



Probation Board for Northern Ireland

**Restorative Justice Strategy
2024-27**

1. INTRODUCTION – WHAT IS RESTORATIVE JUSTICE?

Restorative Justice brings those harmed by crime or conflict and those responsible for the harm into communication, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward. This is part of a wider field called restorative practice.

Restorative practice can be used anywhere to prevent conflict, build relationships and repair harm by enabling people to communicate effectively and positively. Where the latter is required, a facilitated restorative process can be held. This enables individuals and groups to work together to improve their mutual understanding of an issue and jointly reach the best available solution. In many cases a less formal approach, based on restorative principles, may be more appropriate. Restorative practice supports people to recognise that all of their activities affect others and that people are responsible for their choices and actions and can be held accountable for them. It enables people to reflect on how they interact with each other and consider how best to prevent harm and conflict, and can lead to positive outcomes for victims. This is why PBNi is keen to progress its work in this area.

2. STRATEGIC VISION

PBNi's Corporate Plan 2023-2026 outlined the prior progress made in terms of our restorative approach, and committed the organisation to further development during its lifetime. This strategy represents that ambition, and replaces the previous PBNi Restorative Justice Practice Framework 2020-2023.

The strategy is also aligned with the wider approach of the Department of Justice and will ensure that we meet our delivery objectives under the Adult Restorative Justice Strategy and the associated action plan. The Action plan for implementation of the DOJ's Adult Restorative Justice (RJ) Strategy (2022-27) is in year 2 and PBNi's commitment under the action plan relates to the development of formal/informal opportunities to deliver RJ in community sentences and the expansion of reparative and restorative work in the delivery of current PBNi orders and in custody. In addition, we are seeking to further embed our RJ work at all stages of PBNi involvement from pre-sentence through to re-settlement. The DOJ's Interim Protocol Lead has been appointed and is developing the accreditation process which all organisations and individual practitioners will need to sign up to for the delivery of RJ. It is important now that work progresses to scale up PBNi's delivery and that we have the practice guidance and standards to deliver quality RJ practice with the measures in place to report on outcomes. The model of practice detailed in this strategy is aligned with the Department's direction on how RJ should be delivered for adults, vis a vis referrals coming into a central point and allocated according to offence type and the skill / competence of the restorative practitioner or RJ organisation.

This paper therefore sets out a plan for PBNi's internal delivery of restorative justice making use of PBNi trained staff. Consultation has taken place with a number of staff from the Restorative Justice Practice Forum, senior staff and with PSNI. For Year 1 of the strategy our restorative justice priorities will focus on offences motivated by hate

and on road traffic offences where serious harm or death has occurred. RJ priorities for the following business years would be agreed by 31 March 2025 and would be linked to any emerging issues/offence types at that time.

CBRJ provision

PBNI has refreshed its RJ approach with the Community based Restorative Justice organisations. Previously service users who were subject to Enhanced Combination Orders (ECOs) were referred to the two accredited community-based organisations where there was a direct victim, for the delivery of restorative justice. This arrangement has now ended, and a new approach agreed aligned with the DOJ Adult Restorative Justice Strategy. Referrals will be made on a case-by-case basis and are not restricted to ECOs. This will open up opportunities for a greater spread of service users and victims, who can be referred to community-based organisations and payment will be made on an individual case basis depending on what level of RJ is delivered. At the time of writing neither the budget for this work nor the planned level of referrals has been agreed, but it is anticipated this will come to fruition in the lifetime of this Strategy. The change in our approach will mean that as more RJ organisations become accredited and registered, PBNI will be able to broaden the offer of RJ to a wider group of service users and offences.

Internal provision

A significant number of staff have now been trained within PBNI. This strategy considers what RJ can be delivered internally and when cases need to be referred out to CBRJ partners.

3. STRATEGIC OUTCOMES (WHAT ARE WE TRYING TO ACHIEVE)

Restorative practice is not solely about the victim perpetrator meeting but can be used to help a service user understand the impact of their actions on the victim through, for example, writing a letter of reflection which may or may not be sent. Other examples will include repairing family relationships when the service user is returning to the community, managing difficulties related to breach of hostel rules or in dealing with a complaint. For victims too, working restoratively is about advocating with the Parole Commissioners when licence conditions are being set to help them understand the impact of the offence on the victim and understand why a particular restriction is being requested.

In some cases a service user may not be ready to consider RJ until they have completed a Victim Awareness Programme but there are others who, from the outset have demonstrated a high level of remorse, shame and guilt for their actions and could be involved in a restorative process in the early stages of supervision.

There are likely to be opportunities for RJ within our interventions such as the Thinking Skills programme, and capacity for staff at all grades to consider ways in which we can be more restorative. Work is underway to develop a toolkit of interventions to assist with this. For those service users in custody who have completed the Sycamore Project (a restorative programme facilitated by Prison Fellowship) or similar, or who

have had positions of responsibility in prison supporting other prisoners, they may be more ready to engage in an RJ process. PBNi staff will work restoratively with NIPS staff to address issues related to bullying/other behaviours either between prisoners or between service users and prison staff.

The RJ practice forum suggested that having a bank of established victim representatives will be helpful for use within programmes or for restorative meetings and another quick win might be to link with organisations such as some of the Approved Premises, who may be open to supporting our delivery of RJ.

Recent community disorder, linked to racist behaviour and resulting offences, and other offences motivated by hate provide an opportunity for PBNi to make use of restorative approaches in dealing with them. The Belfast Islamic Centre, and other faith groups/local churches are keen to be involved in educational work and dialogue to address this type of offending. The PSNI have also made contact with us to regarding PBNi service users engaging in restorative work where serious harm or death is caused as a result of road traffic offences.

As noted above the plan is that these two areas will be specific areas of focus for the remainder of this business year with a review and evaluation of the outcomes at the end of March 2025.

4. TACTICAL ACTION PLAN (HOW WE DELIVER OBJECTIVES)

Working on the basis that we should be primarily victim-led, a number of scenarios have been considered. The model of practice for delivery is that for all PBNi RJ requests there would be a central point of contact for referrals and a staff member would be appointed as the independent facilitator from within the pool of trained RJ staff. The independent facilitator will complete the preparation work with both the victim and the service user and facilitate a restorative process. It is recognised that not all assessments / engagements will lead to a restorative meeting but the preparation work in itself and the benefits of hearing the impact of an offence can promote healing. PBNi have staff trained at different grades and we acknowledge that Restorative practice can be undertaken by all grades of staff. The Single Point of Contact in PBNi would oversee each of the below scenarios:

Scenarios:

- i) The victim is registered with PBNi Victim information Unit and requests a Restorative intervention. The Victim Liaison Officer (VLO) meets with the victim and undertakes an assessment of their readiness/motivation to be involved in the process and then links with the Supervising Probation Officer (SPO). The SPO meets with the service user to discuss the request and makes an initial assessment of the service user's readiness/motivation to engage in an RJ process. If the initial assessment indicates that a restorative process is possible a referral is made to the Lead AD for RJ and an independent RJ practitioner is appointed from the pool of trained staff to progress the assessment and preparation process. At all times the safety of participants will be the primary consideration. If both agree to proceed with a restorative meeting the independent RJ practitioner facilitates the

conference and the SPO attends as a supporter to the service user and the VLO as supporter to the victim.

- ii) The victim is not registered with PBNI, but a referral is received from a partner organisation such as VSNI, NIACRO or Nexus who are working with the victim and have indicated they would like a restorative intervention. If the service user is subject to community supervision, SPO will liaise with the service user as before to assess readiness/suitability etc and explain the process. In this example the role of the PBNI staff member would be to prepare the service user for the restorative process and the SPO would attend the restorative meeting as a supporter for the service user but the conference would be facilitated by the 3rd party organisation. A record would be retained by PBNI of the outcomes of this referral and any actions agreed by the service user. This model will necessitate close working with partners and joint preparation.

Alternatively, we could ask the victim to register with VIU and the referral would be managed as per point 1 with the partner organisation attending the RJ meeting as a support for the victim.

- iii) Bank of victim representatives/proxy victims. It is PBNI's intention to establish a bank of victim representatives who can be involved in a restorative process for certain types of offences. For example for offences motivated by hate crime we have already linked with Victims Support's hate crime advocates who can represent the views of the victim in cases where either the victim is not registered or does not want to appear in person. It is hoped that Belfast Islamic Centre will also put forward some people willing to be involved in a restorative process. This approach can also be used with offences of assault against police where one named officer can act as a victim representative in restorative meetings. In these cases where a victim representative is used the referral would still be managed centrally and an independent facilitator appointed to convene and manage the meeting.
- iv) PSNI request. In response to the request from police to have a focus on serious road traffic offences where there has been injury or death it is suggested that potential cases could be identified at the point of Pre-sentence interview and flagged with the lead AD for further discussion / assessment and allocation to one of the RJ practitioners from the pool of trained staff. It is likely in these instances that the service user will be in custody on a Licence, and it is suggested that an independent PBNI practitioner should take the lead in assessing suitability. Where the victim has not registered with the Victim Information Scheme the PSNI Family Liaison Officer would be the point of contact for the victim.
- v) Where the service user is in custody and the victim is registered with PBNI VIU the VLO will link with NIPS to discuss the possibility of an RJ intervention. Where PBNI have lead responsibility for working with the person in

custody the VLO will link with the responsible PO to assess their readiness/motivation to be involved in an RJ process. The Prison PO will ensure that NIPS are aware of the referral for RJ.

Where PBNI has resourcing issues and is unable to undertake a restorative intervention consideration will be given to making a referral to one of the community-based RJ organisations for delivery. This is of particular importance when the service user is already engaged with one of the partner organisations and the victim is registered with PBNI. There may also be occasions where the crime does not have a direct victim but a community has been impacted for example drugs offences or driving related matters and the community based organisations will have a community representative who may attend a restorative meeting to share the impact of that offence on the local residents. Referrals to the community organisations will be overseen by the lead Assistant Director for measuring the outcomes and managing the budget.

NB: In situations where the service user is no longer subject to statutory supervision PBNI will not offer a restorative intervention. One suggestion had been made in the practice forum to implement RJ as a part of a deferred sentence for the offences motivated by hate. This has not been included as an option as it would require additional resources and would necessitate a change to our information-sharing agreement with PPS as we would require victim details pre-sentence.

Action Plan

Action	Lead	Timeline
Establish central referral system	AD (RJ)	Q3 24/25
Appoint RJ champion network in PBNI	AD (RJ)	Q4 24/25
Review training and available staff	AD (RJ) and L and OD department	Q3 24/25
Proactively seek out cases meeting Year 1 criteria	Assistant Directors	Q3 24/25
Develop relationships with partners (PSNI/Belfast Islamic Centre/other faith groups)	AD (RJ)	Q3 24/25
Develop promotion/communication loop to promote RJ within PBNI, using case studies as appropriate.	Head of Communications	Q4 24/25
Appoint CBRJ delivery partners	AD (RJ)/Head of Finance	TBC

5. EVALUATION

This strategy requires the need for a central referral system to receive requests for RJ, to screen their appropriateness and to allocate a trained RJ practitioner. A central list of trained staff across the region should ensure that cases are referred out equitably and as many trained staff as possible have an opportunity to deliver. Support /coaching will be provided by the lead AD and staff from VIU. Referral documentation and assessment templates will be provided to all staff, along with practice standards to ensure consistency of approach and quality delivery. Whilst victims are entitled to make a request for RJ in respect of any offence, the initial focus will be on offences motivated by hate and serious road traffic offences.

The above action plan will be reviewed on an annual basis, and also reported on to the Probation Board and the Department of Justice in terms of business plan reporting.