Alice Chapman

The RJ Youth Conference
Why it works and its transferability

Youth Justice Agency
Youth Conference Service

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LEGISLATION JUSTICE [NI]ACT 2002

COURT

Public Prosecution Service.

Youth Conference Coordinator, police officer, Offender, responsible adult,appropriate others, victim, victim supporter,lawyer

Pilot; 03/06
Evaluation by Queens University Belfast
Full roll out 2006
7200 youth conferences to date
40,000 persons participating in conferences

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Criminal Justice Review 1998 recommendations

- Diversion prevents reoffending better than prosecution
- Just response
- Outcomes proportional to the offence
- Reintegration into the community
- Meet the needs of victims
- Reparative ; make amends
- Devolve decision making
- Increase participation of victims
- Involve offenders and families and communities

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Youth Conference; 7200 to date

Public Prosecution Service
Admission of guilt
10-17 age
medium offences
Consent
Citable on record ,not a conviction

Court
Admission of guilt
serious offences
Consent
Criminal conviction

Available for any offence

victim voluntary participation

Supporters may attend

Repeat youth conferences will occur for recidivists

Youth Conference plans are monitored

Facilitated by trained Youth Conference Co ordinators

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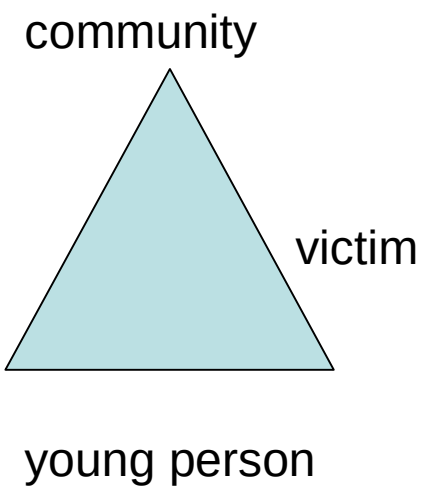

A Balanced Model

Conferences involve families, victims, community and the young person in making decisions on what can be done to put right the harm caused and to ensure that it is not repeated.

Conferences address in a balanced way the needs of all parties. Special focus is given to the key needs arising from the harm caused by an offence – the need for safety, justice and accountability.

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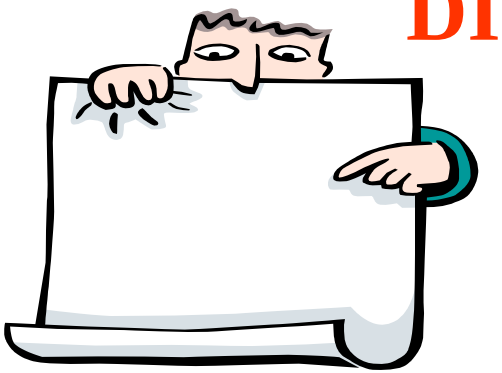
SPOT THE DIFFERENCE



- A new paradigm; **balanced** approach
- Restorative not Adversarial
- Proportionate for victims needs
- Consultative conferencing not a prescriptive disposal
- Bespoke outcomes therefore it is non tariff sentencing
- In his/her own voice not through the voice of others
- lawyer advises not speaks on behalf of others
- Victim presence in outcome decision not invisible
- Diversion preferably not prosecution
- Challenges for the traditional system are complex and require acknowledgement

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Devolving Decision Making and the challenge to the professional:

-**Those harmers and the harmed are the real source of expertise**

-**Young offenders know what they need to stop offending**

-**Extended families are responsible for their offending young**

-Professionals are not best placed to redress wrongs on behalf of victims .

-Professionals are not the best judge of offender remorse; it is the victim who can only make a sound judgement

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Effect of non stigmatising shame as a significant factor for effectiveness of the restorative youth conference

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Impact of Shame:

Four Shame Responses:

Powerful predictor of Harmful Behaviour

-Attack self [victims hurt themselves or self critical]

- Offenders have self destructive life style

-Attack others [neutralise effects of behaviour]

-Withdrawal [Lack of account to others or sociability by offenders]

-Avoidance [wearing "masks" behave as another persona, cognitive dissonance]

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Shame and guilt

Feeling guilty

- Determined by my internal response to your values to moderate my behaviour which are depersonalised

Feeling shame

- Determined by my internal response to the values of significant others to me
- Determined by the personal impact of me violating their values and the impact of them judging me against these
- Determined by the importance of them knowing how I have broken their values and which moderates my behaviour

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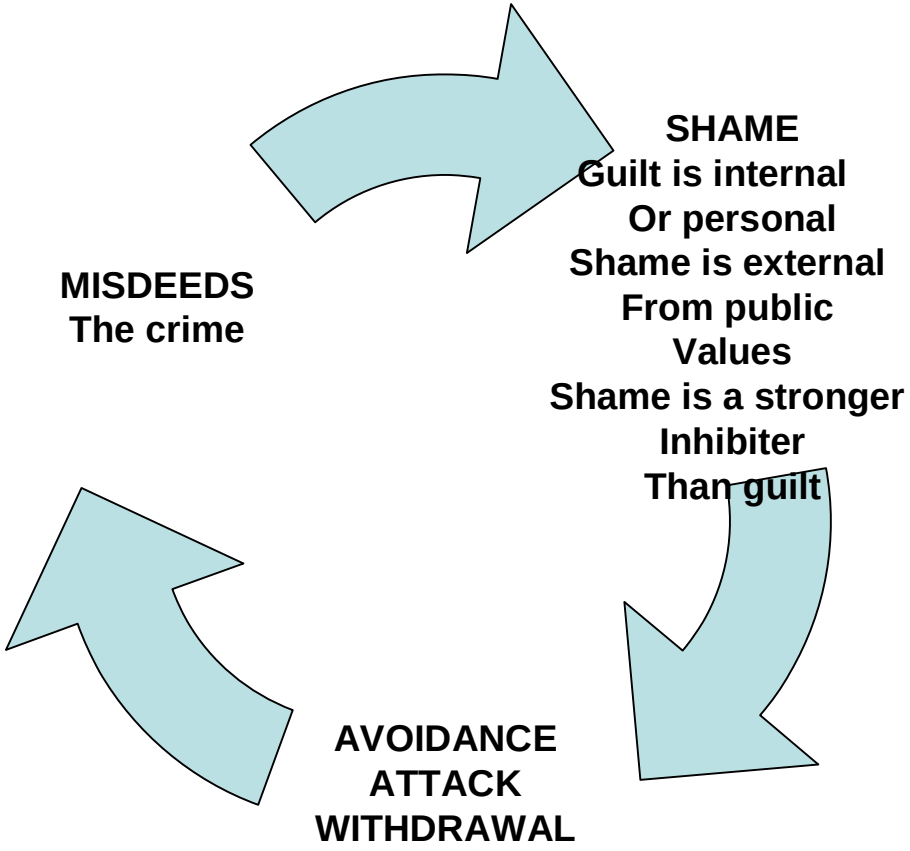
Shame Cycle



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What they said

Young people

8 out of 10 young people --- wanted to make up for what they had done

8 out of 10 wanted the victim to forgive them

7 out of 10 wanted to hear what the victim had to say

Victims

8 out of 10 wanted to hear what the young person had to say

8 out of 10 would recommend a conference and preferred it tc Court process

8 out of 10 wanted the young person to hear how their actions affected them

7 out of 10 wanted to help the young person

5 out of 10 wanted an apology

5 out of 10 wanted to hear why they were victimised

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What can be in a youth conference plan

Apologise verbally or in writing
Make reparation for the offence to victim or community
Payment to victim
Submit to supervision of an adult
Perform unpaid work/service
Participate in activities [offending, education, substance misuse]
Submit to restrictions on conduct or whereabouts including remaining at a particular place
Submit to treatment
Submit to electronic monitoring

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POST CONFERENCE

- Young people are offered support to keep their word and to succeed
- Rigorous monitoring and non compliance procedures are in place
- Non compliance procedures are based upon restorative practices

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Northern Ireland re offending figures

For non custodial sanctions – 37.5%

For all community disposals - 47.4%

For youth conference orders – 38.4%

For youth conference court orders – 44.3%

For diversion conferences– 30.7%

Probation Orders - 54.5 %

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Aspects of the plan

Reparative element?

- 83% had a reparative element

Rehabilitative element?

- 83% had rehabilative element

Re offending

When personal victim attends; 26%

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Summary

Why does it work

- Personalises impact of crime
- Power of shame as regulator for behaviour
- Importance of significant others to the process as regulators for behaviour
- Preparation ,preparation, preparation for all parties to meet face to face
- Managing effectively the change process in the CJS is necessary to introduce RJ

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For more inforamtion

- www.youthjusticeagencyni.gov.uk

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LEAPING INTO 2010 WITH HUMOUR ,HUMILITY & STAMINA

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