

The Offender Reparation Programme

developed & delivered in partnership with

**The Courts
The Probation Service
Crime Victims Helpline
An Garda Siochana
The Community**

Restorative Justice Services
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How does it work?

Cases for restorative justice are referred by the Court to RJS at *pre - sanction* stage. The Judge, or any of the parties relevant to the case, may put forward the proposal to have the matter adjourned and then referred to RJS.

If there is an agreement to make the formal referral the Judge will adjourn the case to a later date.

The relevant information will then be passed on the Restorative Justice Services.

The person before the Court will then be invited to meet with a Case Worker from Restorative Justice Services and then attend a Reparation Panel meeting.

The Reparation Panel Meeting

The Reparation Panel meeting is chaired by a representative of the community. Also in attendance is a Probation Office and a member of An Garda Siochana. The RJS Case Worker also attends. All the parties present will discuss and agree certain reparative and restorative actions that could be undertaken to try to repair the harm. The actions will be written up on what is called a Reparation Contract.

Reparation Contract Actions

In offences where there is an identifiable victim, the first item on the contract will be to explore the possibility of a Victim / Offender Mediation process.

Other actions could include

- Letter/s of apology
- meeting with a victim advocate
- voluntary work, charitable donation
- attendance at anger management, alcohol / substance abuse education, written reflections

Completion of the contract actions

On completion of the ‘contract’ there will be a 2nd Reparation Panel meeting to review and discuss what progress has been made on the agreed actions and to reflect on the learning.

A report is then submitted by RJS in time for the next Court date, outlining what has been undertaken, achieved, completed and / or requesting more time.

When the case goes back to Court

The Judge will read and consider the report, which will include a copy of the agreed contract, any letter of apology, record of any meetings attended with the victim and / or others, any written reflective work, confirmation of any charitable donation, and any other agreed actions.

Court Sanction

The presiding Judge may, when deciding on sanction, take into account the efforts made to address the consequences of the offending behaviour as well as any efforts made to make amends to the victim and / or community.

Restorative Justice Services

Restorative Justice Services is an independent, voluntary organisation, providing restorative justice interventions to the courts at *pre-sanction* stage.

The service is managed by a partnership of stakeholders in the criminal justice system

- Probation Service
- Community Representatives
- Crime Victims Helpline
- An Garda Síochána

What is Restorative Justice?

Restorative Justice is a way of responding to crime, which allows the people directly affected have a say in deciding how the 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 should accept responsibility and make an effort to repair the harm caused

Objectives of The Reparation Programme

- to repair the harm, in so far as possible, caused to a victim and / or wider community
- to reduce the risk of reoffending by participating offenders

This could be achieved by

- providing victims of crime opportunities to participate and / or contribute to a restorative process
- raising awareness and understanding of the offender with regard to the consequences of their actions
- the offender undertaking acts of reparation and where relevant, addressing the issues raised by the victim and / or community via facilitated contacts and meetings
- encouraging reflection and facilitating change in decision making and choices made by the offender

Referral Criteria and Guidelines

- Formal referral to the Reparation Programme is at the absolute discretion of the presiding Judge
- To qualify for referral to the 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.
- Be open to participating in safe, non - threatening, facilitated communication and / or a meeting with those directly / indirectly affected.
- Be willing to gain insight and attain an understanding of the consequences of the offending behaviour and its impact on those affected
- Be open to repairing the harm