

Parole Board Chief Executive's blog – April 2021

I am a great fan of Restorative Justice (RJ) and its ability to bring victims and those responsible for the crime committed against them together with the goal of taking steps towards repairing the damage done and trauma suffered by the victim as well as giving offenders an opportunity to face the people who have suffered at their hands.

RJ gives both victim and offender the chance to talk about the incident, explain how it has impacted them, seek assurances that it won't happen again, and agree on how to put things right.

From speaking to victims I know this is what many people affected by crime want, which is why 85% of victims who go through Restorative Justice are satisfied with the experience. Research indicates that RJ can also lead to a drop in re-offending, as it helps people who have committed crimes to recognise the harm they have caused and encourage them to address underlying problems.

Whilst the primary purpose of RJ is to repair the harm caused to a victim of crime; if an offender has participated in RJ, this may be of interest for a parole review, and may be just one of the factors that Parole Board members will want to take into consideration when assessing the offender's suitability for progression or release, alongside all of the other evidence we review.

Given the Parole Board focus on the most serious offences, restorative justice is not commonly part of the evidence we receive, however where it is, members need guidance on how to assess that information

That is why the Parole Board has been working with Why me? Restorative Justice to develop guidance for Parole Board members about RJ and how to take account of it where it is mentioned in parole reviews.

This new guidance to Parole Board Members makes clear some important underpinning principles:

- RJ is a voluntary process and neither the offender nor the victim can be compelled to engage against their wishes. It can only take place with the consent of both parties;
- Either party can withdraw at any time;
- Any documentation produced as part of the RJ process, including notes from RJ meetings are all confidential and the Parole Board will not ordinarily have access to these.

As it is difficult to measure the impact of RJ, members should not place weight solely on the completion of RJ when considering future risk but will consider it alongside the entirety of the evidence they are presented with.

In considering the outcomes of RJ, members know that it was not designed to reduce reoffending or risk of serious harm – its primary function is to repair harm done. Some victims do ask what the impact might be on parole if they engage in restorative justice with an offender.

Parole Board members will be interested in whether the prisoner has changed their behaviour and attitudes in any way as a result of the activities they have taken part in, such as Restorative Justice or a victim awareness programme. Information about participation in Restorative Justice will usually come from one or more of the following:

- Probation reports where the Community Offender Manager has engaged with the Restorative Justice practitioner and staff working within the prison.
- The prisoner's own written representations (often from a legal representative) or oral evidence at a hearing.
- The Victim Personal Statement, if there is one.

Parole Board members may wish to learn more about the RJ process and its outcome. They could ask for further information, in order to consider whether it has any relevance to the assessment of risk. The focus will be on the impact that engaging in the Restorative Justice process has had on the prisoner and how it may have influenced or changed behaviour. Any reference to Restorative Justice may prompt the Board to ask for further information about the process.

In addition to the guidance provided to Parole Board members, Why me? has produced an information leaflet for RJ Practitioners about disclosing information to the Parole Board. The leaflet reinforces the confidential nature of RJ processes and that only limited information should be provided. The leaflet can be read here: [Why me? RJ Leaflet](#)