**18/339 Crimes (Restorative Justice) Amendment Bill 2018 – policy approval**

*(refers to 18/340/CAB - Crimes (Restorative Justice) Amendment Bill 2018)*

|  |
| --- |
| **Summary of Impacts** |
| * This Bill will amend the *Crimes (Restorative Justice) Act 2004* to enhance access to the ACT’s Restorative Justice System.
* The Bill introduces a number of amendments to the Act which will allow for the Restorative Justice Unit (RJU), rather than referring entities, to assess suitability of participants for restorative justice, clarify provisions in the Act relating to court referral procedures, allow for convenors to flexibly obtain written consent from participants, modernise the terminology of the Act and introduce a changed threshold for young offenders to meet in relation to the taking of responsibility to allow them to be referred for restorative justice.
* This Bill responds to barriers to referrals which were identified by referring entities throughout the implementation of Phase 2 of the ACT’s Restorative Justice Scheme.
 |

*Key to impacts: Red – negative, Blue - neutral and Green - Positive.*

**Social**

|  |  |
| --- | --- |
| **ACT Government Budget** | * This Bill promotes access to services, by reducing barriers to referrals to restorative justice in the ACT.
* Increased access to restorative justice offers more victims of crime the opportunity to engage with and have their needs considered in a criminal justice process.
 |
| **Human Rights** | * The amendments will potentially engage a range of human rights under the *Human Rights Act 2004.*All amendments will be subject to a human rights assessment throughout the development of the Bill.
 |
| **Indigenous and Multicultural** | * This Bill will support Aboriginal and Torres Strait Islander Canberrans through enhancing access to the restorative justice scheme.
 |
| **Disability** | * Amendments to the eligibility criteria will reduce the administrative burden on referring entities within the criminal justice system making referrals to the RJU.
 |
| **Justice and crime** | * The amendments will support more young people being referred to restorative justice.
 |
| **Impact on different age groups** | * The amendments will support more young people being referred to restorative justice.
 |
| **Women** | * The amendments will provide greater agency for women to explore whether their needs may be met by a restorative justice process. This amendment will be particularly relevant for women following the commencement of Phase 3, which will allow for referrals of family violence and sexual offences to restorative justice.
 |

**Economic**

|  |  |
| --- | --- |
| **ACT Government Budget** | * The amendments will not have immediate financial impacts for the ACT Government Budget. It is anticipated that they will result in more referrals being made to the Restorative Justice Unit, creating potential resourcing implications for the Justice and Community Safety Directorate.
 |
| **Productivity** | * These amendments reduce red tape by removing administrative duplication from the Act. This will support the productivity of referring entities by reducing the administrative burden placed on agencies in the criminal justice system.
 |

**Environmental**

Nil impact