



Restorative Justice-Reparation-Mediation

*for*

Victims - Offenders - The Community

## **Higher Tariff**

# **Offender Reparation Programme**

*developed in partnership with*

**The Courts**

**The Probation Service**

**Crime Victims Helpline**

**An Garda Síochána**

**The Community**

**Contact:**

**RESTORATIVE JUSTICE SERVICES**

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**RJS is funded by The Probation Service**

## **What is the Higher Tariff - Offender Reparation Programme?**

The Higher Tariff Offender Reparation Programme is, in the main, targeted at ...

**... offences that attract up to 1 year in custody**

*And / Or*

**... offenders with a track record of criminality**

The objective of the **Higher Tariff Offender Reparation Programme** is to reduce the risk of reoffending by participating offenders. This is achieved

- by the offender undertaking acts of reparation and, where relevant, addressing the issues raised by the victim and / or community
- by challenging the offenders to put right the harm which they have caused
- by raising awareness and understanding of the offender with regard to the implications and affects of their actions
- by encouraging reflection and facilitating change in decision making and choices by the offender
- by engaging directly with the offender and rigorously challenging the offending behaviour

## **How does it work?**

The Judge has looked at your case and put it back for second calling as the Court wants you to consider taking part in the Higher Tariff Offender Reparation Programme.

A Probation Officer or your Solicitor may be in the Court to answer any questions which you have **or** you may contact **RJS** at their offices (Tel: 01-4515022) for more information.

## **Court Sanction**

**If you successfully complete the  
Higher Tariff Offender  
Reparation Programme  
the presiding Judge may,  
when deciding on sanction,  
take into account your efforts  
to address your offending behaviour  
as well as any efforts which you made  
to make amends to the  
victim and / or community**

If you decide to enter the Offender Reparation Programme, the Judge will adjourn your case to a later date. Your case will be referred to The Probation Service which will pass on the information to Restorative Justice Services.

You will then be invited to attend a number of meetings with Restorative Justice Services and a Reparation Panel.

### Who will be on the Reparation Panel?

The Reparation Panel includes

- *a representative of the community or local organisation*
- *a Probation Officer*
- *a Member of An Garda Siochana*

An RJS Case Worker will also attend these meetings with you.

They will discuss and agree with you certain actions that you will carry out to address your offending behaviour and make up in some measure for the harm which you have caused.

### This will be called your 'contract'

You are obliged to carry out all the actions on the 'contract' before returning to Court. It will include your agreement to

- *discuss your offence and its effects*
- *Be open to participating in facilitated dialogue with the victim (if required)*
- *Make a genuine effort to try and repair the harm which you have caused through your actions and / or make some form of reparation or amends*
- *show that you understand how your behaviour and the offence were unacceptable to the victim and / or community*
- *give a firm commitment about your future good behaviour*

### What happens when I complete my Contract?

On completion of the 'contract' you will meet with the Reparation Panel a second time. They will then submit a report to the Judge in time for your next Court date.

### What happens when I go back to Court?

The Judge will read and consider the report, which will include a copy of your agreed contract, any letter of apology, any record of any meeting attended, any written work, confirmation of any charitable donation, and any other agreed action. If the Judge finds that you have kept your part of the 'contract' and successfully completed the programme, the Court may decide to take your efforts into account when deciding on sanction.

### Restorative Justice Services

Restorative Justice Services is managed by a partnership of stakeholders in the criminal justice system

- **Probation Service**
- **Community and Victim Advocates**
- **An Garda Siochana**

Restorative Justice is a way of responding to crime, which allows the people directly affected or involved have a say in deciding how the damage or harm caused might be repaired. Restorative Justice believes that ...

- *crime hurts victims and their families*
- *crime affects the offender - their family, and the wider community*
- *the victim's voice should be heard*
- *the offender needs to accept responsibility and to repair the harm caused*

## Referral Criteria and Guidelines

**- Formal referral to the Higher Tariff Reparation Programme is at the absolute discretion of the presiding Judge**

**- To qualify for referral to the Higher Tariff Reparation Programme an offender must meet the following criteria**

- The Offender must be fully accepting guilt and responsibility for the offence before the Court
- There must be no ambiguity in this regard
- Show an ability and capacity to fully engage and participate in a formal restorative process
- Be willing to gain insight and attain an understanding of the consequences of your behaviour and its impact on those affected
- Provide a commitment to the Court to fully participate on the programme & attend all appointments
- **Note:** Failure to attend appointments will result in immediate termination of participation on the programme and the Court will be advised