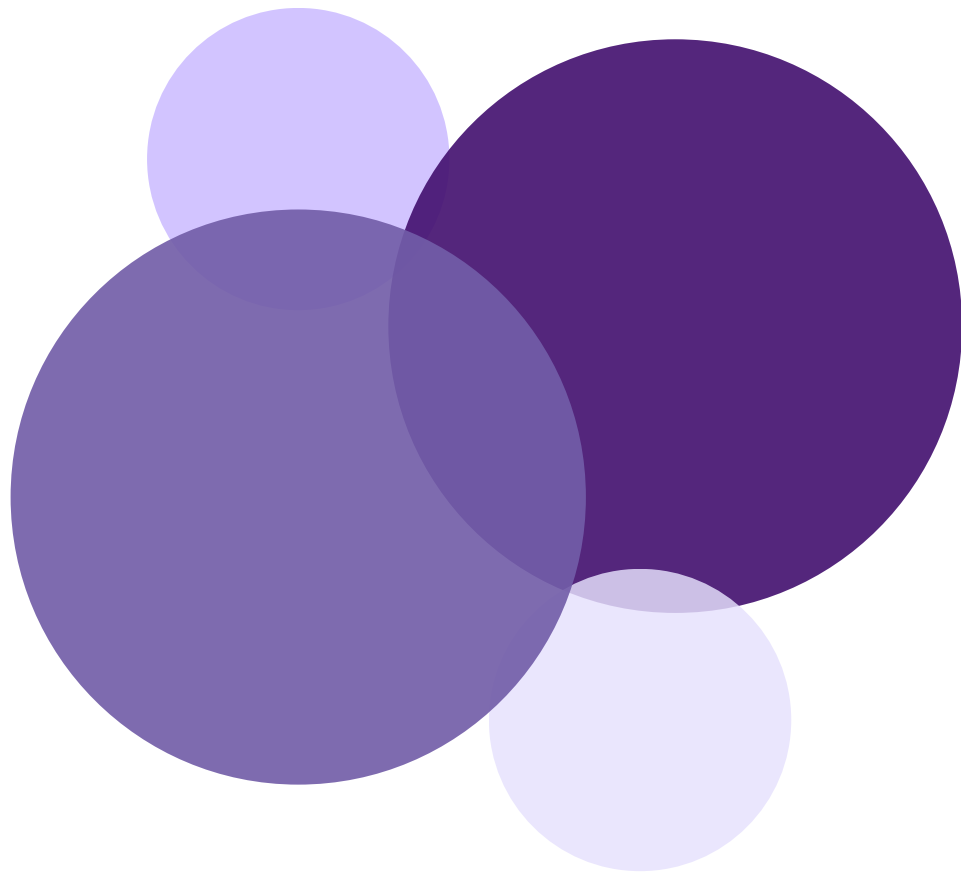


Restorative Justice Service



General Information

- 1** What is Restorative Justice?
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 - 5** Is there any legal impact?
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1. What is Restorative Justice?

Restorative Justice aims to help address the harm that was caused by an offence.

This is done by providing a safe, voluntary, and confidential way in which those involved can discuss three questions:

FACTS

What happened?

CONSEQUENCES

How were people harmed?

FUTURE

What can be done to address the harm?

2. Who is the Service for?

When a crime has been committed, the Restorative Justice Service will be available to:

- any person who has been directly or indirectly **harmed** by the crime;
 - someone who the person harmed asks to **support** them in the restorative justice process — such as a family member, friend, or counsellor;
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- someone who has been sentenced as a person **responsible** for the crime;
 - someone who the person responsible asks to **support** them in the restorative justice process — such as a family member or a counsellor.

3. What are the benefits?

Restorative Justice gives the **person harmed** the opportunity:

- to ask questions and receive answers which only the person responsible for the offence can provide;
 - to explain to the person responsible how the offence has affected their lives;
 - to put forward ideas about how the person responsible can address the harm they have caused.
-

The **person responsible** has the opportunity:

- to answer questions about what happened and why;
 - to face the full human impact of their offence by hearing first-hand the experience of those who were harmed;
 - to offer an apology for their offence and its impact;
 - to come to an agreement about how they can address the harm.
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Testimonials

Debbie met with the man who shot her brother 8 years earlier:

"I can't explain how come I feel so different than I did before the meeting. The only way I can explain it is, I feel lighter. Please don't think this is a miracle cure of anything, but for me in a way I got back my life, I got back me."

Kevin met with two people who robbed him 18 months earlier:

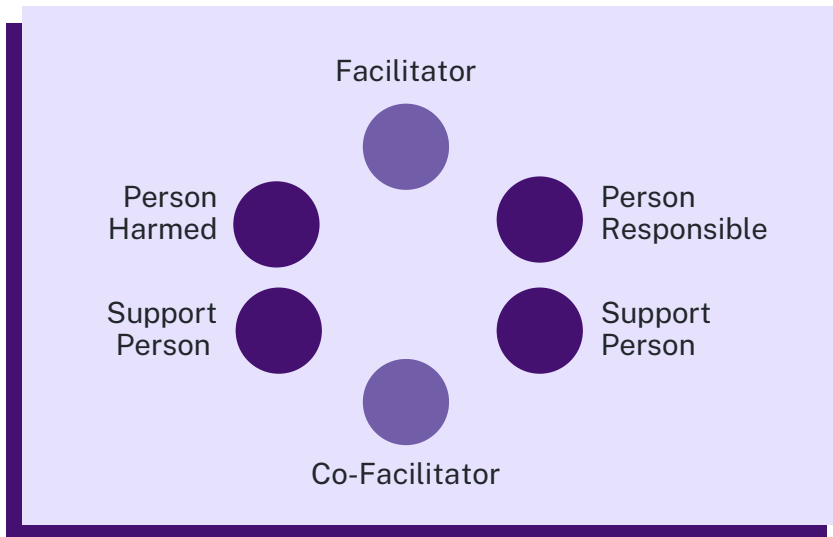
"I could see that they were sincere and their remorse was genuine. I felt better about them after the meeting and I must say I feel differently about the event these days."

Val met with the man who murdered her daughter 10 years earlier:

"You know basically who did it, and where, and when, but it's the little details you keep thinking about and [the offender is] the only one who knows the answers. So I thought 'here's my chance to find out'."

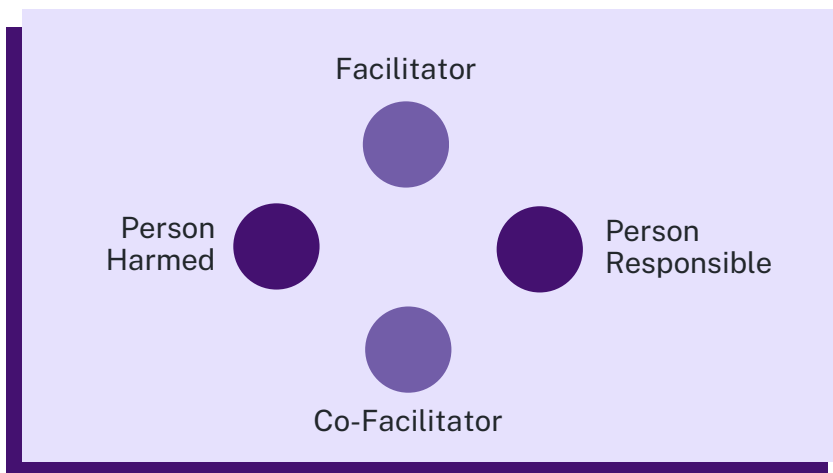
4. How does it work?

There are three types of Restorative Justice processes in which participants can communicate with each other:



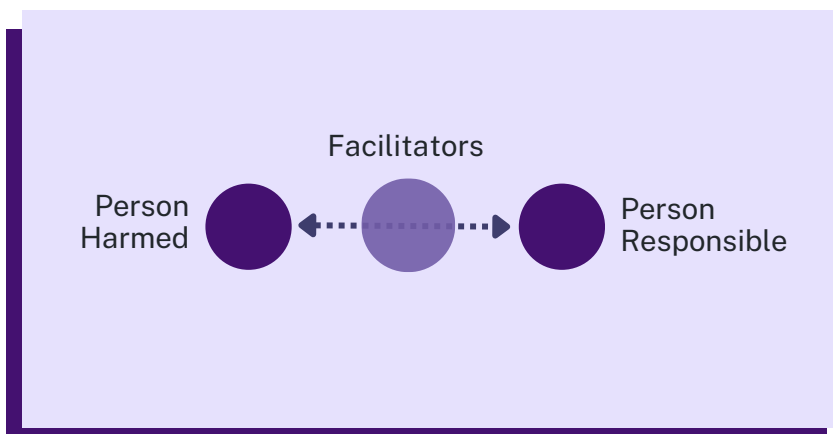
Conferences

Participants can invite support persons to a meeting.



Face-to-Face Meetings

Participants can meet without support persons.



Shuttle Dialogue

Participants can communicate through the Facilitators using letters or videos.

Regardless of how the participants communicate, there are always **four phases** to a Restorative Justice process:

Phase 1.

The Facilitators meet with the person harmed and the person responsible separately to explain what is involved in the process. This gives them time to make sure that Restorative Justice is likely to meet their needs before agreeing to take part.

Phase 2.

The Facilitators help participants to prepare before communicating with each other. This gives them an opportunity to think about what they want to say, how they want to say it, and what expectations they might have.

Phase 3.

The participants communicate in a way that suits their needs and wishes. This can be done by meeting in person or by exchanging information through the Facilitators.

Phase 4.

If participants agree to a plan, then it is put into action. The Facilitators can help participants keep to their agreements and arrange follow-up meetings or additional care and support.

Voluntary

Restorative Justice is entirely voluntary.

No one can be forced to participate, or become involved in a process that they disagree with.

Anyone can decide not to continue at any time.

Private

Whatever is said in the context of a Restorative Justice process is confidential.

This means that what you tell the Facilitators or what you say in any meeting remains private.

The only exception will be where there is a need to prevent harm. For example, if any individual threatens someone else, then the Facilitator may need to disclose this to the authorities.

Case records will be handled safely and stored securely in line with data protection policy.

The names of individuals or any information identifying them will not be published in any evaluation report about this Service.

5. Is there any legal impact?

Post-Sentence

A Restorative Justice process can only begin after the person responsible has been sentenced, and any appeal or civil action has been finalised.

No Legal Benefits

Participating in Restorative Justice will not have any impact on the sentence or parole of the person responsible.

Confidentiality

All participants are asked to agree that whatever is said in a Restorative Justice process will not be used as evidence in any legal proceedings.

No Lawyers

Participants can seek legal advice before taking part in Restorative Justice. However, lawyers are not involved in the process as participants or observers.

6. Who runs the Service?

The NSW Department of Corrective Services is responsible for managing the Restorative Justice Service and supervising the Facilitators.

The Restorative Justice Service has been operating since 1999, and all the Facilitators in this Service have received specialised training.

Contact Information

Please contact us if you would like to know more about taking part in a restorative justice process.



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