

ANNEX I: RESTORATIVE JUSTICE AND YOUNG ADULTS

'Restorative Justice' procedures are a system of criminal justice which focuses on the rehabilitation of prisoners through reconciliation with victims and the community at large.¹ The process can be offered to all victims of crime irrespective of the age of the perpetrator. The system is voluntary. Young adults are amongst those who may be invited to participate in restorative justice.

Restorative justice processes can also be used as a form of mediation between young adults in custody, or between young adults and custodial staff. The procedures can promote trust and better relationships as well as de-escalate disputes, sometimes providing an alternative to formal adjudication processes.

More information about restorative justice is set out in the *Member Guidance on Restorative Justice*.

Issues

Restorative justice practitioners will be aware of issues which are unique to young adults. These include difficulties experienced in managing the new responsibilities and coming to terms with continuous changes in their lives.

Some young adults may lack the level of maturity which is usually associated with, and assumed of, adults. Therefore, it may be necessary for restorative justice practitioners to determine the extent of a young adult's maturity, taking this into account in the assessment, planning, delivery and follow-up of the restorative process.

Successful engagement will depend on a number of factors:

- A lack of maturity among young adults might manifest itself in the form of a chaotic lifestyle meaning failure to turn up at a conference or a scheduled reparation session which has been arranged as part of an outcome agreement
- Because young adults may be dependent on family members, who can be excluded from restorative justice, there should be a strong presumption in favour of family member involvement in the restorative process involving young adults whenever possible
- Emotional literacy comprises a variety of capabilities, including recognising and effectively communicating one's own emotions and empathising with others. Young adults who are in earlier stages of the maturation process may display low levels of emotional literacy which need to be taken into account when preparing for and delivering restorative justice.

¹ <https://www.gov.uk/guidance/restorative-justice-and-restorative-practice>

- In some cases, preparatory victim awareness and victim empathy work may be needed to increase the offender's capabilities for dealing effectively with their own and victims' emotions.

Value to the young adult

However, depending on the individual offender, the restorative justice process can support the development of maturity by encouraging personal responsibility, creating a sense of self-worth, building strong relationships between young adults and their families where these have been lacking, and encouraging a wider compliance. Successful mediation may trigger or encourage desistance for those beginning to reflect on their behaviour and its impact on other people.

If a young adult has engaged in restorative practice procedures, Parole Board members might invite them to talk about the experience and say what they have learnt.

Further reading

The following will be useful reading from the Restorative Justice Council and the Transition to Adulthood organisation: "[Restorative Justice for Young Adults: Factoring in Maturity and Facilitating Desistance](#)" (2013).