

## Recent developments

### ***The victim surcharge***

The Domestic Violence, Crime and Victims Act 2004 introduced new sections 161A and 161B into the Criminal Justice Act 2003. This imposes a duty on the courts to order payment of a surcharge when an offender is convicted unless the offender has insufficient resources to pay a compensation order and a surcharge. The amount to be charged depends on the offence/s committed, the age of the offender and how the offender is being dealt with, including whether he is being fined (section 161B2)).

This surcharge came into operation on April 1<sup>st</sup> 2007 and is currently fixed at £15. It does not apply to fixed-penalty notices. The money will be ring-fenced for improving services for victims of crime.

For answers by the Solicitor General to parliamentary questions on the surcharge see:

<http://www.publications.parliament.uk/pa/cm200607/cmhansrd/cm070426/debtext/70426-0003.htm#07042640000981>

### ***Criminal Justice and Immigration Bill***

The Criminal Justice and Immigration Bill 2006-7 was re-introduced in the House of Commons in November 2007. The first of the 'Key areas' listed in the Government's summary of the Bill is the following: 'Ensure that the needs of victims are at the heart of what the criminal justice system does'.

### ***Restorative justice in custodial establishments***

For an article on restorative justice in prisons see the article by Daniel Ness in the July 2005 issue of RJ Online (also at

[http://www.restorativejustice.org.uk/?RJ\\_in\\_Prisons:Prison\\_Publications](http://www.restorativejustice.org.uk/?RJ_in_Prisons:Prison_Publications)).

For a report by the Youth Justice Board in England and Wales, see *Restorative Justice in the Secure Juvenile Estate* based on research undertaken 2002-3 which found there was 'little restorative justice intervention of any kind' in the establishments surveyed.

### ***World developments***

Restorative justice is now a policy and practice development in many more areas of the world. Restorative Justice (RJ) Online, produced by the International Prison fellowship, has monthly updates on such developments. See: <http://www.restorativejustice.org/> This site also provides links to EU and UN policy documents, and to theoretical issues and texts.

There is also world-wide interest in the role of the victim. For links to relevant web-sites in various jurisdictions, see the web-site of Victim Assistance Online at:

<http://www.vaonline.org/vw.html>

### ***Youth justice***

The Howard League for Penal Reform (London) submitted a statement on restorative justice (RJ) in England and Wales to the 11<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice (Bangkok April 2005) reviewing and praising the increasing use of RJ processes in youth justice but criticising the UK Government's failure to use the same processes in relation to anti-social behaviour.

### ***Code of Practice for the Victims of Crime***

The new Code of Practice for the Victims of Crime can be viewed at:

[www.cjsonline.gov.uk/downloads/application/pdf/Victims%20Code%20of%20Practice.pdf](http://www.cjsonline.gov.uk/downloads/application/pdf/Victims%20Code%20of%20Practice.pdf)

This became law in April 2006.

### ***Reparation Marque***

4 years ago in October 2003 the Home office unveiled a logo which could be used on plaques in places where work by offenders was being carried out. The Probation Service anticipated this would be a valuable tool in increasing visibility and promoting public confidence in community sentences. A joint NOMS/YJB Report (*Approach to Communities*

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*and Civic Renewal*; undated) has stated that the wording on the marquee is 'Community Payback' and that HMP Coldingley is producing the reparation marquee.