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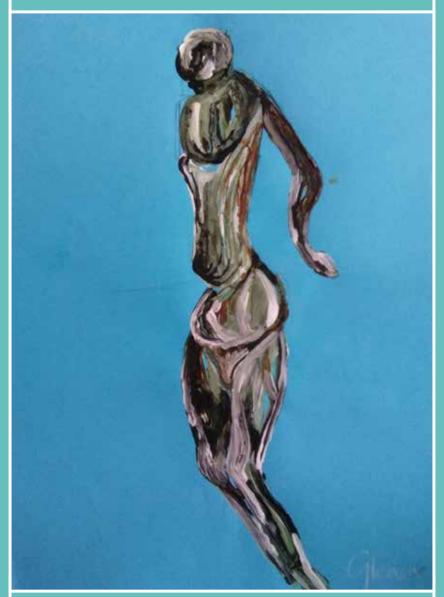
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2021 Annual Report

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The below illustration was submitted by a Restorative Justice participant who wished to express himself through art.



#### Explanatory narrative

"This piece of Art reflects on my hope for a better future.

To put past situations behind me. There is growth, awareness and regained consciousness in this image. The blue background reflects a new day to start again. I am mindful in this image not to let negative situations frustrate me and to get out in the day and live my life".

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# Welcome



RJS Chairpersor

Welcome to the Restorative Justice Services 2021 Annual Report. This report is a record of the core activities undertaken by the organisation over the 2021 calendar year and provides a comprehensive range of statistics on key aspects of our case work as well as some case studies which I'm sure will be of great interest to the reader.

At time of writing, we are in a period where we can be hopeful of maintaining a more familiar way of life that we had so long taken for granted. However, for almost the entirety of 2021 the Covid – 19 pandemic continued to impact across all aspects and facets of our work. The many associated challenges were met with great determination by our staff team, volunteers and directors, ensuring safe, appropriate and effective continuity of service provision to our service users and each other. My sincere thanks and appreciation to all our service personnel. A particular note of gratitude is extended to the respective teams from the Restorative Justice & Victim Services and Community Based Organisation units of the Probation Service, for the support and guidance they provided throughout this challenging time. I am also pleased to acknowledge the support of our partners and colleagues in Crime Victims Helpline and An Garda Siochana. The Judiciary continued to be a vital contributor to the work of RJS through the referral of cases from the District and Circuit Courts and we remain most appreciative of their support and interest in our work.

Our Working Groups continued the considered and complex process of progressing the comprehensive range of recommendations and proposals contained in our Strategic Plan to implementation stage. This important developmental work will continue in 2022.

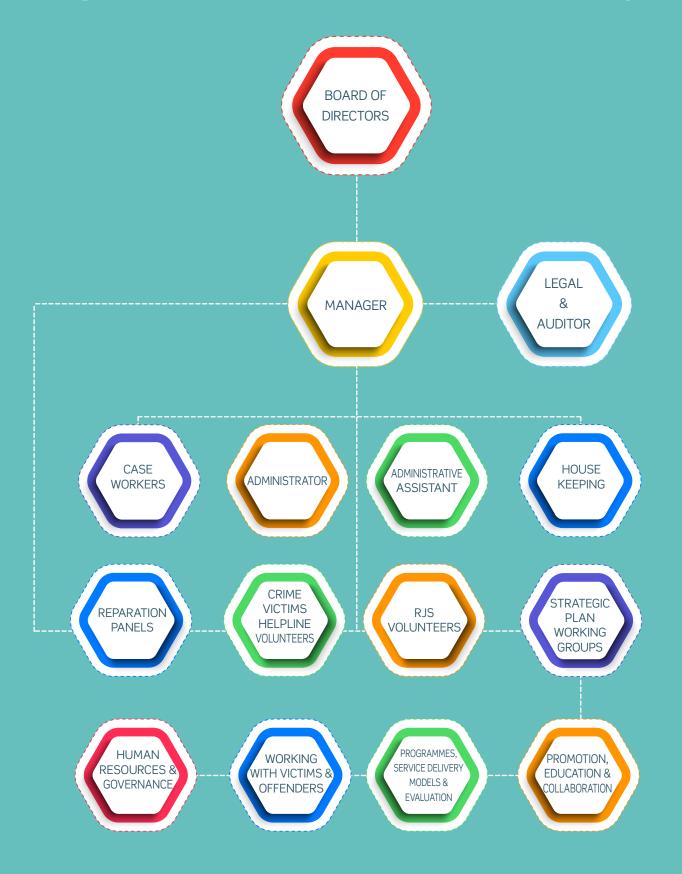
The experience of the pandemic highlighted the true value, importance and benefit of our partnership service delivery model which has been a cornerstone of the organisation since it was first established in 1999.

Finally, I wish to note the retirement of Edel Bracken, our long serving Financial and Office Administrator. Edel joined RJS in 2003 and was an exemplary employee throughout her tenure. A consummate professional, the very essence of a team player, she possessed a forensic attention to finer details of the organisations finances, was a vital link in the all - important RJS chain of communication and of constant support to all of our personnel across the service. Edel's contribution to our service went way above and beyond that of her formal brief. We wish her every happiness and a long and healthy retirement.

I hope you enjoy reading the report and welcome your feedback, comments and observations.

Maria Flynn
Chairperson
Restorative Justice Services

# Organisational Structure & People



# Total Case Referrals Comparative 2019 – 2021

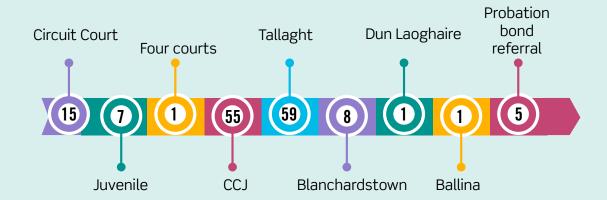


### Breakdown of the 2019 - 2021 Referrals

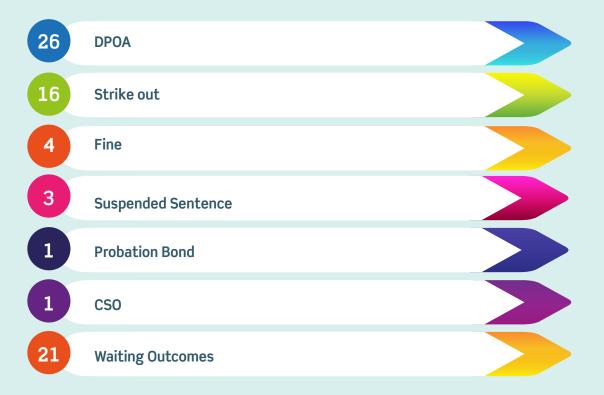
| 2019 District Court Referrals          | 302 |
|--|-----|
| 2019 Circuit Court Referrals           | 17  |
| 2019 Restorative Road Safety Programme |     |
| 2020 District Court Referrals          | 144 |
| 2020 Circuit Court Referrals           |     |
| 2020 Restorative Road Safety Programme |     |
| 2021 District Court Referrals          |     |
| 2021 Circuit Court Referrals           |     |
| 2021 Restorative Road Safety Programme |     |
|  |     |



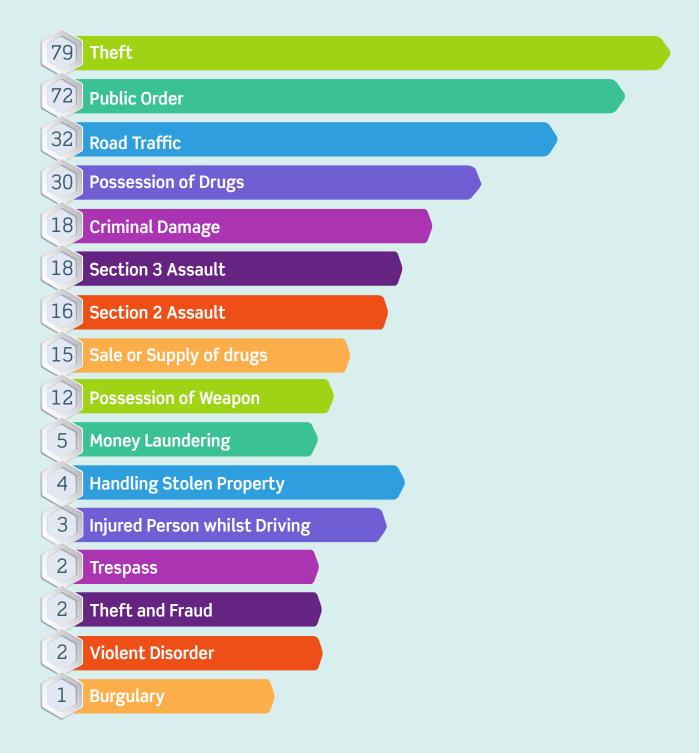
# Source of 2021 Court Referrals



# Sanction - Court Outcomes



# Offences before the Court



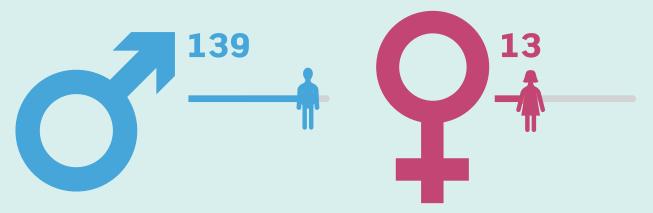
#### Note:

- 1. Referrals are often accompanied by more than just one offence / charge.
- 2. On review, certain Road Traffic referrals / offences are directed to the Reparation Programme.

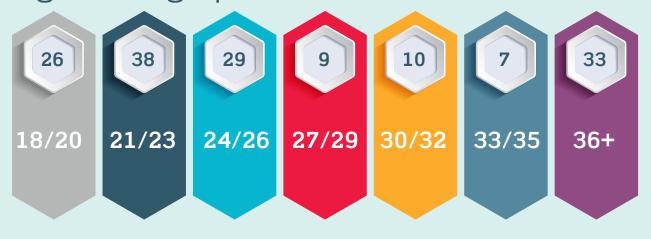
# Completions



# Gender



# Age Demographic



# Charitable Donations and Compensation

| Compensation                        | €2000   |
|-------------------------------------|---------|
| Garda Benevolent Fund               | €1000   |
| Ronald McDonald House               | €1000   |
| Compensation                        | €1000   |
| Irish Cancer Society                | €1000   |
| Little Blue Heroes                  | €615    |
| Pieta House                         | €540    |
| Compensation                        | €500    |
| Garda Benevolent Fund               | €400    |
| National Rehabilitation Hospital    | €300    |
| St.Dominics Drug Community Response | €250    |
| St. Dominics Drug Centre            | €250    |
| Peter McVerry Trust                 | €275    |
| Aware                               | €300    |
| Down Syndrome Ireland               | €200    |
| Pieta House/Focus Ireland           | €200    |
| Our Lady's Childrens Hospital       | €200    |
| Barnardos                           | €200    |
| Aoibhness                           | €200    |
| M.S. Ireland                        | €200    |
| Alzheimer's Society                 | €200    |
| Village Counselling                 | €100    |
| National Rehabilitation Hospital    | €100    |
| Mendicity                           | €100    |
| Dog's Trust                         | €160    |
| Addiction Response                  | €100    |
| Headway Brain Injury                | €100    |
| M.S. Ireland                        | €100    |
| Cystic Fibrosis                     | €50     |
| Bradog Youth Service                | €30     |
| TOTAL                               | €11,670 |

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

# Retirement of Edel Bracken

### - RJS Financial and Office Administrator



Edel Bracken – who served as RJS Financial and Office Administrator for over 19 years.

Edel Bracken joined RJS in 2003 when she became the 2<sup>nd</sup> official employee of RJS.

It's quite a challenge to put together the right words to appropriately acknowledge the contribution Edel

has made over the 19 years of her unstinting commitment and loyalty to the work and development of RJS, which went far above and beyond what might have been considered 'the norm'.

As I noted at her farewell lunch, while I held the title of Manager, it was a *de facto* management team, Peter and Edel, particularly so since the recession circa. 2010 which led to the restructuring of the responsibilities of the then RJS Staff Team.



Pictured at the gathering to mark the retirement of Edel Bracken. L-R: Edel Bracken, Lovena Judgewo – RJS Financial & Office Administrator, Kieran O' Dwyer – former RJS Director and Volunteer, Brian Sheridan – RJS Volunteer, Claude Delaney – RJS Volunteer, Sadhbh McGarry – RJS Caseworker, Maria Flynn – RJS Chairperson and Volunteer.

Her job description and associated roles and responsibilities were constantly evolving, yet Edel took every unexpected development, every unforeseen scenario, every twist and turn of the RJS journey in her stride, facing into all challenges with her trademark professionalism, competency, good grace and good will.

Her true contribution can never be accurately calculated or evaluated as there was almost as much work going on 'under the radar' as the work which was visible and accounted for.

I could spend a lot of time here listing out the qualities and attributes which made her such a crucial and valued member of the team. As modesty is high on that list, I'll only single out her integrity, generosity, work ethic, loyalty, discretion .... and patience. A very special personal thank you from me in that regard. Not to forget her unfailing reliability and dependability. Edel could always be completed and entirely counted on, 100%.

We will miss Edel, our colleague and friend and we send her our heartfelt thanks for walking the long and winding road with RJS over the last 19 years. We wish her every happiness, every good fortune, the best of good luck and excellent health to enjoy her our retirement and everything good thing that life presents to her and her family in the coming years.

All the very best Edel.

Peter Keeley

Manager RJS



L – R: Gemma Anslow – RJS Volunteer, Mary Shine Thompson – RJS Director and Volunteer, Sarah Frazer – RJS Case Worker, Catherine Ashe – RJS Volunteer, Peter Keeley – RJS Manager, Anna Gallagher – Probation Service & member of RJS Reparation Panels, Eileen Brady – RJS Director / Crime Victims Helpline& RJS Volunteer

**Case Studies** - The different styles, language, presentation and level of detail provided for in the respective studies has been determined by a range of factors including the issue of anonymity, deidentification and the opportunity to facilitate their wider publication and circulation.

### Case Study 1 - Section 15 Public Order

David, a young man in his early twenties, was before the District Court after being charged with a Section 15 Public Order offence. David had no previous convictions and pleaded guilty to the charge. Before making a final decision on sanction, the Judge referred the matter to Restorative Justice Services.

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At the first meeting with and RJS Caseworker, David described that on the date of the offences before the Courts that he had been drinking heavily as a coping mechanism to manage difficult feelings. David went out with friends and spent most of the day drinking alcohol. David and his friends later attended a concert in a local bar. At some point during the night, David's friend started an argument with a member of the band. David stepped in and physically pushed the band member away from his friend. The incident escalated, with the bands family and friends becoming involved. David began arguing further with those involved, before being asked to leave the bar by security. Outside on the main street, the argument continued and David began to physically push members of the crowd that followed them from the bar. David stated that he had been so intoxicated at this point, that he had difficulty seeing and had been lashing out at anyone around him. A member of the public came up to David and physically assaulted him leaving him with serious injuries. David was rushed to hospital with a friend, and received urgent medical care.

David spoke of his regret for his behaviour and how he had impacted those around him. David

also showed significant signs of self-blame for the serious injuries he received. David shared that he been taking prescribed anxiety and depression medication at the time and was struggling with his mental health. He disclosed that he had a poor relationship with his family which was leading to further issues with his mental health

David was working full time and hoping to go on to study criminal justice, but was very aware that any sanctions imposed by the Court could impact his future career in that area.

At the end of the meeting David confirmed that he was willing to participate in the Reparation Programme. Due to the sensitive nature of the case and with David being a victim of crime himself from the night in question, the RJS Caseworker and David agreed to a bespoke restorative conference. David stated that he would like his family to attend the conference meeting as he hoped to improve his relationship with them as well as having the benefit of family support during the process.

David's conference meeting was chaired by a trained community volunteer and attended by his mother and father, the RJS Caseworker, a member of An Garda Síochána and a Probation Officer. A volunteer from the Crime Victim's Helpline was also in attendance at this meeting, due to David being both a perpetrator of the offence before the Court and a victim of crime due to his being assaulted in the aftermath of his own offending.

The conference meeting aimed to explore the background of the offence, what led up to the offence, focus on awareness of harm and those who were directly and indirectly impacted by the offence.

The conference meeting began with an invitation to David to tell his own narrative of

what had happened. David was open with the conference about his role in the events of that day and stated that he recognised that if he had not been drinking, he would not have acted in a physically aggressive manner with others and he may not have ended up being assaulted.

David took full responsibility and accountability, stating that he was aware that he could not blame alcohol solely for the offence, that he had made a series of bad decisions on the night in question. He was also able to name those that were harmed and impacted by his actions, such as the bar staff, bystanders on the main street, his friends who tended to his injuries, the paramedics and hospital staff, and the Gardaí who arrived at the scene.

David also stated how he knew his family were impacted and how receiving a call to say their son had been assaulted would have been very distressing. David mentioned again that he believed he was at fault for the injuries he received. The Crime Victim's Helpline volunteer discussed with David that often people who are impacted by crimes blame themselves, and reassured David that although his actions that day were not acceptable he was not to blame for the offences of other people. David's parents were given an opportunity to speak. Both parent's stated that they were proud of how far David has come by addressing this issues, with David attending counselling and alcohol support groups prior to his engagement with Restorative Justice Services. David had been free of alcohol for over a year and was working hard towards attending university.

David was given an opportunity to discuss with his parents how he wished to have a better relationship with them. At this point of the conference, David and his parents exchanged hugs and the chairperson suggested that the meeting take a short break.

Returning from the break, the conference members felt that David had shown adequate accountability and had a good understanding of the impact of his offences. All agreed that the following actions would be appropriate:

 To continue attending counselling for ongoing support.

- RJS Caseworker to facilitate David attending an anger awareness presentation to find alternative mechanisms for coping with moments of anger.
- To write a letter of apology to the Gardaí who supported David to the hospital.
- To write a letter of apology to the owner of the bar for his actions
- To write a reflective piece on what Davic has learnt throughout the process.
- To give a charitable donation to the hospital which treated him for his injuries.

David attended the anger awareness presentation, where the engaged positively and contributed. David named alternative coping mechanisms which he felt would be beneficial for him, and that he would have support through continuing his counselling.

When meeting with the RJS Caseworker for the final time, David stated how the letters of apology helped him to address the harm the offence caused, and was appreciative of the time the Garda had spent with him while in the hospital. David was pleased to have ar opportunity to stated how thankful he was for the Garda's time and support.

David also felt that the reflective piece allowed him to look over the whole event, from the night of the incident to the present day going through the Restorative Justice process, and just how far he felt his life has come since those difficult days. David said he felt his eyes were opened to what he had achieved and where he wanted to go in life.

On returning to Court, the Judge commented positively on the written work completed by David, and the actions he had taken himself prior to beginning the process. The Judge struck out the case, meaning David has no criminal record arising from the offences, which will allow David to go forward to work towards the career he wants within the criminal justice system. David said he has a great appreciation of Restorative Justice and wishes to go on and work in that area in the future.

## Case Study 2 - Maria & Anna

### Circuit Court Referral - Section 3 Assault

This case involved two women, who were not known to each other before the assault. Anna originally from Slovakia, had been living in Ireland for over 10 years was charged with a Section Assault on Maria, who had only moved from Latvia to Ireland in 2019. When the matter went to Court, Anna pleaded guilty to the assault. The case was then adjourned and referred to Restorative Justice Services.

#### Contact with the parties:

On receiving the referral, contact was made with both parties via letter, providing information on restorative justice and including the possible options available to facilitate their participation. The principle of voluntary participation was also clearly highlighted.

#### Maria's Story:

Maria's contacted RJS and a meeting with a Caseworker was then arranged. At the meeting Maria recounted the events of the evening she had been assaulted. She had gone into Dublin City Centre to visit friends. After dining out they decided to move on to a late night bar in Dublin city centre. Maria stated that she had been on the dance floor, when suddenly she received a punch to the back of the head. She stated that as she fell she hit her head off a table. She remembers feet at her head and then receiving a kick. The next thing she remembered was waking up in the ambulance and being very frightened. Maria stated that she had severe swelling on the back of her head, jaw and lips and had to get stiches on her forehead and lips. Since the incident Maria stated that she had become fearful of going out and was also fearful for her children going out. She stated that the

attack had been completely unprovoked which made the experience and aftermath worse for her. She didn't see the person who attacked her and was worried that the person would come after her again.

Maria indicated her interest in meeting with Anna in order to fully explain how she had been harmed by Anna's behaviour.

#### Anna's Story:

Anna also made contact with RJS and attended that she had just finished a long 12 hour shift They eventually went on the same late night venue. Anna stated that she had not eaten made her become very angry. She stated that person who she thought had pushed her. She remembered seeing the woman fall to the floor the woman but was pulled back by the security From the outset of her involvement with RJS, had caused harm to another person. She agreed to participate in a facilitated meeting with Maria.

#### The Meeting:

Following a number of separate preparation meetings with both parties, a date and a neutral venue was agreed for the facilitated meeting.

As agreed, Maria arrived first, followed by Anna. Two RJS Caseworkers were also in attendance.

After welcome and introductions, the context and guidelines of the meeting were outlined for both parties. Maria had the opportunity to speak first and she spoke clearly and passionately about the impact of the assault on her. Maria wanted Anna to know how the assault had impacted on her, not just in the physical sense but emotionally also. She also wanted a commitment from Anna that nothing like this would ever happen again.

Anna then had the opportunity to respond with her apology and an expression of remorse. she also gave a commitment that she would never behave in this way again. She confirmed that she had attended alcohol education and anger management classes. Finally, she presented a written letter of apology and an amount of compensation that had been agreed between the parties.

Once both parties had finished speaking, one of the RJS Caseworkers summarised the contributions of each party and asked if either wanted to add anything else before the meeting was closed. Anna took the opportunity to reiterate her apology.

The meeting was then formally closed. As agreed, Anna was invited to leave the room first. As she left was there was a handshake between the parties which was initiated by Maria.

#### In Summary:

Maria stated that the restorative justice process had provided her with the opportunity to communicate with Anna in a safe and controlled environment. She stated that the meeting had calmed her anxieties and she felt reassured that Anna would never hurt her or anyone else again.

Anna stated that she was fairly dealt with by the Court and Maria, given the very serious nature of the offence. She also stated that she was grateful that she had been given the opportunity to apologise and make amends.

#### **Court Outcome:**

Anna was given a 1 year peace bond.

### Case Study 3

### Simon - Public Order

Simon, a young man in his early twenties, pleaded guilty before the District Court in relation to a public order offence that took place within the location of a hospital. It was noted in court that Simon had two previous public order offences. The Judge adjourned the matter to Restorative Justice Services. As Simon's offence had taken place at the beginning of the Covid-19 pandemic the Court requested that there be a particular focus on the impact to the hospital and its staff.

Simon met with an RJS Caseworker. He described how he had attended a major hospital in Dublin as his wife had been admitted to A&E. Simon stated that his wife had ongoing issues in relation to her health and they were both worried about the pandemic. Simon had left his

wife in A&E to walk to the hospital shop, when he came across a former friend. Simon stated he initially ignored this person, however this person then "looked aggressively" at Simon. Simon explained that he ran at this person, shouting and physically pushing the individual. Hospital security attempted to separate the two men, and the Gardaí were called. Simon was arrested at the scene and was brought to the local Garda station, where he was held for eight hours before being formally charged and then released

Simon stated that he regretted this situation as his wife was left alone in A&E and unsure of his whereabouts. Simon admitted to having issues with his anger, which was something he actively wanted to improve, in order to be a better parent and partner. When asked who had been harmed, Simon indicated that himself and his wife were impacted, but struggled to identify both the hospital staff and patients as impacted.

Simon agreed to meet with a Reparation Panel, as he felt that this would be a good opportunity to learn more about his offending behaviours. The Reparation Panel was chaired by a community volunteer, and was attended by his caseworker, a Probation Officer, and a member of An Garda Síochána. Alice (Simon's wife) also attended the meeting, as Simon wished to demonstrate to her that he was committed to postive change.

During the meeting Simon stated that he accepted full responsibility for his actions. When Alice had the opportunity to speak, she explained how she felt to be left in the hospital during a time when she felt extremely vulnerable and was worried about her own wellbeing. She described how she was left without any transport and did not know what had happened to her husband. She was

concerned about Simon's behaviour becoming an on-going feature of their lives.

Simon stated how he was hoping to change, and discussed how his anger was a struggle which he was now ready to face. While a number of those present at the meeting felt that Simon had not come to a place of full recognition of the harms caused by his actions, they felt there was an opportunity for learning. A reparation agreement was drawn up with Simon, with the condition that Simon attend another meeting following the completion of the following actions:

- I will write a letter of apology to my partner.
- I agree to meet with a representative of the hospital, to learn about the impacts of his actions on the hospital, its staff and patients.
- I will write a reflective piece on his experiences of meeting with this hospital representative.
- I will attend anger management.

Simon met with a representative of the hospital in which his offending occurred. This representative was a staff nurse, who spoke with Simon about what nursing was like during the pandemic, and how public order incidents are disruptive to everyone within the hospital. The nurse spoke about how this incident would have occurred at a time when the pandemic was becoming more prevalent in Ireland, and the staff body in hospitals across the country were being prepared for the worst by their management.

She then explained how incidents such as Simon's had a negative impact on the hospital as a whole, adding to the stress of staff and creating a tension in the hospital. Simon

heard how patients were impacted, as being in hospital is a very difficult time for people, with the palliative care ward being close to where Simon's offence had taken place. Simon stated how he had not thought of this, and that he recognised that people could have been receiving bad news. Simon engaged well, asked questions and showed learning from the engagement.

Simon also attended anger management with an outside organisation, however he also engaged with the RJS caseworker as he was going through this process to reflect on his learning. Following his engagement with this course and completion of the other agreed actions, Simon attended another meeting with the Reparation Panel where he shared his learning, in particular his new coping mechanisms when stressed or angry. Simon also explained to the meeting what he had learnt from his engagement with the hospital representative, including how he had not considered those around him being in a difficult situation, and that he was selfish for not considering this before this time. All those in attendance expressed their satisfaction that Simon had developed a better awareness of the impact of his offences on the wider community around his.

#### **Court Outcome:**

When Simon returned to Court, the Judge commented on the high standard of Simon's engagement with RJS and completion of agreed restorative actions. The Court directed Simon to pay a further charitable donation to the hospital, after which the matter was 'Struck Out'

### Case Study 4

District Court - Cathy and Thomas -Section 3 Assault

This case involved a man and a woman who were unknown to each other before the assault. Thomas was working full-time in Dublin City Centre. Cathy, originally from Cork, was living and working in Dublin in retail for over 10 years. This offence took pace at the beginning of the pandemic lock down when mask wearing and social distancing were being rigorously observed.

#### Contact with the parties:

On receiving the referral contact was made with both parties via letter, providing information on restorative justice and including the possible options available to facilitate their participation. The principle of voluntary participation was also clearly highlighted.

#### Cathy's Story:

On the day of the offence Cathy was assigned to manage the flow of customers through the store. Due to the Covid pandemic, safety regulations were in place, such as mandatory masks and social distancing and hand sanitisation

When Thomas came to the door the shop was at maximum capacity and there was a long queue. Thomas presented at the top of the queue. Cathy stated that she stopped him and informed him of the new safety procedures in place and that they were there to keep every safe. She stated that she told him that it would be unfair of her to allow him access to the shop as everyone was queuing. Cathy stated that this conversation went on for about 10 mins and that she could see Thomas becoming heightened,

before he turned and walked away. She then noticed that Thomas was trying to access the entrance door to her left which she was also managing. She approached him and reiterated what she had told him at the first door. While she attempted to de-escalate the situation she stated that Thomas removed his mask and spat at her. She stated that, unfortunately, in her job she had been spat at before and there are always worries over "normal" risks, but as this was a time of Covid she stated that she became incredibly distressed over this incident to the extent she eventually quit her job and moved back to Cork. She stated that she had always loved her job and that had been taken from her

#### Thomas's Story:

Thomas stated that he was returning from his lunch and had regularly cut through the shop as a short cut to his office. He stated that he had noted the queue but went to bypass this as he felt he did not need to queue as he was only walking through. He stated that when he reached the door Cathy stopped him and informed him that he must join the queue. He stated that he attempted to explain that he did not wish to purchase anything from the shop but only wished to walk through. He was informed that he must queue regardless. He stated at this point he just turned around and walked to a different door in order to gain access, however, Cathy arrived and informed him that must queue. Thomas stated at this point he became heightened as he felt he was being targeted. He stated that a verbal altercation ensured and he felt himself becoming very angry, he remembers pulling down his mask and spitting at Cathy. He was still very angry when the gardai arrived and was aggressive when they engaged with him. He stated that he deeply regretted his attitude, behaviour and actions on the day of the offence.

#### **The Restorative Process**

Having considered all the options Cathy decided that she did not wish to meet with Thomas but she wished to be kept advised of his participation in any restorative justice process. For his part, Thomas, having discussed the available options for participation available with an RJS Caseworker, agreed to meet with a Reparation Panel. The meeting was chaired by a representative of the community and attended by a member of An Garda Síochána and a Probation Officer. In this meeting the offence was discussed and restorative questions were used to encourage Thomas to reflect on his behaviour as well as gain insight into the understanding and consequences of his offending behaviour. The following reparative actions were agreed.

- Write a letter of apology Cathy
- Pay an agreed amount of compensation to Cathy
- Attend Anger Management classes
- Engage in some voluntary work
- Write a reflective piece demonstrating my learning

#### In Summary:

Cathy was advised of the meeting and agreed actions and she expressed her satisfaction, particularly with regard to the Anger Management and letter of apology. She stated that she held no ill-will against Thomas and wished him the best of luck in the future. Thomas went on to complete all the actions as agreed and a full report was provide to the Court including copies of written work, verification of his attendance at anger management and payment of the compensation.

#### **Court Outcome:**

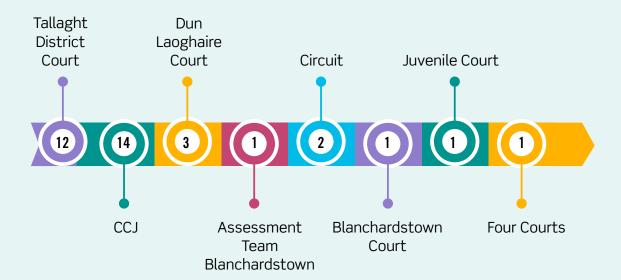
The Court afforded Thomas the benefit of a Disposal under the Probation Act.

# Restorative Road Safety Pilot Programme Statistics for 2021

## Cases Referred in 2021

35 cases

### Source of Referral

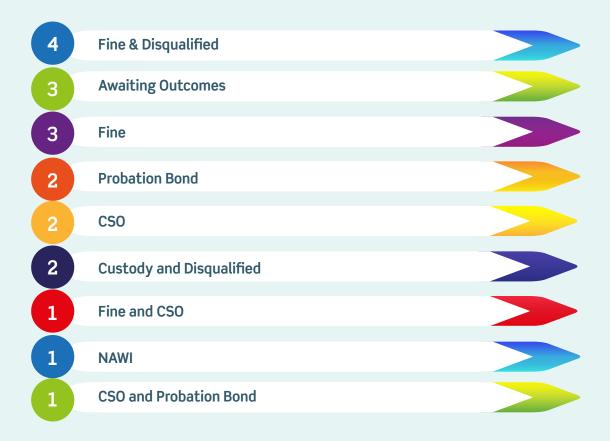


# Offences before the Court



**Note 1:** Referrals are often accompanied by more than just one offence / charge.

# Sanction - Court Outcomes



# Charitable Donations

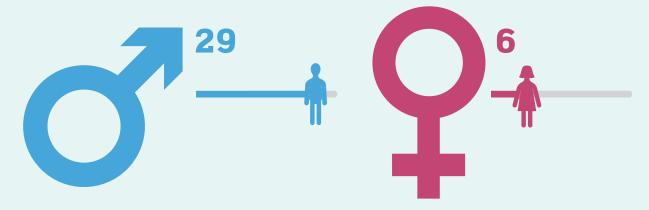
| Irish Society for Autism         | €250   |
|----------------------------------|--------|
| Our Lady's Childrens Hospital    | €200   |
| Crumlin Children's Hospital      | €200   |
| Irish Guide Dogs                 | €150   |
| CF Ireland                       | €150   |
| National Rehabilitation Hospital | €150   |
| Irish Guide Dogs                 | €150   |
| National Rehabilitation Hospital | €100   |
| Womens Aid                       | €50    |
| National Rehabilitation Hospital | €20    |
| Total                            | €1,470 |

**Note 2:** A charitable donation is a common element with the Restorative Road Safety Programme.

# Completions



# Gender



# Age Demographic



**Note:** Still Active refers to cases referred in 2021 that remain active at time of publication.





#### **Restorative Justice Services Ltd**

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