



# RESTORATIVE JUSTICE SERVICES



PROVIDING RESTORATIVE RESPONSES TO CRIME

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# 2020-2022 Strategic Plan

PROVIDING RESTORATIVE RESPONSES TO CRIME

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# Introduction

I welcome the publication by the RJS Directors of the RJS Strategic Plan 2020 – 2022. The plan was developed after a comprehensive service-wide consultation which facilitated a very enjoyable, lively debate and full exploration of the possibilities for the further development of our organisation and the wider application of restorative justice practice in Ireland. The objectives outlined within the plan represent the aspirations and vision of our volunteers, staff team and directors, our partners and stakeholders.

RJS has been in existence for almost 20 years. Over that time, and on a number of occasions, it has clearly demonstrated its ability and willingness to adapt and respond to change and challenging times. It has actively supported and significantly contributed to almost every major RJ development within the jurisdiction. With the support of its funder, partners and stakeholders, RJS has played a central role in Ireland in establishing restorative justice within the very heart of the lexicon and landscape of the criminal justice system in Ireland.

The plan clearly demonstrates the desire and intent of RJS to continue playing a leading role in restorative justice developments in Ireland and further afield via our long-established close working relationship with the European Forum for Restorative Justice.

The publication of this plan is timely. Developments over recent years, such as the Victims of Crime Act, 2018, which includes specific references to restorative justice, the establishment of the Victim and Restorative Justice Unit in

the Probation Service, the Council of Europe Recommendation CM/Rec(2018)8 concerning restorative justice in criminal matters and the pan-European RJ Strategies for Change project, are all clear indicators of the growing influence of restorative justice and a strong acknowledgement of the positive contribution it can make to people affected by crime.

In her opening remarks of the 2019 RJS Annual Report, Maria Flynn reflects on what has been our busiest year to date and notes the clearly established upward trend in case referrals over many years. We are of the considered view that our partnership model of service delivery is the key dynamic behind this continuing upward drive in our referral numbers. We remain passionately committed to the concept of working in partnership and our strategic plan clearly demonstrates our intention to further develop and strengthen our collaboration.

This plan will help us build on our strengths and it identifies where and how we can do better. Most importantly, it provides the framework and pathway to facilitate the realisation of our potential and the achievement of our stated goals. We look forward to working with our funder, partners and stakeholders as we embark on this challenging and exciting journey.

**Peter Keeley**  
*Manager RJS*

# Our Vision

Our vision is for access to restorative responses to crime in the maximum number of cases in Ireland with a view to, in so far as possible, repairing the harm caused by crime, encouraging rehabilitation and reducing re-offending.

# Our Mission

Our mission is to provide restorative options that best meet the needs of people affected by a crime, including victims, offenders, their families and communities.

# Our Values

Key principles and values of restorative justice, fully endorsed by RJS, include:

- active participation by those affected by a crime in dealing with its aftermath;
- a focus on repairing harm, accountability for actions and reintegration;
- voluntary participation based on fully informed consent;
- a balanced, respectful, non-judgemental approach;
  - respectful dialogue and fair procedures;
  - seeking consensus, and
  - confidentiality.

# Introducing Restorative Justice Services

Restorative Justice Services (**RJS**) is an independent, voluntary organisation that provides restorative programmes for people affected by crime committed by adults. The organisation was established in 2000 as the Victim / Offender Mediation Service. In 2004 it developed the Offender Reparation Programme and changed its name to Restorative Justice Services to more appropriately reflect the range of restorative interventions being provided. In 2016 it established a pilot programme for road traffic offences, the Restorative Road Safety Programme.

The original geographical remit of RJS mirrored that of Tallaght District Court. In 2011 and in line with a recommendation of the 2009 Report of the National Commission for Restorative Justice, the geographical remit was broadened to the Greater Dublin area and including Kildare, Meath and Wicklow.

In line with another recommendation from the National Commission report, RJS commenced acceptance of what was termed Higher Tariff offences before the District and Circuit Courts. Up until that point RJS dealt mainly with lower tariff offences such as public order, lower level assault, criminal damage and larceny.

## **Restorative Justice Approach and Philosophy**

Restorative justice is a way of responding to crime which enables those harmed by crime, and those responsible for that harm, if they freely consent, to participate actively in the resolution of matters arising from the offence. It allows

the people directly affected by a crime to have a say in deciding how the harm caused might be repaired. Restorative justice often takes the form of a direct or indirect facilitated dialogue between the victim and the offender and may involve, where appropriate, other persons directly or indirectly affected by the crime. This may include family members, nominated supporters or representatives of individual victims and offenders, relevant professionals and members or representatives of affected communities.

The RJS Victim-Offender Mediation model provides a number of options for facilitated dialogue between victim and offender. The RJS Offender Reparation Programme can also involve facilitated dialogue between victim and offender but even where this does not occur, the programme is delivered in a manner which adheres to basic restorative justice principles. Likewise, the Road Safety Programme operates in keeping with restorative justice philosophy.

## **Source of Case Referrals**

In the case of Victim-Offender Mediation and the Offender Reparation Programme, referrals are generally made by the courts at pre-sanction stage and after a guilty plea or an acceptance by the offender of a finding of guilt by the Court.

In the case of the Road Safety Pilot Programme, referrals are generally made by the Probation Service in the context of an assessment report as requested by the Court. A report is furnished by RJS to the Probation Service referring agency and / or Court. A decision on path of action or sanction

is then decided upon taking account of what has been achieved through the restorative process.

### **Stakeholders and Funding**

RJS is funded by the Probation Service and is managed by a partnership of criminal justice stakeholders including victim and community representatives. It is structured as a company limited by guarantee, with a Board of Directors and is registered with the Charity Regulator. The Board of Directors is made up of community volunteers, representatives of the Crime Victims Helpline, An Garda Síochána and Probation Service.

RJS also engages with a range of voluntary, community and statutory bodies in the context of its service delivery, e.g., HSE, National Rehabilitation Centre, Tallaght Probation Project, Dublin Volunteer Bureau, Dublin Town, Community Alcohol Services.

### **Personnel and Human Resources**

RJS has five full-time employees and one part-time employee and benefits from the assistance of a number of part-time volunteers.

The Service Manager, three full-time Case Workers and one freelance Caseworker are centrally involved in all three restorative programmes and at all stages of the process.

The three-member Offender Reparation Panels are made up of community volunteers, Probation Service staff and Garda members.

Volunteers from the community chair the panel meetings and they are drawn from various walks of life, bringing appropriate life and professional experiences and relevant skills.

Garda representatives at the Reparation Panel tend to be from Community Policing backgrounds in both the South and North Central Divisions representing Garda Stations at Pearse Street, Kevin Street, the Bridewell, Store Street, Mountjoy and Fitzgibbon Street. When RJS was established in 2000 and up to 2011, Tallaght Garda Station exclusively provided the Garda representatives to the Reparation Panel. RJS moved to its Dublin city centre location in April 2018.

Probation Officers and Senior Probation Officers from a range of locations across Dublin represent the Probation Service on the Reparation Panel. Their attendance is coordinated by the Restorative Justice and Victims Services Unit within the Probation Service.

The Probation Service representatives on the Reparation Panels come mainly from various locations in Dublin. There is an expectation that those participating as Panel Chairs and Members share a belief that offenders and victims should not be defined by crime and can change and move on with their lives. A shared commitment to restorative principles is critical to the successful operation of the service. To that end panel members undergo a comprehensive training programme in restorative justice.

# RJS Guiding Principles and Values

RJS recognises that crime hurts victims and their families and believes that the victim's voice needs to be heard. It also recognises that crime affects offenders, their family and the wider community and believes that their voice needs to be heard too.

RJS adopts a balanced respectful approach in seeking to address the interests and needs of victims, offenders and the community. It looks at the impact of crime on people's lives and recognises that each individual's story is unique. It provides a safe space where dialogue can take place, opening the door to greater understanding of the effects of crime, helping the process of healing and supporting desistance from offending. The processes used involve looking back at what happened and looking forward to healing and reintegration.

We believe that offenders need to accept responsibility for their actions, usually by pleading guilty in court, and be remorseful for harms caused. For this to be meaningful, they need to have a good understanding of the impact of their offence and we believe that this is best achieved through a facilitated dialogue with those affected and others with insights based on experience.

We believe that when a crime occurs, society's first priority should be to attend to the needs of the victim and that, as part of this response, it is important to hear their story. Although most of RJS's referrals relate to offenders in the context that they are court referred, we welcome self-referrals from victims at any stage.

RJS works collaboratively and closely with multiple organisational partners. In addition to the courts, Garda Síochána, Probation Service and Crime Victims Helpline, it engages regularly with

- community-based services (e.g. supporting offenders doing voluntary work, providing counselling or support services, accepting charitable donations),
- other victim representatives (e.g. those representing business or transport interests impacted by crime) and
- State and State-sponsored agencies such as the HSE and National Rehabilitation Centre (e.g. giving drug and alcohol awareness talks and providing insights into harm caused by crime).

RJS recognises that it could not function effectively without these partners and their contribution is greatly appreciated.

# RJS Programmes

## Victim-Offender Mediation

Victim-offender mediation is in essence a facilitated dialogue between the victim and offender. The dialogue can be direct or indirect. Where both parties agree to engage with the process, separate preparatory meetings are held to hear each side's story, judge suitability and motivation, and explore elements of a possible outcome. This is quite an important part of the process and multiple separate meetings and phone conversations may take place. Before a joint meeting or other form of contact occurs, the context of the dialogue and logistical arrangements are agreed. Permission to share information is sought at each significant step of the process. Indirect dialogue, where it is chosen, usually involves the facilitators communicating on behalf of each party, relaying messages between them. These procedures are important to building trust in the facilitators and the process. Victims and offenders may be accompanied by supporters. Cases may be initiated at the request of the courts or as part of a Reparation Panel contract.

## Offender Reparation Programme

The programme centres around an offender meeting a Reparation Panel which comprises a community representative who chairs the meeting, a Probation Officer and a member of the Garda Síochána. A case worker supports the offender and also attends the panel meeting. The parties attending discuss the circumstances of the offence, who was affected and how, what could have been done differently and what needs to happen next in terms of trying to make up for the harm caused and avoid further offending.

Restorative actions agreed by the offender are written up as a reparation contract. Where there is a direct victim, the possibility of victim-offender mediation is considered. Other common restorative actions are letters of apology, meeting with a victim representatives, voluntary work, charitable donation, written reflections and attendance at anger management or substance abuse education. On completion of the contract, the offender meets another panel to review progress and reflect on the learning from the process.

## Restorative Road Safety Programme

A pilot road safety programme was introduced in 2016 as a variation of the offender reparation panel programme. It works with offenders who have committed road traffic offences, most of which do not have a direct victim. Differences from the offender reparation panel are that offenders meet community representatives without the other members of the panel and participate in group sessions on road safety with other offenders, case workers and members of the Garda Síochána. Other aspects are similar, notably the nature of the discussion and agreement of a reparation contract.

# The Effectiveness of Restorative Justice

Extensive international research has been carried out into the effects of restorative justice. It shows that restorative processes consistently achieve very high levels of victim satisfaction, reduce reoffending rates and save money. Chapman (2018)<sup>1</sup>, for example, refers to a number of studies that report victim satisfaction rates of 85 percent or higher, several meta-analyses that show significant reductions in re-offending compared with other programmes and an English study that established a 14 percent reduction in the frequency of offending and a saving of £9 for every £1 spent on restorative justice.

The Council of Europe adopted a recommendation on restorative justice in October 2018<sup>2</sup> aimed at encouraging countries to develop and use restorative justice with respect to their criminal justice systems. It also recommended the development of innovative restorative approaches which may fall outside of the criminal procedure. In its preamble it noted the growing interest in restorative justice in member States, recognised the potential benefits of restorative justice and noted developments in the use of restorative justice as a flexible, responsive, participatory and problem-solving process. It also alluded to “the growing body of research evidence which indicates the effectiveness of restorative justice on a variety of metrics, including victim recovery, offender desistance and participant satisfaction”.

In Ireland, the National Commission on Restorative Justice<sup>3</sup> commented in its final report in 2009

that it was “convinced that the implementation of restorative justice on a nationwide basis [would] make a positive contribution to the lives of citizens” and recommended greater use of three models, namely victim-offender mediation, reparation panels and conferencing.

The Criminal Justice (Victims of Crime) Act 2017 set out standards for the delivery of restorative justice in Ireland. Part 2 of the Victims of Crime Act outlines the rights and entitlements a victim has at first point of contact with An Garda Síochána. ‘Part 2 / Section 7 (1) m’ confirms a victim’s right to information on Restorative Justice.

Section 26 of the Victims of Crime Act specifically focusses on Restorative Justice, providing a comprehensive overview of the context and criteria for use of same.

Restorative justice is effective where good practice is observed. RJS is fully committed to ensuring that it observes good practice in its programmes. This is achieved in a number of ways including initial and on-going training of all involved, staff supervision and support, working collaboratively with partners, reflection by caseworkers and reparation panel members after case, Board oversight, the deliberations of its Policy and Practice and Victims of Crime working groups and Chairperson meetings. Objective One in this strategy highlights this RJS commitment to effective delivery of restorative responses to crime to the highest standard.

<sup>1</sup>Chapman, T., (2018) “A More Humane Approach to Addressing the Harm of Criminal Behaviour Starts with Victims”, Irish Probation Journal, Vol 15, pp 5-23

<sup>2</sup>Council of Europe (2018), Recommendation CM/Rec(2018)8 of the Committee of Ministers to member States concerning restorative justice in criminal matters, [www.coe.int/com](http://www.coe.int/com)

<sup>3</sup>National Commission on Restorative Justice - Final Report (2009), [www.justice.ie](http://www.justice.ie)

# RJS Strategy 2020-2022

**Objective 1:** Develop the quality and effectiveness of the service

## Goal 1.1

*Review and develop the RJS model of service*

**Actions that we will undertake to support this goal include**

1. systematic review of every aspect of the way we work including format of the programme delivery models
2. consideration of other restorative models such as conferencing
3. review of the appropriateness of cases, in particular the referral of what might be deemed to be low tariff offences, e.g., possession of cannabis for personal use, driving with no tax, insurance.
4. reviewing all aspects of our service level agreement
5. identifying the appropriate number of cases the service should undertake with particular regard to available resources, capacity, quality and wellbeing
6. identify what is deemed to an appropriate caseload for caseworkers
7. expansion of the victim-offender mediation element of our work, exploration of effective ways to engage with victims and promotion of victim-initiated referrals
8. implementation of agreed recommendations of the RJS Victims of Crime and Policy and Practice working groups
9. review of the Road Safety programme and associated funding options.

## Goal 1.2

*Work collaboratively*

**Actions that we will undertake to support this goal include**

- 1.2.1. working closely with the Probation Service, An Garda Síochána, the Judiciary and other interested parties to give effect to a national restorative justice strategy
- 1.2.2. regular liaison with analogous services such as Restorative Justice in the Community continuing to engage collaboratively with the Crime Victims Helpline and other victim representatives
- 1.2.3. identification of possible additional strategic partners
- 1.2.4. identify and collaborate with an appropriate 3rd level academic institution
- 1.2.5. supporting opportunities to develop restorative justice options with the courts and other partners
- 1.2.6. continued collaboration with the European Forum for Restorative Justice and other international partners
- 1.2.7. participation in activities to develop restorative justice in Ireland in keeping with the Council of Europe recommendations on restorative justice in criminal matters
- 1.2.8. keeping abreast of developments in theory and practice

## Goal 1.3

*Achieve consistent delivery to excellent standards*

**Actions that we will undertake to support this goal include**

- 1.3.1. commitment to quality standards
- 1.3.2. accreditation of training and provision of continuing professional development
- 1.3.3. supervision and support of staff and volunteers, ensuring their well-being
- 1.3.4. independent assessment and evaluation of programmes
- 1.3.5. further development and refinement of offender and victim feedback mechanisms
- 1.3.6. review and enhancement of record keeping including court outcomes and commitment
- 1.3.7. to sharing relevant performance information.

**Objective 2: Improve accessibility of the service to meet victim, offender and community needs**

## Goal 2.1

*Improve victim access to restorative justice that meet their needs*

**Actions that we will undertake to support this goal include**

- 2.1.1. promotion of restorative justice with victims and victim services
- 2.1.2. development of methods of engaging with victims, including self-referrals by victims and at point of first contact with the criminal justice system
- 2.1.3. seeking and listening to feedback from victims
- 2.1.4. embedding best practice in relation to working with victims, ensuring safety & well-being
- 2.1.5. systematic review of all RJS processes to ensure they are sensitive to victim needs,

taking account of factors such as timing of service, with possibilities of access at multiple stages

- 2.1.6. improvement of awareness of victim needs by all RJS personnel and partners through provision of training, communication with victim services and relevant research identifying appropriate mechanism to facilitate receipt of victim contact details at referral

## Goal 2.2

*Improve offender involvement in restorative justice services in ways that meet their needs*

**Actions that we will undertake to support this goal include**

- 2.2.1. promotion of restorative justice with offenders and their legal representatives
- 2.2.2. continuing support of offenders in understanding the impact of their actions, seeking to repair harm and trying to avoid further offending
- 2.2.3. proactive engagement with community-based services that offenders can avail of in their efforts to desist from offending and have better life prospects
- 2.2.4. proactive engagement with community-based services for whom offenders can carry out meaningful voluntary work where this is part of their reparation contract
- 2.2.5. exploration and development of programmes such as victim awareness and establishment of panels of victims that could meet offenders where the direct victim does not wish to participate.

## Goal 2.3

*Improve community involvement in restorative justice services in ways that recognise and meet their needs*

**Actions that we will undertake to support this goal include**

- 2.3.1. promotion of restorative justice within communities, in particular those acknowledged as being affected by crime
- 2.3.2. promotion of restorative justice amongst general public
- 2.3.3. active development of ways in which communities can participate meaningfully in and benefit from RJS work, including engagement with community groups
- 2.3.4. keeping abreast of and contributing to relevant research on the involvement of communities in restorative justice.

## Goal 2.4

*Expand the catchment area, subject to funding*

**Actions that we will undertake to support this goal include**

- 2.4.1. assistance in establishment and development of services in areas where no service is currently available and consultation with the Probation Service which has policy responsibility in the area
- 2.4.2. acceptance of referrals from outside the Greater Dublin area where resources allow continued acceptance of referrals from the Circuit Court
- 2.4.3. enhancement of RJS capacity to deal with more serious offences, consistent with best practice and research findings and in consultation with victim services
- 2.4.4. conduct an exercise to estimate demand for the service drawing on 2009 National Commission on Restorative Justice Report and other sources

- 2.4.5. exploration with partners of additional points of referral to RJS services, such as Garda adult cautioning schemes.

**Objective 3: Communicate and promote RJS services**

## Goal 3.1

*Promote awareness and understanding of RJS and restorative justice with referral, partner and funding agencies, the wider criminal justice system and the public*

**Actions that we will undertake to support this goal include**

- 3.1.1. promotion of RJS with victim services, legal bodies such as the Bar Council and the Law Society, voluntary and community sector groups, academic and practitioner bodies
- 3.1.2. seeking to include explicit mention of RJS in information provided to victims at the first point of contact with the criminal justice system
- 3.1.3. engagement in regular briefings with current and potential partners
- 3.1.4. exploration of innovative ways to improve awareness of and access to RJS services, including social media
- 3.1.5. presentations at conferences and, where appropriate, in the media.

## Goal 3.2

*Evaluate the process and impact of RJS services & share the learning*

**Actions that we will undertake to support this goal include**

- 3.2.1. a systematic internal review of the way in which data on RJS services is collected and presented

- 3.2.2. commissioning an independent evaluation of all services focusing on the core processes and impacts of the RJS programmes - beginning with a review of the pilot Road Safety programme
- 3.2.3 wide dissemination of research findings and annual data

## Objective 4: Develop the RJS organisation

### Goal 4.1

*Ensure RJS team is competent, resourced and supported to deliver quality services*

#### **Actions that we will undertake to support this goal include**

- 4.1.1. recruitment and training of staff as required, ensuring their continuing professional development
- 4.1.2. provision of supervision and support to manager, staff and volunteers
- 4.1.3. regular review of caseloads to ensure that they are fair and effective
- 4.1.4. development of progressive staff policies
- 4.1.5. development of appropriate remuneration and career opportunities that reward staff and facilitate retention of valued staff.

### Goal 4.2

*Ensure best practice in governance*

#### **Actions that we will undertake to support this goal include**

- 4.2.1. continuing review and development of governance procedures in keeping with best practice for independent, charitable organisations operating as companies limited by guarantee

- 4.2.2. assessment and review of organisational risks
- 4.2.3. conducting regular review of strategic plans
- 4.2.4. development of annual plans as part of the budgeting process
- 4.2.5. development of annual work plan

### Goal 4.3

*Ensure an effective financial management framework is in place*

#### **Actions that we will undertake to support this goal include**

- 4.3.1. continuing review and development of financial procedures in keeping with best practice for similar organisations
- 4.3.2. exploration of alternative sources of funding to provide greater flexibility, independence and resilience, in consultation with our funder, the Probation Service

### Goal 4.4

*Ensure continuing recruitment, training and support of panel members and volunteers*

#### **Actions that we will undertake to support this goal include**

- 4.4.1. continuing efforts to ensure availability, training and support of panel members and volunteers
- 4.4.2. development of ways for them to share experiences and be appreciated as valued members essential to the effective delivery of restorative services.



