

Northern Ireland Affairs Committee

1 November 2006

Community Restorative Justice

Opening statement by the Chief Inspector of Criminal Justice, Kit Chivers

I am Kit Chivers, the Chief Inspector of Criminal Justice in Northern Ireland. The office of Chief Inspector was established in 2003 under the Justice (Northern Ireland) Act 2002. It is not part of the Crown and its Inspectors are not civil servants. The Inspectorate does not have a statutory duty to inspect Community Restorative Justice schemes, but under s.47(4) the Secretary of State may require me to carry out a review of any matter relating to the criminal justice system in Northern Ireland. Such a request would be the basis upon which CJI would inspect.

The policy as to whether community based restorative justice schemes should be licensed or supported by the State is not a matter for the Inspectorate. There is widespread support for the principles of restorative justice, which are now being applied in the field of youth justice in Northern Ireland with considerable success. However, there are difficult judgments to be made about the terms upon which such functions can properly be devolved to community based organisations. In August Ministers published a second draft Protocol (as it is now called) setting out what they saw as the basis for establishing a proper relationship between the Schemes and the statutory agencies of the criminal justice system.

It is not for the Inspectorate to second-guess the judgment of Ministers on the policy. Where Inspectors can contribute is by establishing a framework for ensuring that whatever arrangements may be agreed are observed in practice. CJI set out some proposals in its response to the Government's first round of consultation, suggesting the sorts of subjects we would want to inspect and the possible modalities of doing so. So far we have had a few conversations with representatives of the Schemes but until we have some first-hand experience of the work of the Schemes I would be cautious about going too far in firming up those proposals. I therefore welcome the proposal in the draft Protocol that there should be pilot inspections before the arrangements are finally implemented.

The Criminal Justice Review was conscious of the need to strike a balance between the risks and the opportunities of this initiative, and it emphasised the conditions that would need to be satisfied if it were to proceed. I agree with the Review that robust, independent inspection will be crucial in controlling the risks and thereby making it possible for the potential benefits to be realised.