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ASSOCIATION

Restorative Justice
Threat or Opportunity for Magistrates

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Views of Magistrates

Ignorance + Fear = Threat

Knowledge + Confidence = Opportunity

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Statutory reasons for sentence

- Punishment
- Reparation
- Rehabilitation
- Protection of the Public
- Reduction in offending / deterrence

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Current situation – where is RJ used

- Pre – Court
- Post sentence
- Very occasionally within sentence

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Question

If RJ is so beneficial for the right circumstances, why is it not available for sentencing throughout the CJS and across the country?

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New options – changes

- Pre-sentence
- Youth Court – Referral Orders
- Community Order – RJ as a specified activity requirement

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Potential problems

Pre-Sentence:

- Statistical Gatekeepers
- Confidence in Advice

Community Orders

- Availability
- Financial implications

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SUMMARY

- Magistrates want to be involved
- Magistrates need to be educated
- MA and RJC enabling training
- Looking forward to RJ available across the whole ambit of sentencing as it contributes to all 5 requirements of sentencing, to varying degrees