



Restorative Practice Strategy 2014 – 2017

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Document Control Sheet

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Restorative Practice Strategy

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PBNI Restorative Practice Strategy

1. Context

The Probation Board contributes to reducing offending and making local communities safer through supervising offenders subject to court orders and licences, and challenging and assisting them to change their behaviour. PBNI's strength lies in its ability to reach local communities and its expertise and experience in working to rehabilitate and resettle offenders. Central to all of our work is a clear focus on the impact of the harm on the victim and respect for victims' rights. Much of PBNI's work already includes a restorative approach.

Although there is no specific legislation PBNI currently provide a range of restorative interventions in some adult offender cases.

PBNI's 2013-14 Business Plan contained an objective: "To develop a Restorative Practice Strategy taking into account the Department of Justice (DOJ) Victims Strategy". The DOJ strategy records a desired outcome that there will be more opportunities for victims to take part in restorative interventions.

The PBNI draft Corporate Plan (2014-2017) identifies the development of restorative interventions for adult offenders as a strand of work within the innovation and development strategic theme.

The rationale for establishing a Restorative Practice Strategy is to ensure that victim needs and restorative principles are further integrated into PBNI's practice given the increasing evidence of its effectiveness in preventing re-offending. This will complement PBNI's assessment, risk and case management roles.

This strategy has been influenced by relevant research and practice developments (see Annex 3). Advice has also been sought through informal consultation with a wide range of interested parties and stakeholders.

2. Introduction and Background

Restorative Practice is concerned with the human impact of crime on the victim, the offender and the community. Research confirms the effectiveness of restorative interventions and estimates that "85% of victims involved in a restorative intervention find it helpful and that there can be a 14% reduction in re-offending rates".¹

Victims can have a range of needs arising from the harm caused by a criminal offence. Western style adversarial justice normally focuses on the 'seriousness' of the offence and agrees a punishment. This approach often fails to resolve issues or meet all the needs of victims. These include the need for information and support at the stages of conviction, sentence and rehabilitation of the offender.

It has been estimated that restorative interventions can result in savings across the criminal justice system in terms of reduced re-offending and victim costs². There is

¹ Ministry of Justice Restorative Action Plan for the Criminal Justice System 2012

² Professor Joanna Shapland: Restorative Justice Council/Sheffield University

however no definitive research in this respect. Restorative interventions can be time consuming and therefore require an investment.

The Smyth Institute (2007) noted that restorative interventions appear more successful for more serious offending rather than less serious, in particular for violent / property offences. It also reduced victims' post traumatic symptoms and related costs. Ian Marden (Restorative Justice for Young Adults 2013) notes that "Depending on the offender, Restorative Justice might either instigate the desistance process or provide additional motivation for those who have already chosen or begun to desist."

Restorative Interventions in PBNI

As noted previously much of PBNI's work already includes a restorative approach. Annex 1 outlines the PBNI Restorative Practice Strategy Action Plan.

PBNI is committed to the use of a range of restorative interventions with victims directly. PBNI is satisfied that there is strong evidence from international studies that restorative interventions are effective. This includes meeting the needs of victims, ensuring offenders accept responsibility for the harm done to victims and helping them to change their behaviour and avoid re-offending in the future.

The PBNI Victim Information Scheme which was put on a statutory footing by the Criminal Justice (NI) Order 2005 provides one context for restorative interventions. One of the services offered to victims is the opportunity to be involved, on a voluntary basis, in direct or indirect restorative contact with the offender if this would help address issues resulting from the offence. Draft PBNI guidelines in relation to Restorative Interventions were developed in December 2010.

In 2012 the Northern Ireland Prison Service Prisoner Release Victim Information Scheme and the DOJ Mentally Disordered Victim Information Scheme were co-located with the PBNI Victim Information Scheme under the management of PBNI. In this way information is provided to victims in a more streamlined way.

PBNI have had victim and restorative practice policies respectively since 2005. The restorative justice policy aim is that: "PBNI makes an effective contribution to the development of restorative justice interventions at all appropriate stages of the criminal justice process". This policy defines Restorative Justice as "a process whereby parties with a stake in a specific offence collectively resolve how to deal with the aftermath of the offence and its implications for the future."

PBNI has piloted the delivery of restorative interventions in response to direct victim requests, particularly in more serious cases including those resulting in a death or serious violence. In line with victim choice, the majority of these cases have resulted in an indirect or shuttle restorative Intervention, however, a number have included a victim offender meeting. Victim and offender evaluations have been very positive.

In cases where Community Service orders were made, victims have the opportunity to influence the type of work undertaken by the offender who caused them harm. In addition, reparative work, (approximately 185,000 unpaid hours in Northern Ireland per year), performed through Community Service, directly benefits the community.

Since 2007, PBNI have also provided funding to DOJ accredited community organisations to partner PBNI in the delivery of restorative interventions for adult offenders.

Probation officers' core social work training has been complemented by Victim and Restorative Awareness and Skills training since 2005. A number of PBNI staff have completed Restorative Interventions training delivered by an accredited trainer or the Ulster University Jordanstown (UUJ).

Restorative Interventions in PBNI are based on the following best practice restorative principles:-

1. The Primary aim of a restorative intervention is the repair of harm.
2. In a restorative intervention there will be acknowledgement of the harm or loss experienced by the person harmed, respect for the feelings of participants and an opportunity for the resulting needs to be considered and, where possible, met.
3. The person(s) who has harmed and the person(s) harmed, (including the community), are the primary participants in any restorative intervention. Involvement will be based on informed consent.
4. Opportunities to participate in a range of appropriate restorative interventions will be made available except where there is a significant risk of further harm or there is significant disagreement about the critical facts. PBNI will ensure that appropriate risk assessments are completed.
5. The safety of participants before, during and after participation in a restorative intervention will be prioritised.
6. PBNI is committed to quality restorative practice through appropriate training and support for practitioners, complying with the best practice guidance and resources available at the time.
7. PBNI will ensure that appropriate evaluations of its practice in respect of restorative interventions are completed and inform future practice/participation in this process.

3. Strategic Vision, Benefits and Outcomes / Actions

Strategic Vision

PBNI will continue to develop the restorative nature of Probation work by supporting a restorative ethos in generic practice and promoting innovative restorative schemes in order to lessen the adverse consequences of crime for victims, offenders and communities.

Strategic Benefits

- The delivery of Restorative interventions will contribute to a reduction in re-offending. Therefore Northern Ireland will be a safer place. Measurement: DOJ Programme of work to publish annual reoffending rates.
- Victims of crime will benefit from personal empowerment, reduced trauma and support from the community. Consequently, they will have increased confidence in

the Criminal Justice System. Measurement: Baseline and post-intervention feedback from victims.

- PBNI, with its partners, will deliver new effective restorative interventions to benefit victims, offenders and communities. Measurement: Implementation and delivery of Restorative Interventions to target pilot area (quarterly monitoring).

Strategic Actions / Outcomes

1. A PBNI Delivery group will agree and oversee the Restorative Practice Strategy Implementation plan. This will include a Communications Strategy.
2. The use of restorative interventions at various stages of the Criminal Justice System process will be piloted and evaluated. This will inform future practice development. Given the Smyth Institute research, PBNI will prioritise the use of restorative interventions in more serious cases and include a restorative approach to Hate Crime ensuring that the impact on the victim is fully understood and acknowledged.
3. PBNI will ensure that the delivery of restorative interventions will include a range of effective community, voluntary and statutory partnerships.
4. PBNI will seek opportunities to engage with key stakeholders and to secure additional funding to promote the development of restorative interventions.
5. PBNI operational staff will receive victim and restorative interventions awareness or skills training appropriate to their role to complement the social work training of Probation Officers.
6. Restorative interventions will be offered to victims through the PBNI Victims Unit. Offender work will include the impact on victims, within a restorative perspective.
7. PBNI will further research the development of restorative interventions in other jurisdictions. PBNI practice will prioritise a flexible and responsive approach to restorative interventions in line with best practice and recognise that prescriptive legislation may not always be of assistance in delivering restorative interventions.

4. Linkages to Other Strategies, Partnerships etc.

This strategy is linked to the following PBNI policies -:

- Victims Policy 2005 (to be reviewed 2014/15)
- Restorative Practices Policy 2005 (to be reviewed 2014/15)
- Best Practice Framework 2011
- Community Service Strategy 2010
- Policy on Female Offenders 2008
- Interim Practice Guidance on Hate Crime 2013

4. Equality, Human Rights and Freedom of Information

This policy and its supporting procedures:

- a) Has been screened for Section 75 considerations
- b) Is deemed to be Human Rights compliant
- c) Are suitable for Public Disclosure in accordance with the Freedom of Information Act 2001

5. This strategy will be reviewed in 2017.

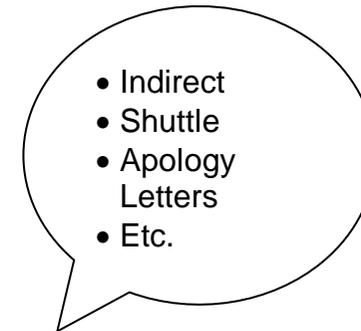
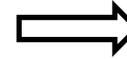
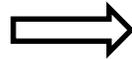
PBNI Restorative Practice Strategy Action Plan			
Strategic Statement	Actions	Lead Responsibility	Timescale
1. A PBNI Delivery group will agree and oversee the Restorative Practice Strategy Implementation plan with normal reporting mechanisms to SMT and the Board. The Delivery group will reflect on restorative dimensions of mainstream Probation work in the community and in prison and will include a Communications Strategy.	A Delivery Group will be established to agree and oversee the Strategy Implementation Plan.	AD (Prisons)	May 2014
	A Communication Strategy will be agreed.	Head of Communications	June 2014
	The PBNI Restorative Practices Policy will be reviewed.	AD (Prisons)	June 2014
	The PBNI Victims Policy will be reviewed.	AD (Prisons)	October 2014
2. The use of restorative interventions at various stages of the Criminal Justice System process will be piloted and evaluated.	Support the delivery of PRT 37 by piloting restorative interventions in all appropriate cases.	AD (Prisons) & AD (Belfast)	2014/15
	Pilot a restorative interventions project with adult offenders and their victims in a rural community.*	AD (Prisons) & AD (Rural)	
	Ongoing monitoring and evaluation will be completed. This will Inform future practice development.*	Head of Business Planning	
	Explore the feasibility of a pre-sentence diversionary Restorative Intervention pilot (in partnership with PPS and Courts) for first time adult offenders.*	AD (Prisons) & AD (Belfast)	
	We will also aspire to develop links to Ash House through PRT 35.	AD (Prisons)	
3. PBNI will ensure that restorative interventions include a range of effective community and statutory partnerships.	Establish a joint restorative project with NIPS Restorative Practice Steering Group.	AD (Prisons)	April – June 2014
	Explore the feasibility of developing the use of volunteer mentors in facilitating restorative interventions.*	AD (Prisons) & Head of Business Planning	
4. PBNI operational staff will receive victim and restorative interventions awareness and skills training appropriate to their role to complement the social work training of Probation Officers.	Relevant training will be delivered.	AD (Prisons), PBNI Training Unit and PBNI Victims Unit Area Manager	2014/17

5. PBNI will seek opportunities to engage with key stakeholders and to secure additional funding to promote the development of restorative interventions.	PBNI will seek funding from the Assets Recovery Scheme.	AD (Prisons)	Application submitted January 2014
6. Restorative Interventions will be offered to victims through the PBNI Victims Unit. Offender work will include the impact on victims, with a restorative perspective.	On-going Restorative Interventions service delivery through PBNI Victims Unit. Completion of the Victim Awareness Toolkit with all appropriate Offenders.	AD (Prisons) & PBNI Victims Unit Manager PBNI Area Managers	2014/17
7. PBNI will further research the development of restorative interventions in other jurisdictions and will scope the need for additional / amended legislation.	Research and scoping exercises will be completed.	AD (Prisons)	2014/17

* Scope and delivery of these actions dependent on availability of additional funding per action specified at Strategic Statement 5 – (not feasible within existing PBNI budget).

Restorative Continuum

(Adapted from McCold & Wachtel 2002)



<ul style="list-style-type: none"> * Victim Information / Victim Services * Offender Community Service / Reparation * Supervised Activity Orders * Offender Victim Awareness * Offender Risk Assessments / Programmes * Victim Reports to the Parole Commissioners of NI * Offender reintegration / restorative plans (in partnership with Alternatives and Community Restorative Justice Ireland) * Community Engagement (i.e. PCSPS) Victim Compensation 	<ul style="list-style-type: none"> * Victim / Offender Restorative Interventions Truth & Reconciliation Commissions Victimless Conferences Offender Family Services Positive Discipline (i.e. Prison) Victim Restitution 	<ul style="list-style-type: none"> * Victim / Offender Meetings Family Group Conference Community Conference Peace Circles
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* = Provided by PBNI

Information Sources for the Restorative Practice Strategy

- The European Union Victims Directive (adopted in 2012) which recognises the great benefit of Restorative Interventions to victims if well delivered.
- Criminal Justice NI Inspections in relation to victims (2005, 2008 & 2010).
- PBNI Corporate Plans (2011-14 & 2014 – 2017).
- Department Of Justice Addendum to Programme for Government.
- The Department Of Justice Victim and Witness action plan (2013-2015).
- The Department of Justice Draft Victims Charter (2013).
- Department Of Justice Strategic Framework for Reducing Offending 2013.
- PBNI audits regarding offender victim awareness work (2005 & 2009).
- A PBNI study to the Probation and Mediation Service of Czech Republic in August 2012.
- A UJJ European Commission funded project to assess how Victim /offender Mediation could be introduced into the adult court in N Ireland (2013-2014).
- Victim Support Northern Ireland policy on Restorative Practices.
- The Owers Report – Review of NI Prison Service.
- Ministry of Justice Restorative Action Plan for the Criminal Justice System 2012.
- Repairing the Harm: A Victim Sensitive Response to Offending – Restorative Justice Strategy 2013 - The Probation Service Republic of Ireland.
- A range of other research and practice developments.