



Sheriffdom – Lothian and Borders – Restorative Justice Development Group Meeting

Session 1

Setting the scene: progress of funded projects

Date: Wednesday 17th August
via Microsoft Teams

MEETING MINUTES AND ACTIONS

In attendance:

Rachael Moss
Alice Dillon
Angela Voulgari
Ashley Scotland
Veronica Campanile
Craig Brown
David Orr
David Russell
Debbie Storm
Gordon Duff
Jenny Hamilton
Stephanie Kerr
Alison Lynch
Claire Marr
A Representative of Police Scotland
Stephanie Mills
Sara Law
Steven Harvey
Tania Nascimento
Tim Chapman
Victoria Kerr
Mandi Wright
David Bernard
Gemma Fraser
Inesa Velaviciute

Apologies:

Yvette O'Donnell
Susie Stein
Andrea Beavon
Fiona Kennedy
Gael Cochrane
Gillian Oghene
John McEwan
Julie Morton
Lynsay Claxton
Simon Gall
Steven Tidy
Stewart Simpson
Claire Ryan Heatley
Graham Jones
Janie Harman
David Abernethy
David Ferrier
Kerry Page
Kevin Carter
Liam Gale
Lynne Hobbs
Claire Brooks
Mridul Wadhwa
Fiona MacKenzie
Fiona Thomson
Alan Haggarty
Sue Waddington
Susan Dudley
Suzan Ross
Carey Fuller

1. Actions from 17 August meeting

Action items	Assigned to	End Date	Priority	Status	Dependency
Send Sheriffdom Lothian and Borders RJ development group invites to the following sub-groups: risk, information sharing	Rachel	02/09/22	Medium	Risk group– Completed Information sharing group – In progress	Funding and resource
Share Ashley’s and David’s contact details for partnership working	Rachael	02/09/22	Medium	Completed	
Compile FAQ document for RJ	Alice	30/09/22	Low	Completed	
Circulate Training Needs Analysis Report	Rachael	09/9/22	High	Completed	
Circulate Mapping Report	Rachael	09/9/22	High	Completed	

2. Summary of discussions

- Welcome, housekeeping rules, a reminder of the Sheriffdom Lothian and Borders RJ Development **group’s aim & focus** – coordination of the delivery of RJ in line with the vision provided by the Restorative Justice Action Plan.

The focus of this meeting – to provide updates on the outcomes of the mapping exercise (Community Justice Scotland) and two other funded projects: Training Needs Analysis (University of Strathclyde) and RJ Sexual Harm Service (Thriving Survivors).

- **Introductions:** all attendees introduced themselves and their roles.
- **Update on Projects:**
 - Rachael Moss – **Mapping outcomes and next steps:** provision & local vision for RJ, local needs and barriers, funding & resources. Please see attached slides for more details. Invitations to join the Sheriffdom Development Group’s sub-groups will be issued in due time.

- Tania Nascimento & Tim Chapman – **RJ Training Needs Analysis in Scotland**: please see attached slides for more details.
- Ashley Scotland – **Thriving Survivors National RJ Sexual Harm Service**: consultation and key findings; the aim of the organisation and what services it will provide. Please see attached slides for more details.

- **Questions & Answers**

Debbie Storm requested for copies of the presentations. It was agreed to be circulated alongside meeting minutes. Full reports from Tim & Tania as well as Rachel’s mapping exercise will also be shared once published, including Ashley’s information sheet.

Veronica Campanile requested for re-assurance on the equality focus and an understanding of power dynamics during the early stages of gender violence specialist training. She also noted that this focus should be explicit when providing the outline of training as the recent trauma-informed practice materials do not address this.

Tim Chapman commented that this will happen right from the start of the training as it is fundamental in value to what RJ stands for: RJ practice is very compatible with trauma-informed practice and any harmful behavior that involves coercive control and power dynamics. He acknowledged the fact that RJ does not contain all the necessary knowledge to work in this field but specialists were invited to contribute to the design of the training courses ensuring they instruct on the creation of a safe space for the absence of domination.

Gemma Fraser highlighted a gap in how women are represented in RJ; a lot of equality points raised during this discussion add to it. She reiterated the idea that RJ would be helpful in terms of offering women more choices in how they experience the justice system.

Ashley Scotland informed Thriving Survivors will be looking to secure places on IDA training and intend to include 2 places from each training cohort. This will assist in facilitating extremely complex sexual and domestic abuse cases.

A Representative of Police Scotland noted that the awareness training would be very useful for the operational police officers and enquired whether all the officers within the Sheriffdom Lothian and Borders area would be expected to take part in this training during the Initial Test Project.

Tim Chapman proposed that this should be a pre-condition as there are mixed views about what RJ is and it would cause confusion if everyone started with a different understanding of it. He noted that those who are likely to have direct contact with RJ should be prioritised to understand the idea and practice of RJ as well as the procedures to be followed.

A Representative of Police Scotland requested for a clarification on how this awareness raising would be delivered.

Tim Chapman commented that although it has not been looked at in detail, the best way forward is to train champions within the police service, social work, lawyers, etc who would then be able to

disseminate the message to others within their field, e.g. doing 2-3 hour workshops on what RJ is, what is needed when referring, how to inform people who might be interested, what language should be used and what procedures are available in the local area.

Debbie Storm enquired about the diversion and prosecution in relation to VAWG. Concerns were expressed about those who caused harm using RJ for the wrong reasons: not being led by a genuine desire to seek it but as a replacement for going to prison.

Gemma Fraser noted that the Crown Office does not divert cases of domestic abuse in Scotland in terms of referral pathways so RJ cannot become a part of diversion for prosecution. She also stressed the fact that self-referrals from those who caused harm in relation to gender violence cases will not be considered. On the other hand, if a referral is made by a service professional, it is based on a victim-centred approach and a consent and a risk assessment is obtained before proceeding with RJ. At the moment it is unclear exactly how this will roll out, Gemma pointed out, as there is no agreement with the Scottish Government, no update on the resources thus stalling the ability to make decisions.

David Russell discussed RJ from the perspective of those who caused harm. He introduced a few key findings from a recently completed work in partnership with Gael Cochrane, CJS: interviews with 44 males convicted of a sexual offence highlighted the stigma around sexual harm; majority of the interviewees disclosed experiences of sexual abuse as children. David reiterated the importance of the victim focus in RJ but also reminded that RJ is as important for the recovery of those who committed the crime. During the research, the interviewees were asked if the justice system worked for them and the answer was a negative one; a choice was not offered to provide an explanation or discuss the crime. The interviewees also pointed out that no one convicted of an offence should be able to take part in RJ until getting sentenced so RJ could not be used as a form of getting parole.

The research paper will be published in autumn-winter this year.

Rachael Moss suggested reading Joanna Shapland's paper on risk and mitigation as although not mentioning the term, it talks about trauma-informed risk assessment. The document will be circulated within the group once published. Rachael also suggested inviting Joanna to do a presentation on her research at the next Sheriffdom development group meeting. A contact has already been made regarding this and an update on the outcome will follow. Rachael invited the members to share ideas on their needs for the next meeting.

Rachael Moss updated on the CJS, CYCJ and Thriving Survivors partnership and their focus on raising awareness along services within the Sheriffdom throughout the Initial Test Project. She noted that a contact has already been made with Victim Support Scotland and other organisations, and more Partnership Awareness events will be organised in due course. Alice Dillon will be sending out a Needs Assessment soon to all partners within the Sheriffdom to gather information on what is needed in terms of RJ awareness raising.

Angela Voulgari requested for a briefing paper including FAQs that comes from an informed, well rounded perspective which can be circulated to pacify the still existing people's concerns about the potential for re-traumatisation. Angela noted that synergies between the trauma-informed approach and RJ are important and it would be useful to collaborate on this with the new trauma-lead officer in Edinburgh.

Rachael Moss agreed with the idea and will get it actioned. As Thriving Survivors already have some work on this, it could become a joint project and expand on the education materials available for everyone. Rachael already made contact with the new Edinburgh trauma-lead and advised that she will be joining these meetings. Rachael stressed the cross-over between the trauma-informed practice and RJ's values and principles, and proposed a further collaboration with all the trauma-leads within each local authority across Scotland should be made and all the strategies linked moving forward.

Gemma Fraser highlighted some issues regarding the national policy on RJ. She noted that there is a gap in the draft received from the government and a national agreement on a few contradictory points is required. The guidance launched in 2017 does not advise on how to operate RJ as a parallel process to the criminal justice system, for example, what happens when the case is live in the justice system and also if all the crimes should be reported in order to access RJ. Gemma stressed the need for a new document to be created that would incorporate both guidance and also the code of practice, and clarify those policy points. With that in mind, the current timescale of the full delivery in 2023 is unrealistic, she noted, and thus the group should focus on what can be achieved, i.e. work with people to understand their needs, form a risk assessment and information sharing frameworks. A consultation is also needed on what that policy should include/exclude and reasons for that. Gemma reiterated the government has been asked to extend timescales to allow for all these things to happen and she will inform everyone once she receives an update.

Rachael Moss advised the meeting will be followed up with minutes and mechanisms to express ideas and ask questions. She thanked everyone for attending and invited members to get in touch. Ashley's and David's email addresses will also be included for partnership invites.

3. A.O.B: none

Next meeting:

Date: 14 September 2022

Venue: TBC, Edinburgh & Online (hybrid event)



Sheriffdom – Lothian and Borders – Restorative Justice Development Group Meeting

Session 2

Risk and Mitigation in Restorative Justice

Date: Wednesday 14th September
The Quaker Meeting House, Edinburgh and Microsoft Teams

MEETING MINUTES AND ACTIONS

In attendance:

Rachael Moss
Alice Dillon
Inesa Velaviciute
Gael Cochrane
David Abernethy
Liam Gale
David Bernard
Joanna Shapland
Yvette O'Donnell
Tracey Stewart
Mandi Wright
Sara Law
Angela Voulgari
Alison Lynch
Keith MacKay
Pauline Cochrane
Sue Waddington
Lucy Coleman
Carey Fuller
Tania Nascimento
David Russell
Heather Williams
Jenny Hamilton
Claire Marr
Claire Ryan Heatley
A Representative of Police Scotland

Apologies:

Gemma Fraser
Susie Stein
Veronica Campanile
Ashley Scotland
Craig Brown
David Orr
Debbie Storm
Gordon Duff
Stephanie Kerr
Stephanie Mills
Steven Harvey
Tim Chapman
Victoria Kerr
Andrea Beavon
Fiona Kennedy
Gillian Oghene
John McEwan
Julie Morton
Lynsay Claxton
Simon Gall
Steven Tidy
Stewart Simpson
Graham Jones
Janie Harman
David Ferrier
Kerry Page
Kevin Carter
Lynne Hobbs

Claire Brooks
 Fiona MacKenzie
 Fiona Thomson
 Mridul Wadhwa
 Susan Dudley
 Alan Haggarty
 Suzan Ross

1. Actions from 14 September meeting

Action items	Assigned to	End Date	Priority	Status	Dependency
Send invitations to partners to join the risk sub-group by submitting proposals	Rachael	20/09/22	High	Completed	
Submit the proposal to join the Risk and Strengths Framework group and the reasons for wanting to join it	(Interested) Partners	30/09/22	High	Completed	
Send Prof Joanna Shapland's research paper to Lucy Coleman	Rachael	16/09/22	High	Completed	
Submit questions about RJ to the shared padlet	Partners	16/09/22	High	Completed	
Compile FAQ document for RJ	Alice	30/09/22	High	Completed	
Send invite to October's meeting to Lucy Coleman and Tracey Stewart	Inesa	15/09/22	High	Completed	

2. Summary of discussions

- Welcome, housekeeping rules, **the focus of this meeting** – to discuss risks and mitigation points in restorative justice approach and service.
- **Introductions:** all attendees introduced themselves and their roles.
- **RJ Awareness:** Gael Cochrane shared Nils Christie's concept of "Conflicts as Property" (1977) in relation to the criminal justice system. Information was provided on how the Restorative Justice approaches add value to criminal proceedings. Please see attached slides for more details.

- **Mitigation and Risk in Restorative Justice:** Professor Joanna Shapland introduced the existing risk assessments for RJ within the Scottish context and mitigation strategies, and presented her research paper's aims, methods and key findings. Please see attached slides and the paper for more details.
- **Update on the Risk and Strengths Working Group:** Rachael Moss informed on the progress of the risk and strengths framework sub-group. She has written a supporting paper that will be published soon and can be used as a guide/ tool in answering some of the questions regarding the trauma-informed practice and development: focusing on the needs, strengths, a voice of choice and taking into account risk, mitigation and vulnerability of the cases involved. Rachael invited the group members to contact her directly with a note of interest to join the sub-group or simply for a discussion on what the risk and strengths framework and the sub-group could look like. She welcomed the support in forming this together.
- **RJ Research and FAQ Reminder:** Alice Dillon introduced her work in relation to RJ within the Sheriffdom area, focusing on the engagement and participation. She reminded the group about an email sent concerning the questions the members may have in terms of RJ and requested to populate them on the padlet. The information will be collated and a FAQ document created. The deadline to submit these questions is the 16th of September. Alice also informed about the early stages of a research proposal; the research is aimed at persons harmed, getting their feedback on the impact of this harm.
- **Questions & Answers**

David Bernard commented on the first presentation and stressed that the criminal justice system should not be demonised when pitching the value and benefits of RJ. He agreed that a lot of information presented is true but also reminded everyone that procedures have come a long way from the 1970s criminal justice system and the victim is no longer singularly represented in the criminal proceedings; a forum exists for them to have a voice. David also highlighted that RJ will not always be suitable for all people harmed thus they should not be discouraged from trusting the criminal justice system. He reiterated it is better to highlight the positives of RJ when raising awareness and promoting the service rather than drawing parallels with the perceived shortcomings of the criminal justice system.

Gael Cochrane agreed that victims should not be discouraged from using the criminal justice system and that RJ will not be suitable for everyone. She proposed that RJ is about having another option/alternative and it is important people knew such support existed, and that they had a choice in using it. RJ is a tool in getting the answers to questions persons harmed may still have unanswered even after going through the criminal justice proceedings. Gael concluded that RJ should add to the justice system value, not take away from it.

.....

Angela Voulgari requested to confirm the implementation of RJ services to be a parallel process to the criminal justice system. She also wanted to know more about Prof Shapland's research and whether any of the countries involved delivered gender based violence interventions.

Joanna Shapland responded it is important to be aware that both potential and actual participants in RJ are expecting for the criminal justice system to deal with their case. In almost all of the countries interviewed RJ is predominantly a parallel process and all the information presented is

in addition to the criminal justice proceedings. However, RJ is needed because the criminal justice system cannot answer all the questions a person harmed may have.

In relation to the gender based violence query, **Joanna** confirmed that a considerable number of people interviewed had dealt with such cases, both domestic abuse as well as sexual assault, with the latter involving adults and young people alike. Joanna noted precise case figures were in the report and pointed out that they talked with very experienced facilitators who reported on the most serious and controversial cases, which included a lot of the gender based violence.

Joanna also added there were different kinds of risks, the mitigation of which she presented in her last slide. A definite protocol was not created because of the variety of potential aspects important to people, with each individual valuing them differently. There was no time to develop a checklist of different risks and their potential mitigations but could be done in a month or two if needed.

Rachael Moss suggested for Joanna to join the risk sub-group, Joanna agreed.

A Representative of Police Scotland expressed concerns on Prof Shapland's research paper not advising on the formal risk assessment process for RJ, which is important from Police Scotland's perspective, and requested for a clarification.

Joanna Shapland proposed that a formal risk assessment should be done as well as writing down its results; however, it should also be kept as a live document referred to at different stages of the process instead of only evaluating the risks at the start of it. She reminded the group that changes can occur at any time thus the risk assessment should be followed until the end of the process. Joanna also reiterated services are not able to predict risk using group measures as each individual is different.

Lucy Coleman added that although the Police does not currently have a risk assessment for RJ, it uses SA07/RM2K, etc for sexual offenders and SARAV3 for domestic abuse, holding a lot of relevant information on the risk of harm and the areas highlighted by Joanne as being risk factors in Findings 3 of her research.

Angela Voulgari requested to clarify the meaning of the term 'group measures'.

Lucy Coleman advised 'group measures' in terms of risk assessment tools are the measures validated and researched on groups of people who had various traits in common; not individuals.

Regarding the informed risk assessment in RJ, **Yvette O'Donnell** pointed out, there are lots of tools for both adults and children that can be employed, assessing the risk of the person re-offending and their concerns, however having a separate risk and mitigation framework is important to also assess the person's safety in engaging in that process.

Joanna Shapland agreed and noted one of the differences between children and adults in terms of harm inflicted or harm received is that children tend to come with an adult. The additional participant has to be risk assessed too because they may react very differently from the child; may be over protective or not let the child speak, or offer enough support. She reiterated that the ways relatives react to criminal offences are different in a number of aspects to the ways that directly affected people do.

Lucy Coleman was interested in RJ as a parallel process to the criminal justice system, and enquired whether RJ would be considered pre/post-conviction, pre/post sentence or at any time.

Rachael Moss responded that a toolkit for RJ was published in 2020 giving suggestions on how this could operate. CJS in partnership with CYCJ led a Codes of Practice group to answer some of these questions however upon the presentation to the Criminal Justice Board they were asked for a higher level policy document that would define the rules and standards against these questions. Rachael noted that a policy and practice document should be published by the Scottish Government in the near future, however, this cannot be confirmed yet as there needs to be a timescale to the action plan and a wider consultation for this work to be completed.

Mandi Wright enquired about the referral process and delivery in terms of a partnership approach. She pointed out that each organisation is unique in what it does and has a clear guidance on how the RJ process would work internally; however, it remains a question of how this would all come together across partners, especially since the needs and requirements in each area are different.

Rachael Moss informed that a detailed proposal paper on the referral pathways has been written by Gemma Fraser and the project team members provided comments. CJS was about to propose a local consultation that would feed into this paper and which was asked for by a lot of partners from the Sheriffdom area; however, it had to be held back due to the outcome of the Scottish Government's proposal paper and the changes it might bring to the project. Although the consultation cannot yet commence, there are tools ready for it.

From her perspective as a RJ practitioner, who also works with other practitioners in Lothian and Borders, **Gael Cochrane** noted that as good practice they are following up with the participants both right after the sessions and in three months' time. This is happening in most places in Scotland.

Joanna Shapland agreed that some facilitators were excellent at it, then explained her point further: during the interviews facilitators from other countries acknowledged this to be good practice too however they were not always managing to do this.

Yvette O'Donnell added that a written agreement on what after care is available for children and young people is a condition for either the RJ or criminal justice processes. She highlighted the lack of services for children and young people who were victims of harm and proposed that the only way to set up RJ that would be truly trauma-informed is to ensure the follow up is not ad hoc, as mentioned by Joanna.

Joanna Shapland noted that in terms of supporting people who had been harmed, including children, immediate crisis systems of support were rightly developed however it should be taken into account that the RJ process may be happening a long time after the criminal event and people harmed may no longer be in contact with support mechanisms. She proposed there may be a need to put them back in touch with another service, with their approval, as the long term effects of trauma are well documented.

Claire Ryan Heatley enquired about the local consultation and the involvement scope of the experts by experience of the justice system and the frontline staff delivering the services.

Rachael Moss responded the scope is as much as it is possible with being ethical and trauma-informed. She reminded everyone of Alice's research and focus groups, consultations with a wide range of people harmed that would feed into the service provision. She also discussed the risk group she will lead and expressed the need for a consultation with people from this group. Rachael then named the existing difficulties and barriers – timescale, the lack of funding, making sure there was enough support for people, etc – the questions needing answered, and noted that when the Scottish Government puts a final stamp on the process, CJS can go forward and involve people with lived experience. It would look

into mechanisms to get the voices heard and would consult the Thriving Survivors service to ensure no further harm is caused when involving people. She also reiterated that the support on this from the partners in the local areas would be welcomed.

Contact details:

Rachael Moss – information and idea sharing on risk sub-group

Rachael.Moss@communityjustice.scot

Gemma Fraser – questions about the policy and practice paper (attached to the email)

Gemma.Fraser@communityjustice.scot

Alice Dillon – information and idea sharing on the research of persons harmed

Alice.Dillon@communityjustice.scot

Yvette O'Donnell – information related to children and young people

Yvette.Odonnell@strath.ac.uk

Inesa Velaviciute – questions, comments, preferences, suggestions on the format of the meetings, content, etc.

Inesa.Velaviciute@communityjustice.scot

3. Closing remarks and next meeting: Rachael thanked everyone for attending and invited members to get in touch with any questions/comments/suggestions. As much feedback as possible is appreciated as this meeting is aimed at catering for the group. A brief discussion took place around the future meeting options and members agreed that a hybrid or an online meeting would work best for everyone. Rachael reiterated the preparation is quite intensive for hybrid meetings and if going ahead partners would be encouraged to suggest/offer potential venues.

PLEASE NOTE. The 3rd Sheriffdom Lothian and Borders RJ development group meeting was initially scheduled for **the 20th of October** however this has now been **cancelled**. Agenda for November's meeting is still to be confirmed; Rachael asked group members to get in touch with suggestions.

Next meeting:

Date: 9 November 2022

Via Microsoft Teams



Sheriffdom – Lothian and Borders – Restorative Justice Development Group Meeting

Session 3

Restorative Justice and Trauma Informed Approaches

Date: Wednesday 9th November
via Microsoft Teams

MEETING MINUTES AND ACTIONS

In attendance:

Rachael Moss
Gemma Fraser
Alice Dillon
Inesa Velaviciute
Pamela Stott
David Abernethy
David Bernard
Yvette O'Donnell
Tracey Stewart
Mandi Wright
Carey Fuller
Jenny Hamilton
Claire Marr
Claire Ryan Heatley
Veronica Campanile
Steven Tidy
Stewart Simpson
Gordon Duff
Ari Drury
Fiona Thomson
Sarah Axford
Carol Eden
Adam Brown
Claire Brooks
Julie Jessup
Kasia Sadaj
Ashley Scotland
A Representative of Police Scotland

Apologies:

Gael Cochrane
John Wallace
Susie Stein
Craig Brown
David Orr
Debbie Storm
Stephanie Kerr
Stephanie Mills
Steven Harvey
Tim Chapman
Victoria Kerr
Andrea Beavon
Fiona Kennedy
Gillian Oghene
John McEwan
Julie Morton
Lynsay Claxton
Simon Gall
Graham Jones
Janie Harman
David Ferrier
Kerry Page
Kevin Carter
Lynne Hobbs
Fiona MacKenzie
Mridul Wadhwa
Susan Dudley
Alan Haggarty
Suzan Ross
Liam Gale
Sara Law
Angela Voulgari

Alison Lynch
 Keith MacKay
 Pauline Cochrane
 Sue Waddington
 Lucy Coleman
 Tania Nascimento
 David Russell
 Heather Williams

1. Actions from 9 November meeting

Action items	Assigned to	End Date	Priority	Status	Dependency
Circulate the Scottish Government's response to the Open Letter among partners	Inesa	16/11/22	High	Completed	
Send research paper on the views of school pupils on the use of restorative justice in Scotland to Claire Brooks	Yvette	16/11/22	High	Completed	

2. Summary of discussions

- Welcome, housekeeping rules, **the focus of this meeting** – to discuss trauma informed principles and approaches in restorative justice service.
- **Introductions:** all attendees introduced themselves and their roles.

Scottish Government's Update: Pamela Stott (Victim and Witness Team) reminded everyone how far the project has come since the publication of the RJ Action Plan in 2019, despite the setbacks caused by COVID-19. She reiterated that the Scottish Government is committed to delivering the RJ service. Its development will not be rushed and the ongoing communication with the partner organisations will ensure it is safe, person-centred and trauma-informed.

Pamela noted the outcomes already delivered: the Scottish Government is funding the start of the National Hub within CJS and the delivery of the Initial Test Project; it is also funding the Thriving Survivors Hub for a specialist sexual harm service. Training Needs Analysis and a research into the mitigation and risk in RJ have been carried out, both papers published. The Government has also responded to the Open Letter from VAWG organisations and addressed their concerns. Action – Inesa to share the copy of the Government's response letter to VAWG with the group's members.

She also presented the challenges the project is facing and how the Scottish Government is addressing them:

1. *Policy and Framework:* more work is needed on clarifying the policy and developing a more detailed practice guidance for RJ. Currently progressing with a policy paper which will be submitted to the Cabinet Secretary for Justice and the Criminal Justice Board.
2. *Resources:* the Scottish Government is unable to provide an answer in terms of future resources until the budget arrangements for the next year are agreed and confirmed.

3. *Timescales*: although the Initial Action Plan foresees the delivery of the service by 2023, it is not feasible and thus the date is revised and extended in order to reduce the risk of compromising the quality of RJ service.

4. *The Open Letter* from VAWG organisations and the concerns raised: although the concerns remain, the Scottish Government is committed to work with the organisations to address them.

- **Trauma-Responsive Restorative Approaches in Criminal and Community Justice Delivery**: Gemma Fraser explained what is meant by restorative approaches in criminal and community justice. She introduced Rachael Moss's diagram on the 'fusion' of restorative justice principles and trauma-informed principles, which underpin the development and delivery of restorative justice in Scotland. Gemma also identified the potential to develop 'restorative encounters' across the justice system and its stakeholders. Please see attached slides for more details. Gemma invited everyone to get in touch and share their thoughts on the policy and practice paper she is currently preparing to submit to the Scottish Government.
- **A Trauma Informed Risk and Strengths Framework for RJ**: Rachael Moss introduced the restorative justice principles and explained how they overlap with the trauma-informed ones. The fusion of the two serves the development of the risk and strengths framework principles for restorative justice: choice, safe, individual, preparation, together. She indicated the aim and the project plan of the recently established risk and strengths framework working group as well as shared the questions to be explored in terms of the trauma-informed practice and development. Please see attached slides and the supporting paper for more details.
- **Experts by Lived Experience Research, FAQ and Stakeholder Communication Survey**: Alice Dillon updated on the communication and engagement in relation to RJ within the Sheriffdom area.
 - Quarter 2 report has been published and circulated, available to access on the CJS website. Alice invited the members to contact her with any comments on its accessibility and how it can be improved.
 - She reminded the group about the Stakeholder Communication Needs Survey and requested to complete and/or share it by the 18th of November.
 - Alice also informed about the early stages of a research proposal around lived experience of the persons harmed, getting their feedback on its impact. She is about to start working on a document which will be submitted to the Research and Ethics Committee (REC) within CJS.
 - A lot of activities planned for the RJ awareness week, 20-26 November, highlighting key messages and useful documents, podcasts, case studies, animation, blogs. Social media posts will be shared in partnership with Thriving Survivors and CYCJ. Alice asked for the members' support in re-sharing the information, increasing the visibility of the communication and engagement.

- **Questions & Answers**

Stewart Simpson enquired about the policy document and if more is needed that goes beyond it. He noted that consistency of practice is essential and wanted to know how it would look like for adults and children as well as how a postcode lottery would be avoided. Stewart proposed that a policy and/or legislation should be considered for RJ in future.

Gemma Fraser responded that the policy is the first gap that should be addressed. She listed the following questions: what should be done with people who want to explore RJ having reported the crime; what happens when the case is live in the justice system; how to ensure people who practice RJ know how to treat both child and adult protection issues? The policy agreed by the criminal justice board and their partners would provide answers to these questions and the consistency

required. Gemma also added that legislation could benefit the following two areas: 1 - the duty of the stakeholders in promoting RJ, ensuring people are aware of it and 2 – information sharing and how it could support good RJ practice.

Pam Stott highlighted that it would be a challenge and an unrealistic expectation to warrant a bill of its own. She agreed with Gemma in terms of having the policy developed first and then learning from the Initial Test Project in order to gather the evidence and information for what is needed to deliver the national RJ service that would meet the individual needs; what exactly is required from the bill to avoid the postcode lottery. Pam also agreed there are issues needing covered by legislation however only by having development detailed evidence a draft that would work can be produced.

David Abernethy pointed out that one of the most important things is to focus on listening to the voices of both people who were harmed and those responsible for the harm caused, ensuring restoration is available for both parties. He noted the existing research from Thriving Survivors on survivors' voices and the one Gael Cochrane and David Russell are still to publish on perpetrators' experiences within the justice system are very important and should be referred to when developing the service.

Rachael Moss agreed and highlighted that both voices will be considered in the risk and strengths framework. **Gemma Fraser** concluded that a trauma-responsive restorative approach should focus not only on the outcome but also the process throughout, and that RJ service should be based on what people are asking for.

Claire Brooks commented on what was said and added that capturing children and young people's voices is essential too. **Rachael Moss** and **Yvette O'Donnell** agreed and reiterated they are working very closely to ensure the perspective and voices of children and young people are addressed; and that they are provided with the accessible information on restorative justice.

Pamela Stott offered to share the research paper on the views of school pupils on the use of restorative justice in Scotland with Claire and it was agreed that **Yvette** will forward it. Action – Yvette to send the paper to Claire.

3. Closing remarks and next meeting: Rachael thanked everyone for attending and invited members to get in touch with any questions/comments/suggestions. She reminded everyone that December's meeting is cancelled and the next one will be held in February 2023, the exact date and time to be confirmed.

Next meeting:

Date: February 2023, exact date and time TBC
Via Microsoft Teams