

## **DUNDEE CITY COUNCIL**

**REPORT TO: SOCIAL WORK COMMITTEE - 20 AUGUST 2001**

**REPORT ON: COMMISSIONING A RESTORATIVE JUSTICE SERVICE**

**REPORT BY: DIRECTOR OF SOCIAL WORK**

**REPORT NO: 524 - 2001**

### **1.0 PURPOSE OF THE REPORT**

This report seeks approval to commission a restorative justice service from SACRO. This report provides a summary of the proposed initiative and highlights its importance within the Youth Justice Strategy Dundee 2000/2001 (Social Work Committee Report No 772-2000 and Report No 523-2000 refers).

### **2.0 RECOMMENDATIONS**

It is recommended that The Social Work Committee:-

2.1 Notes and approves the contents of the report.

2.2 Authorise the Director of Social Work to commission a restorative justice scheme from SACRO (Safeguards Communities Reducing Offending), a national voluntary organisation (see Annex 1).

### **3.0 FINANCIAL IMPLICATIONS**

The cost of the service from SACRO will be £40,000 which is to be financed from Youth Crime Review monies made available by The Scottish Executive.

### **4.0 LOCAL AGENDA 21 IMPLICATIONS**

The commissioning of this service will improve community safety in Dundee by helping reduce youth crime.

### **5.0 EQUAL OPPORTUNITIES IMPLICATIONS**

This service will promote equality of opportunity and the social inclusion of children and young people by providing opportunities for young people to address their behaviour, make amends to their victims and understand the consequences of their actions for the victim and community.

### **6.0 MAIN TEXT**

#### **6.1 Background**

6.1.1 In June 2000 the Scottish Executive published a report "It's a Criminal Waste; Stop Youth Crime now". The report outlined a number of core objectives. One of the objectives identified was the need for a greater emphasis on the concept of restorative justice, including the victim's perspective. The report called for an expansion of mediation and reparation schemes.

- 6.1.2 Scottish Executive research on the effectiveness of the Children's Hearing System recognised the potential of reparation in addressing the rehabilitation of offenders as well as compensating the victim. The research asserts that reparation can:
- i Promote welfare through restoring young people to the status of other people
  - ii Provide guidance and/or promote attitude change
  - iii Provide an opportunity to make amends
  - iv Demonstrate the significance of the offence to the victims
- 6.1.3 Mediation and reparation between victim and offender offers victims the chance to be involved in the process and offers young people the opportunity to repair whatever harm they have caused. More importantly, it instils a sense of responsibility in them for their action. Young people are encouraged to face the consequences of their actions and to engage positively with the victim.

## **6.2 New Service Proposal**

6.2.1 Based on the principles of restorative justice, the new service to be provided by SACRO, a national voluntary organisation will offer a mediation and reparation between victims of crime and young people between the ages of 11-16 years as a diversion from the Children's Hearing System or as part of a personal change programme. Referrals to this service will be made by the Scottish Children's Reporter Administration.

6.2.2 The Service aims to:

- i Provide a constructive method of reducing offending behaviour by children and young people within their communities
- ii Divert children and young people from formal measures of intervention
- iii Contribute to community safety

The aims of the Service are achieved by:

- i Enabling and encouraging the child to consider the consequence of his/her actions and to make amends for their wrong-doing
- ii Consulting, listening and including victims of crime in an agreed and appropriate outcome
- iii Involving parents in the outcome
- iv Involving the community whether as individuals, groups or agencies on the agreed outcome

6.2.3 In commissioning this service the Council will be implementing a number of the aims and objectives agreed in the Youth Justice Strategy for Dundee. The project will make use of central funding provided to local authorities in respect of youth crime activities.

## **7.0 CONSULTATION**

7.1 Consultation has been undertaken with all the agencies and organisations represented on the Youth Strategy Implementation Group. The Director of Support services and the Director of Finance have also been consulted in the preparation of this report.

**8.0 BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing the above report.

**9.0 SIGNATURE**

Director of Social Work

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Date

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## MEDIATION AND REPARATION SERVICE FOR CHILDREN AND YOUNG PEOPLE IN DUNDEE

- 1 A partnership arrangement is to be established with SACRO, a national voluntary organisation, who will provide mediation and reparation for some children and young people who commit offences in Dundee. The mediation and reparation service is based on the principles of restorative justice whereby, in addition to encouraging the young person to accept responsibility for their actions and make amends, the victim has a voice and the community is often part of the agreed outcome.
- 2 The following partner agencies can be contacted for further information:  

Dundee City Council Social Work Department:	Derek Aitken Tel No: 01382 433274
Tayside Police, Central Division:	Sgt Iain Glass Community Involvement Tel No: 01382 591641
Victim Support Dundee:	Jennifer Strathearn Tel No: 01382 305707
Scottish Children's Reporters Administration:	Beattie Media Tel No: 01324 602550
SACRO:	Keith Hastie Tel No: 01592 593100
- 3 Any child over the age of 8 and under the age of 16 who is charged with an offence is liable (unless the offence is a grave crime) to be reported by the Police to the Children's Reporters for Dundee. The Children's Reporters have duties to investigate and decide whether or not each individual child may be in need of compulsory measures of supervision.
- 4 Many of the children who are reported are never likely to get into trouble again. For them, warning letters from the Children's Reporter, or more formal warnings by Senior Police Officers underline the importance of avoiding trouble in the future.
- 5 Some of the children reported may be experiencing difficulties at home, at school or in the community, and for them, Dundee City Council makes available support on a voluntary basis.
- 6 A smaller number of children may be in need of compulsory measures of supervision - perhaps because of the nature of their offending behaviour, the nature of the problems they face at home or school and the inability or unwillingness of the child or family to engage in changing the behaviour. These children will be referred to Children's Hearings where members of the Children's Panel for Dundee decide if compulsory measures of supervision are required, and if so, what form this should take.

### Why develop a mediation and reparation scheme?

- 1 A mediation and reparation scheme is able to consider the needs of victims of offences. Without such a scheme the victim can be left with a sense of injustice and the offender is not given the opportunity to confront the consequences of his or her behaviour and try to make good the damage and make amends.
- 2 A child who is at risk of further offending can be helped to reduce or stop offending by confronting the consequences of their behaviour and by understanding the experience of victims of offences. This very skilled work requires intensive input and has not been widely available to date to children in Dundee.

- 3 Targeting those children who are seen to be at risk of further offending is likely to have a significant impact on offending rates in the City in the years to come.
- 4 Persistent offending can have very serious consequences for individual children. The more they become involved in offending, the harder it is to stop. Education and family relationships at home and in the community are likely to be severely disrupted. Their chances of obtaining and holding down a good job diminish as the risks of imprisonment, substance abuse and social exclusion increase.
- 5 A mediation and reparation scheme involves the community in making a real contribution to tackling youth crime. The programme will recruit and train volunteers while businesses, non-commercial and public agencies will have the opportunity to convey the personal and economic impact of offending as well as suggesting ways in which the young person can make amends. short-term pieces of work by the young person in the community are a popular and frequent outcome.
- 6 Whilst the service will not be appropriate to offer to every child, initial estimates indicate that about 20 children per month are likely to be eligible for referral to the programme.
- 7 The mediation and reparation service will encourage child offenders to face up to the consequences of their actions, as well as addressing some of the concerns of victims of crime. A feature of the service is mediation, which allows for victims to be consulted about the way in which the child offender might make amends to them. This may be through reparative action, or some other type of mediated agreement or settlement, or an apology.
- 8 Where there is no identified victim, or where the victim does not wish to have a role, a programme of work is prepared for the child which addresses the child's offending behaviour. As with any mediated agreement, the Reporter to the Children's Panel is supplied with a report about what happened with the case.
- 9 This new initiative offers child offenders an opportunity to address their behaviour whilst involving the victims of crime where possible, as well as the wider community. The likely benefits of this service will be in reducing youth crime and the fear of crime within the city.

#### **What about the children who are not eligible and help for victims of those offences?**

- 1 The service is not appropriate to offer to every child who offends. Victims of offences committed by children who are not eligible for inclusion in the programme or who do not wish to become involved can still get help and advice:
  - **Tayside Police** is committed to reducing crime, responding to the needs of victims and tackling nuisance, disorder and vandalism in our communities. should any member of the public require assistance or advice on any concerns they have regarding community safety issues or wish crime prevention advice, they should contact their local community liaison officer at their nearest police office or make contact with Community Involvement Services, Dundee -Tel 01382 591641
  - **Victim Support** provides support and information for anyone affected by crime. Victim Support understand the practical and emotional difficulties caused by crime and provides free, confidential and independent help through a choice of contact (telephone support, home visit or appointment, whichever suits best). For help or further information, please contact Jennifer Strathearn, Victim Support - Tel 01382 305707