

# ANNUAL REPORT 2017

**Providing Restorative Responses to Crime** 

# Contents

Contents	1
Welcome from the Chairperson	2
Organisational Structure	
Referral and Casework Statistics for 2017	4-9
Cases referred in 2017	
Comparative Referrals 2015 – 2017	
Comparative Source 2015 – 2017	
Breakdown of Offences	
Completions	
• Gender	
Age Demographic	
The Court Sanctions	
Charitable Donations	
Victims of Crime – Contacts and Participation	
Restorative Road Safety Pilot Programme – Statistics for 2017	
Cases Referred in 2017	
Source of Referrals	
Breakdown of Road Traffic Offences	
Completions	
• Gender	
Age Demographic	
The Court Sanctions	
Contributions for Stakeholders & Participants	
Restorative Justice Services - What We Do	
What is Restorative Justice?	
Introduction to the Offender Reparation Programme	
Introduction to Victim / Offender Mediation	
Introduction to the Restorative Road Safety Programme	



# Welcome

I am very pleased to welcome you to the 2017 Annual Report of Restorative Justice Services. This report provides the reader with a detailed overview of our 2017 core work and activities as well as providing an account of the outcomes achieved in 2017. You will note the 2017 case work statistics signal a modest but continuing upward trend since 2015 in the level of court referrals. We greatly appreciate the confidence the courts have demonstrated in our work and we acknowledge the value and appropriateness they place on restorative interventions.

The constructive and informed insights provided in this report by our Panel Members and Chairs serve to reinforce the effectiveness of the Reparation Panel 'partnership' model, while the positive contributions from clients, both victims and offenders, are a testimony to the professionalism, sensitivity and adherence to the restorative philosophy of our personnel.

The Restorative Road Safety Programme which commenced in 2016 continues in pilot phase in 2017. We were pleased to engage and assist an EU funded project exploring the potential for restorative justice in road traffic offences in a number of jurisdictions across Europe. It is very encouraging that the European Forum for Restorative Justice has confirmed its support for restorative interventions in this category of offending and for further research in this area.

In November 2017 the Criminal Justice (Victims of Crime) Act commenced and gave effect to the EU Victims Directive (2012/29/EU) which established

minimum standards of rights, support and protections for victims of crime. An important element of this Act confirms a victim of crime's right to information on Restorative Justice and Section 26 of the Act provides a comprehensive overview of the context and criteria for its application. Over the next 12 months our Victims of Crime Working Group will liaise closely with all our partners and stakeholders to ensure we are meeting our obligations and responsibilities to individuals affected by crime, as laid out in the Act. Our Policy and Practice Working Group will work to ensure the observance of restorative values and appropriate standards of practice in all interventions.

My sincere thanks and appreciation as always to the Probation Service for the funding provided which enables delivery of this service. The significant contribution from Garda personnel, Crime Victims Helpline, Dublin Town and our own team of volunteer Reparation Panel Chairs is gratefully acknowledged and equally appreciated. The dedication and energy of our frontline staff and volunteers continues to impress and gives great confidence and encouragement to our hardworking Board of Directors to continue its endeavours in promoting the practice and principles of restorative justice.

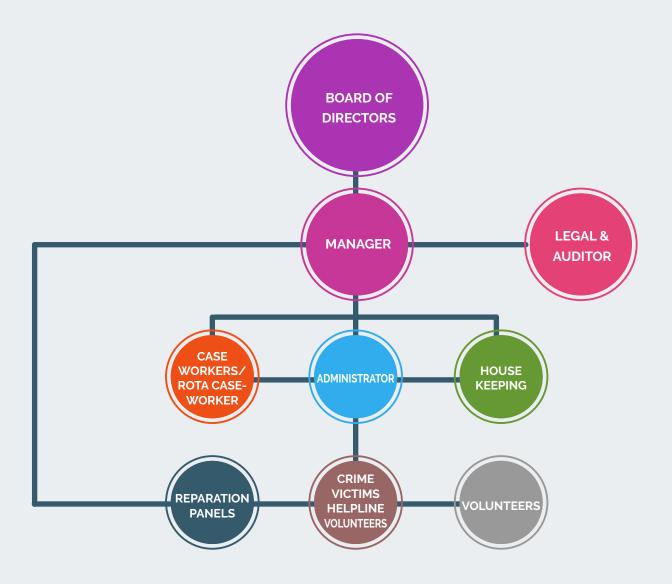
Finally, I wish to acknowledge all those individuals affected by crime who came into contact with our service in 2017. Thank you for sharing your stories and experiences, we hope your interaction with our service has been helpful and constructive and will serve you well for the future.

#### Maria Flynn

Chairperson Restorative Justice Services



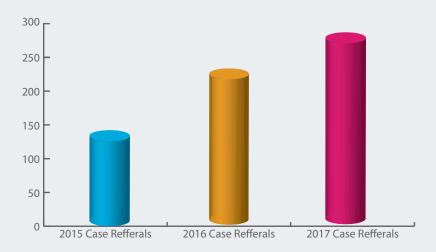
### Restorative Justice Services – Organisational Map





# Case Referrals Comparative 2015/ 2016 / 2017

2015 Case Referrals	)
2016 Case Referrals240	)
2017 Case Referrals	L





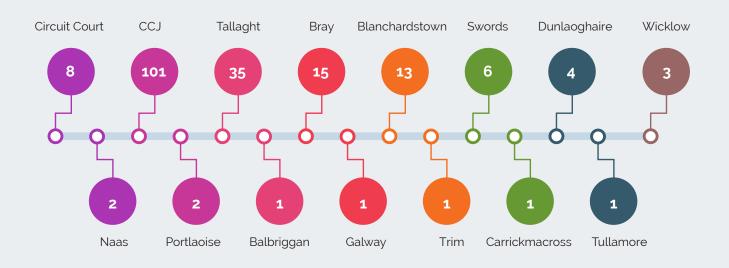
## Breakdown of the 2015 / 2016 / 2017 Referred Cases

2015 District Court Referrals	147
2015 Circuit Court Referrals	
2016 District Court Referrals	
2016 Circuit Court Referrals	8
2016 Restorative Road Safety Programme	71*

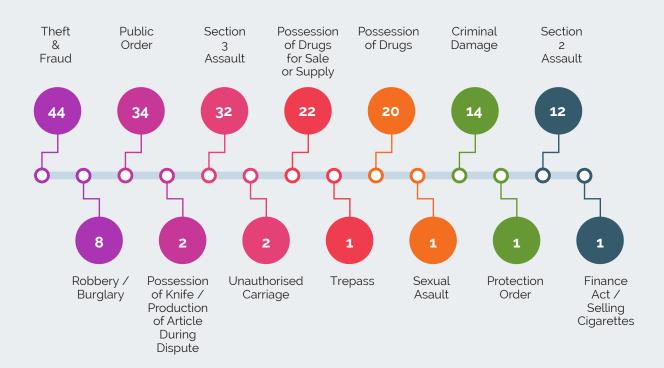
2017 District Court Referrals	
2017 Circuit Court Referrals.	8
2017 Restorative Road Safet	y Programme87



### Source of 2017 Court Referrals

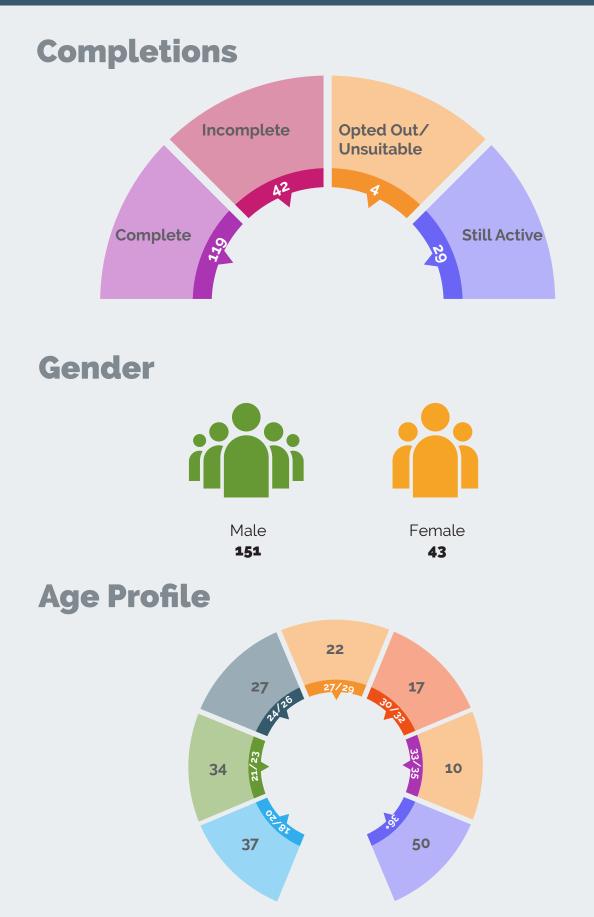


### **Offences before the Court**



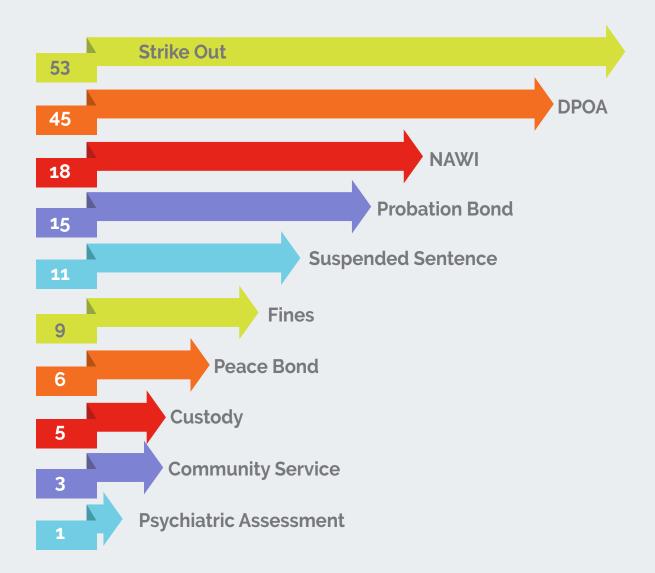
Note: CCJ is abbreviation for Courts of Criminal Justice





Note: Still Active refers to cases referred in 2017 that remain active at time of publication.

### **Sanction – Court Outcomes**



#### Note 1:

Sanction may include more than one component e.g., a Probation Bond may be accompanied by a fine.

#### Note 2:

DPOA = Disposal Under the Probation of Offenders Act 1.1 (1907) NAWI = Non Appearance Warrant Issued



### **Charitable Donations**

Compensation	€7085
Pieta House	€2180
Cappuchin Day Centre	€1550
St Vincent De Paul	€1250
Irish Cancer Society	€1215
Our Lady's Hospital Crumlin	€950
Focus Ireland	€730
Court Poor Box	€700
National Children's Hospital	€500
RNLI	€500
The Simon Community	€550
Headway	€450
Women's Aid	€300
DROP	€300
St Francis Hospice	€300
Crime Victim's Helpline	€210
CARP	€200
CUIS Project	€200
Jigsaw	€200
Make a Wish Foundation	€200
St Mary's Boxing Club	€200
Dog's Trust	€150
St Brigid's Hospice	€150
The Soup Run	€150
Five Loaves	€150
Aware	€100
Crinian Youth Services	€100
Homeless Charity	€100
MS Ireland	€100
Barnardos	€80
WASP	€75
Blue Cross	€60
Our Lady's Hospice	€50

Note: A charitable donation is a common element within an Offender Reparation Contract

S RJS

#### **Victims of Crime - Contacts & Participation**

The Criminal Justice (Victims of Crime) Act commenced (passed into law) in November 2017. This Act gave effect to provisions of Directive 2012/29/EU of the European Parliament establishing minimum standards on the rights, support and protection of victims of crime.

http://www.justice.ie/en/JELR/Pages/Criminal\_Justice\_(Victims\_of\_Crime)\_Act\_2017

Part 2 of the Victims of Crime Act outlines the rights and entitlements a victim has at first point of contact with An Garda Siochana. '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.

It is a practice and policy of Restorative Justice Services to examine each referred case to establish if there is an identifiable victim. Where there is an identifiable victim the possibility of facilitated dialogue or contact between offender and the specific victim of crime can be explored.

In practice this means that when a Reparation Panel meets with an offender to discuss and agree a contract of reparative actions (see page 22/23) they discuss with the offender the possibility of some form of mediated dialogue or contact with the victim. If the offender is open to participating in such a process, the action is recorded in the contract on the understanding that participation in such a process is entirely voluntary for both parties.

The service then establishes contact with the victim to ascertain if they wish to participate in the restorative process. There are a number of mediated dialogue and contact options available. All options are discussed in full with the victim and the necessary time is provided to allow the victim make a considered decision.

The offender may also be provided with an opportunity to meet with a representative of Crime Victims Helpline (CVH) www.crimevictimshelpline.ie.

The CVH representative can provide a victim perspective which informs the offender on how a particular offence i.e., assault, theft, can negatively impact on a person who has been a victim of a crime.

In cases where the victim is a commercial entity, retail outlet or business , the offender may be provided with an opportunity to meet with a representative of Dublin Town www.dublintown.ie, an umbrella information and support organisation for the business community. The Dublin Town representative can inform the offender on how particular categories of offences, i.e. fraud, shoplifting, can negatively impact on businesses who have been a victim of crime.



#### **Victims of Crime - Contacts & Participation**

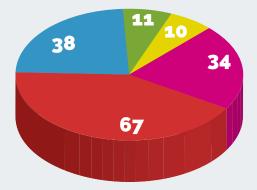
1n 2017 a total of 132 cases were recorded as having a direct identifiable victim. 91 of these cases were deemed suitable for the possibility of some form of facilitated dialogue or contact between the offender and the injured party.

34 cases utilised a form of mediated dialogue, of these cases:

- 22 utilised Shuttle Mediation, i.e., communications carried verbally back and forward between victim and offender by RJS Caseworkers
- 12 utilised Victim / Offender Mediation (i.e., face to face meeting)

67 letters of apology were provided to injured parties

- In 38 cases the offender met with an representative from Crime Victims Helpline
- In 11 cases the offender met with an representative from Dublin Town
- In 10 cases compensation was paid by the offender to a victim of crime



**Note 1:** The specific actions above are not necessarily exclusive to a particular case, e.g., a victim of crime might meet an offender and also accept a written letter of apology.

**Note 2:** It is important to state that on occasion we are advised by the victim at point of referral that they do not wish to be contacted.

**Note 3:** Offenders may be deemed unsuitable for participation in a restorative process or may chose to opt out of the restorative process.



### **Restorative Road Safety** *Pilot* **Programme**

- Statistics for 2017

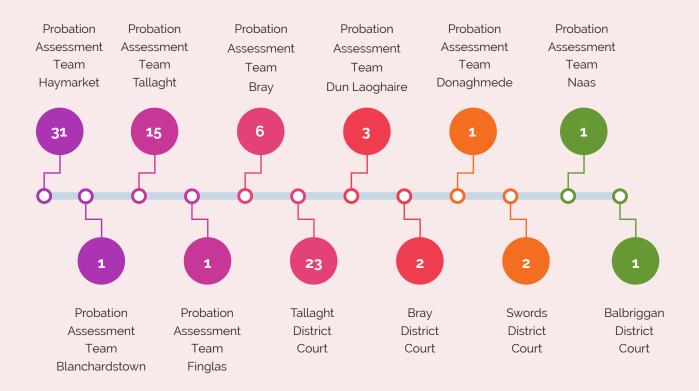


### Statistics for 2017

### Cases Referred in 2017

87 cases

### **Source of Referral**





### **Breakdown of Road Traffic Offences**

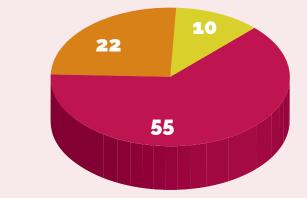


Note: Referrals can often carry more than one listed offence.



### Completions

Complete	
Incomplete22	
Still Active	



Gender



72



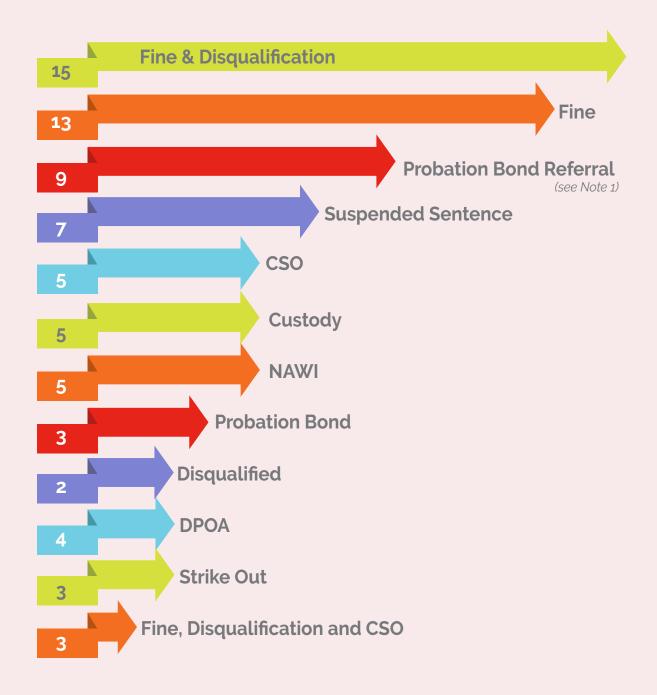
**Age Profile** 



Note: Still Active refers to cases referred in 2017 that remain active at time of publication.



### Sanction – Court Outcomes



**Note 1:** In these cases the referral was included as part of a Probation Bond directed by the Court or supervising Probation Officer.



### **Charitable Donations**

Compensation	€3600
NRH	€2827
Tallaght Hospital	€1005
Irish Cancer Society	€950
National Children's Hospital	€550
Our Lady's Hospital	€530
St Vincent De Paul	€310
Headway	€150
St James's Hospital	€150
The Capuchin Centre	€130
Alzheimer Society	€100
Beaumont Hospital	€100
Camino Network	€100
Cystic Fybrosis	€100
Mater Foundation	€100
DSPCA	€100
Blue Cross	€70
Dogs Trust	€50
Merchants Quay Project	€50
St Francis Hospice	€50
The Meningitis Fund	€50
Blackrock Hospice	€40

Note: A charitable donation is a common element with the Restorative Road Safety Programme.



### **Observation and Comment from Stakeholders, Partners and Participants**

#### Catherine Ashe, Community Representative and a Chairperson of Reparation Panel

- As a voluntary chairperson for the RJS Offender Reparation Panels (O.R.P.s) for the last 4.5 years, I have learned a great deal about the nature of personal and collective growth through restorative processes.

The collaboration (Panel) of trained personnel from the Probation Service, Gardai, RJS Case Workers and Chairperson combine to produce a safe and respectful environment through which the participant (offender) is encouraged to explore their responsibility and involvement in offending incidents which directly or indirectly affect individuals, communities and society as a whole.

Generally, the participant attends two panels : one to explore and reflect on the offending incident/s and to find a way of repairing harm and restoring relationships through the formation of a contract of reparation. The second panel reviews the process and the contract.

O.R.P.'s promote fair process, respectful engagement and give all those involved a voice. It facilitates reflective apologies which, may be shared with those affected if agreed by them, the participant and the Panel.

Whether or not those most affected by the incident wish to engage with the participant, it nevertheless creates an opportunity for that participant to explore his/her responsibility and to experience their emotion and/or remorse through a process which ensures safety and integrity.

As a chairperson, some anecdotal outcomes frequently witnessed include: reduced likelihood of reoffending; improved relationships with those affected (family, friends and other members of the community); as a result of the process participants sometimes access support services to help with the reduction of substance misuse and often experience improved mental health and start to make better life style choices; charitable donations and voluntary reparation work help to build community and focus on collective responsibility.

It is an ongoing learning process for me which is enriched by the Restorative Justice Service and the other panel participants. I continue to have the privilege of sharing in a process which provides the opportunity for real transformative growth.

#### Fliona Fogarthy, Probation Officer and Reparation Panel Member

 I an a new member of the Restorative Justice Panels.
 I believe that this intervention is of benefit to offenders as they gain insight into the effects of their life choices. Whilst the overall goal is to provide victims the opportunity to face the perpetrator of the offence committed against them, it also affords the offender with the chance to experience the impact of their behaviour on those harmed by their actions. This requires a delicate balancing between all involved in the process.

Each panel is compiled of a multi-disciplinary team that Officer and a Volunteer Chairperson. Whilst the panels are professional, the language is informal which encourages the offender to engage meaningfully with all concerned.

Each offender is assigned a highly skilled caseworker who also briefs the panel prior to each meeting. Where a victim is not available the offender is still encouraged to address the impact of their behaviour and this can take several forms such as writing a letter to the victim, paying compensation or doing community work to name a few. A written contract is formed with input from the offender and the encouragement of the panel. During my time as a member of the panels, I have been impressed by the positive encouragement

extended to offenders who not only gain insight into their behaviour but also gain a sense of self-respect they had previously lost.

#### Victim of Crime participant in RJ process

"I felt the whole process was very positive and I have great praise for everyone involved. I feel the better for having taken part. When I left I had a lighter feeling, and it was a relief to think that I could leave it behind. Before I had gotten involved I thought that I had dealt with it. But after having taken part I could genuinely let it go. I hadn't heard of RJ before, but I really believe in the RJ system and think that it is worthwhile. I am glad it is there to help people on both sides. The way that I was looked after and helped through the whole process deserves a lot of credit.'

#### Sgt. Martin Moloney – JLO Sergeant, Store Street Garda **Station and Reparation Panel Member**

- I have been sitting on the adult restorative justice panels run by RJS for approximately 6years in the Garda seat. This

run by RJS for approximately byears in the Garda seat. This has been a very fruitful experience for me personally as someone who has a keen interest in Restorative Justice. The Reparation Panel offers adult offenders the opportunity to come and work through their offence with the guidance of trained restorative justice practitioners from a number of perspectives i.e., Garda, Probation and the Community. The balance of the 3 backgrounds along with the RJS Caseworkers offer adult offenders a very unique opportunity in their lives to really look at their offending from a 'restorative' from a test. in their lives to really look at their offending from a 'restorative' point of view.

On many occasions (too many to count) the Panel Members along with the offender have really brought a clarity all round about harm, affect and why repairing should happen and needs to happen in their specific offences. Restorative Justice is an explicit practice and it has a process which it can call its own i.e., allowing the story of the offence to be told, acknowledging the harm that was caused and then repairing the harm to those affected. As a practitioner, trainer and advocate of restorative practices, I have seen Restorative Justice being used in a variety of ways. The RJS paged has offenced mo a great platform to use Destorative Justice training and to learn from other professionals involved in the area of Restorative Justice.

#### **Offender participant in RJ process**

Taking part in the Reparation Programme will keep me out of trouble. It helped me to see how my crimes affected the victims and helped me see the negative pattern I was in.

#### Susan Commins, Probation Officer and Reparation Panel Members

- I have participated on the Restorative Justice panels for approximately 4 years and I would echo the sentiments expressed by my colleagues who have made previous observations and comments. By this, I mean that although the panels are often challenging on a number of levels for the participants and sometimes for panel members, they can represent an opportunity to begin to make lasting lifestyle changes. Although the change process may be difficult, participants, when being asked to consider the victim's perspective, have the opportunity to use the time between the initial contract being agreed and drawn up, and returning with their work completed, as a period of reflection.

This of course would not be possible without a multidisciplinary panel and this approach is necessary in order to get participants to consider the different ways in which they can begin to understand the harm that they have caused by their actions. In doing so, it is possible for participants to be guided towards looking at their behaviour through the lens of the victim, but in a way that is neither prescriptive nor judgemental. Once a victim has been identified, further teasing out is used in order to uncover the ripple effect of who has been harmed by this one incident. Participants'



### **Observation and Comment from Stakeholders, Partners and Participants**

reactions here can range from total disbelief to reluctant acknowledgement of the real extent of the hurt they have caused and which may be uncomfortable for them to accept. However, this restorative approach allows them the space to speak candidly when retelling the timeline of events which led up to their behaviour and perhaps what they might have done differently, so as to avoid future situations.

A collaborative approach involving the participant's own ideas for how they can contribute to the contract is most effective and which is drawn up at the first meeting with the panel. The contract has to be do-able for participants but always with the emphasis remaining firmly on reparation and victim awareness. Although the panel members are non-directive, sometimes the discussions that take place at the contract stage stimulate participants into talking about engaging with other therapeutic supports in order for them to consolidate their lifestyle change's

Overall, the restorative process with its underpinning philosophy of acknowledgement of harm and a willingness to make reparation, and which remains voluntary, offers participants a safe space to express remorse and to start the change process and move on more positively with their lives.

#### Rosalind Duke - Community Chair of the Reparation Panel

- I expected my work as volunteer chair of the Offender Reparation Panels to be interesting and fulfilling, but it has been more rewarding than I had expected in several ways. During my time in this role, I have been struck time and again by the impact on clients of being treated in a restorative and respectful manner. The effect on the client of being treated respectfully as a human being is visible in many cases, but in terms of the process, it allows the client to move out from self-defence to honest reflection on their actions.

The court system does not give offenders the opportunity to explore what was going on for them at the time of a crime. The simple question, 'What were you thinking at the time?' is a new experience for most clients, and one which allows them to reflect and thus gain insights into their own thoughts and actions.

Talking about the impact of their actions on both direct and indirect victims help's clients to see effects of their actions which had not occurred to them before, and the legal terminology of 'pleading guilty' becomes something more human which includes awareness of one's actions on others and the possibility of real remorse.

Traditional punishment does not often have this effect. The panels allow clients to review their own actions, to consider the impact on others and then find ways in which at least some of the harm done can be repaired. Clients then are enabled to take on the responsibility of fulfilling the contract they have drawn up.

The process in no way lessens the reality of the crime that has been committed or the harm that has been done; rather it supports the client in facing up to what has been done, raher taking action through the contract to repair that harm, and becoming a responsible citizen in the future. It is hardly possible that all panels would result in successful outcomes; but it is a privilege to be part of those that do, and to work with panel members to reflect and learn from each encounter. each encounter.

#### Offender participant in RJ process

I learnt a lot of lessons and got great support from RJS. I found them to be caring and professional. They never made me feel like a criminal. I feel stronger, and it has helped me to be more honest, and I think that the future will be better because of it

Aoibheann Rogers, Crime Victims Helpline - I have been volunteering with the RSJ as a victim's advocate for the past year. I initially became involved with RSJ due to my experience volunteering as a helpline support volunteer with the Crime Victims Helpline. My role in the RJS is to meet with the offender at the request of the Reparation Panel. I relay to the offender the possible psychological, physical and financial difficulties that may arise due to their offending behaviour.

I have been a volunteer with the Crime Victim Helpline for over 2 years, providing emotional support to victim Heipline for over 2 years, providing emotional support to victims who have been affected by a range of crimes. Due to this experience, I can help the offender gain a more in-depth understanding of some of the possible effects their offending behaviour may have on an individual and in the community. In any given crime, there can be a much larger group victimised by the offending behaviour. Examples of this can be onlookers of the crime and family members. In my experience, expressing the possible effects of the In my experience, expressing the possible effects of the offending behaviour can be extremely beneficial. The input from the Crime Victim Helpline helps raise awareness of some of the affects of crime on an individual and in the community, which helps them gain a better understanding which can be a positive influence in minimising offending behaviour in the future.

#### Garda James Keegan Community Policing Gda/ Pearse **Street Garda Station and Reparation Panel Member**

- I have recently attended training and observations to allow me to participate in the RJS Reparation Panels. I found the training worthwhile and it gave me a good insight into the principles of restorative justice. The training coupled with the observations gave me a full overview of how the Reparation Programme operates and what my role is within the Reparation Panel.

I have now attended a number of Panel Meetings as the Garda representative and I have observed that some of the cases can be very straight forward and some are more complex. I believe that the dynamic between the Garda, Probation Officer and Chairperson is a very positive element which facilitates a multi-disciplinary approach when dealing with an individual. While sitting on the Reparation Panels I have observed that some clients will open up more to one particular panel member over another, and this along with the different perspectives on an incident help to get the best out of an individual.

One item that I believe requires further attention and focus is the 'good behaviour' aspect of the contract. At one panel meeting it was disclosed that a particular participant had committed an offence between the date the contract was drawn up and the 2nd Panel Meeting. The panel members then had to reflect on the merits of the case and consider what behaviour is a breach of the caster the important what behaviour is a breach of the contract. It is imperative the integrity and credibility of the process and the contract is maintained, in particular when dealing with repeat offenders.

Overall, I feel that restorative justice is a beneficial process particularly when dealing with individuals who genuinely engage in the process. In that regard the Reparation Panel members and RJS Caseworkers need to be vigilant to ensure participants do not endeavour to take advantage of the process solely for the purpose of trying to reduce the penalty given to them by the courts. Throughout the panels that I have attend so far I have seen a mixture of different candidates and the process works excellently when the person fully and genuinely engages with it L can only hope person fully and genuinely engages with it. I can only hope that it will continue and I look forward to being further involved in the future.



#### **Restorative Justice Services - What We Do**

Restorative Justice Services was established in 2000 to work in partnership with the Probation Service, An Garda Síochána, victim advocate organisations and the community sector, to develop and provide restorative justice programmes in order to ...

- offer victims the opportunity to communicate in a safe non-threatening way with the offender with a view to receiving an apology, reparation, further information on the offence and its motivation, seek guarantees on future safety and commitments on future behaviour.
- offer greater levels of participation in the criminal justice system to members of the community affected by crime.
- deter members of the community from (further) offending by raising their levels of awareness and understanding with regard to the implications and effects of their behaviour on their victims, their victim's families, themselves, their respective families and the wider community
- promote partnership between all sectors working in the criminal justice system, in particular encouraging a greater level of involvement and sense of ownership of the criminal justice system amongst the community sector. We promote our work and those of our partner agencies by way of seminars, annual reports, website, information leaflets, education and training

#### Working in Partnership

Restorative Justice Services is a restorative justice agency managed by a partnership of stakeholders in the criminal justice system. We provide voluntary, safe, non-threatening, facilitated restorative justice programmes for people who have been affected by crime; victims, offenders, families and communities.

**Our Partners** 

- The Probation Service
- Crime Victims Helpline
- An Garda Síochana
- Community representatives

... all play an integral role in the organisation, contributing to the delivery of the restorative programmes on a day to day basis..

Our work is mainly referred to us from the Courts before a formal sanction is imposed. The Courts are a named partner on our information leaflets and are consulted with regard to many aspects of our service delivery models, programmes and any review thereof.



#### What is Restorative Justice?

Restorative Justice is a way of working with people who have been affected by crime that focuses more on the harm done to the victim than the law or laws that were broken. Restorative Justice seeks to repair, insofar as possible, the harm caused by the offending behaviour by providing dialogue options for the victim and/ or the community to address their issues with offenders in a safe and non-threatening way. It's objectives are to meet the needs of victims of crime whilst challenging the offender to put right the harm they have caused and desist from further offending behaviour in order to take their place again as law abiding members of the community.

Restorative Justice is not always suitable for every victim, every offender or every offence, although international research indicates a high satisfaction rating among victims who participate in restorative programmes. Research also shows that Restorative Justice positively impacts on recidivism rates amongst certain categories of offenders and offences. Restorative Justice promotes and facilitates partnership, greater understanding and co-operation between the community, voluntary and statutory sectors and organisations directly involved in the criminal justice process.

**Restorative Justice asks** 

- Who has been harmed?
- What needs to be done to repair the harm?
- Who should repair the harm?
- How might this be done?

•

Restorative Justice acknowledges that

Crime hurts victims and their families

- Crime affects the offender their family, and the wider community
- The victims voice should be heard
- The offender needs to accept responsibility and repair the harm caused

Is it a soft option for offenders? No. Offenders have to take full responsibility for their actions and behaviour and attain greater understanding of the consequences for the person(s) they have harmed. In some cases, they meet with their victims to hear directly how they have affected the person they have harmed.

In this forum they can also make a personal apology and answer any questions the victim may have in relation to the offence. They are required to make challenging choices and decisions on how best to desist from further offending behaviour and give written commitments to the Court to remain crime free.

Meeting a victim and making reparation is not a soft option for an offender – but it is not necessarily done because it's a hard option – it's done because it can be a significant step in making things better.

#### Why is voluntary participation important?

Voluntary participation is considered by restorative practitioners to be an important factor in reducing the possibility of re-victimisation and enhancing the possibility of a meaningful engagement by an offender that will meet the requirements of the victim. An offender who is willingly engaging in a restorative process is far more likely to be genuinely responsive to the needs and requests of a victim and open to addressing their own offending behaviour.

### Introduction to the Offender Reparation Programme

Focussing on accountability, repairing the harm caused, responsibility, reparation, commitment to good behaviour in the future; Participants undertake a number of actions; in return they may receive some mitigation from the courts for their efforts.

- In Court, the Judge provides the offender the option of participation in the Offender Reparation Programme before final sanction is decided. An adjournment of 8 – 10 weeks is usually required.
- Offender attends meeting with the assigned RJS Case Worker who explains more about the Programme and gives offender opportunity to discuss the incident.
- A date is agreed for the offender to meet with the Reparation Panel which is made up of one representative from An Garda Siochana, the Probation Service, the Community.
- The victim is contacted and advised of the case being referred to RJS. Information and options are provided to the victim with regard to level of participation and / or input they might be interested in. Victim participation is completely voluntary.

At first Panel meeting the Reparation Panel discusses the offence, its effects and implications for all concerned, victim, offender and community. The Reparation Panel and offender agrees a Reparation Contract, which could include all or any of the following actions.

Possible Components of a Reparation Contracts:

- Participate in facilitated meeting or contact with the victim
- Meet with a victim advocate to learn about the impact of the offence committed
- Write a letter of apology
- Attend alcohol, substance abuse, anger management education classes and / or counselling
- A charitable donation
- Completion of written reflective work
- Commit to availing of employment /
   education / training opportunities
- Complete amount of voluntary work in the community
- Commitment to be of good behaviour in the future



### Introduction to Victim / Offender Mediation

This section seeks to provide a broad overview of many of the key features and elements in a Victim This section seeks to provide a broad overview of many of the key features and elements in a Victim / Offender Mediation process. It is important to note that a Victim / Offender Mediation process can be initiated at the request of the Court and / or as part of a Reparation Programme contract. As every case is different it is not possible to provide a definitive step by step process. What we are presenting here is a representative overview of what occurs.

- A crime is committed against a person. The offender is arrested and appears in Court.
- The case is heard is Court and the offender pleads guilty. For a referral to a restorative programme to occur the offender must not be contesting their guilt – therefore they must be pleading guilty to the charge ergo accepting full responsibility.
- Before a final sanction is imposed by the Court, the Judge or another party relevant to the case may suggest a referral to restorative justice. With the agreement of the Court the case is formally referred to RJS and an appropriate adjournment is put in place.
- Referral information is then sent to RJS

   including details of the offence and personal contacts of both parties.
- RJS contacts both parties initially by letter. The letter is very much an introductory letter and provides an explanation of what has happened in Court and the context of the referral. It also outlines the nature of the work of RJS and advises the reader that they will be contacted by telephone

in the near future. An information leaflet is also provided in Court.

- Follow up by telephone provides an opportunity for the parties to find out more about what happened in Court and the work of RJS. Victims sometimes use it as a first opportunity to tell their story and vent some of their anger and/or frustrations.
- Separate meetings may then be held to discuss and assess levels of interest, suitability, motivation, and elements of a possible outcome. This is quite an important part of the process. In some cases, there may be quite a number of separate meetings and telephone contacts.
- In the case of a joint meeting or another form of contact, the context of the dialogue is discussed and agreed in advance, as are many of the logistical arrangements. In fact, permission and agreement to share information is usually sought at every significant step of the process.
- We believe this significantly contributes to the building of trust of the participants in the facilitators and the process. Nothing is shared unless agreed.
- A report to Court is provided by RJS once the process has been completed. The report will outline the nature of the discussions and the main points of any outcome.
- At this point the Court makes its decision as to how the matter will proceed in terms of official sanction.



### Introduction to the Restorative Road Safety Programme (RRSP)

Offenders are referred to the Probation Service by the Court for a Pre Sanction Report. During the assessment period, the respective Probation Officer makes a decision on whether or not the offender would be a suitable candidate for the Restorative Road Safety Programme. If they believe the person is suitable they then refer the offender to the Restorative Justice Service.

- When the referral has been received by RJS the case is allocated and the RJS Case Worker makes an appointment to meet the offender. The Case Worker provides a more in depth explanation of the work of Restorative Justice Service, the outline of the RRSP and the commitment that is required.
- The next stage is meeting the Community Representative to agree a Reparation Contract their contract. (all elements of their contract are explained to them before this meeting). The contract usually includes:
  - Road Safety Presentation based on the killer behaviours on the road
  - Meeting with a Garda from the Garda Traffic Unit.
  - Restorative reflective journal based on who was affected and how by their behaviours, what they have learned.

- Charitable donation.
- > Commitment to be of good behaviour.
- Once all elements of the contract are complete the offender meets with the Community Representative again to show the written work they have completed as well as having a final conversation to ensure that they have learned from their participation In the Programme.
- A report is prepared based on the offenders participation, interaction and learning from taking part in the programme. This report is sent to the referring Probation Officer to be attached for the consideration of the court. Where there is no further participation from the Probation Service the report is sent directly to the Court.









**Restorative Justice Services Ltd** Marshalsea Court, 23 Merchants Quay, Dublin 8.

Tel: 01 - 672 4446 / Fax: 01 - 672 4452

email: office@rjs.ie web: www.rjs.ie

> Company Reg No: 359505 CHY No: 14363