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Speech delivered by Adam Graycar:

"Repairing the harm of youth crime"

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Repairing the Harm of Youth Crime

WORKSHOP 7

**Youth Justice 2000: Managing A New World In Transit
Singapore
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PRINCIPLES OF RESTORATIVE JUSTICE

- Crime is primarily an offence against human relationships and secondarily a violation of a law
- While recognising that crime is wrong, restorative justice recognises that retribution can lead to the further alienation of the offender from society and therefore increase the likelihood of continued anti-social behaviour. Restorative justice focuses on the recognition of opportunities provided through this process to create a safer, more respectful and cooperative relationship between the participants and society.
- Restorative justice seeks to 'make things as right as possible' for all parties involved.
- Offenders are encouraged to learn new ways of acting and participating in the community, as soon as the safety concerns of the victim, community and offender are satisfied.
- Restorative justice seeks maximum voluntary cooperation and minimum coercion, from all parties involved.
- When offenders are uncooperative the intervention of an outside authority may be necessary. The actions taken by this authority must be reasonable, restorative and respectful for all those involved (victims, offenders and communities).
- Uncooperative offenders should be placed in an environment that emphasises safety, values, ethics, responsibility, accountability and civility; the goal being to encourage offenders to attain the necessary skills to become cooperative members of society.
- As much as possible the natural community should be setting for restorative justice - it is through community institutions that moral and ethical standards are developed. (Alliance of Non-governmental Organizations in Crime Prevention and Criminal Justice, 2000).

QUESTIONS FOR DISCUSSION

1. Is restorative justice suited for all people and places? (ie traditional/western communities, young people/adults)
2. Should we consider the seriousness of the offence when planning restorative justice?
3. Can an offender be deterred as a result of a conference? Does a jail sentence deter an offender?
4. Is it a valuable exercise to try to find ways to keep people out of jail?

5. Should the victim be involved in determining justice?
6. Should the community be involved in restorative justice?
7. Should the State step back from its role in sentencing?

8. Should the victim set the penalty?
9. What if the victim is not happy with an apology?
10. Can restorative justice result in appropriate sentences? (Sentences can be idiosyncratic, but this may also be the case in the courts).
11. Should a willingness by the offender to pay restitution be considered when the courts are sentencing?

12. Is restorative justice a more humane way of dealing with offenders than the courts and prisons?
13. Is healing relationships a good way to deal with criminals (offenders)?
14. Can restorative justice make the perpetrator accountable?