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Annex 3 includes a list of the majority of people I met during my travels in the USA (New York, Pennsylvania and Vermont) and whilst completing training in Wales. I very much appreciated the kindness, time and interest shown to me by these folk. They provided a great opportunity to learn, exchange ideas and reflect on Restorative Practice. This report will not be able to fully reflect all their inputs but they have informed it.

As part of my objective to share the learning provided through the Fellowship it has been a great pleasure to present and discuss the findings with a wide range of colleagues in the Northern Ireland Department of Justice family (and beyond) as outlined in Annex 4. My appreciation also goes to these colleagues, many of whom have already become active enablers, in the endeavour to ensure that the Winston Churchill Fellowship leaves some tangible legacy in relation to the development of Restorative Practice in PBNI and within the Justice system in Northern Ireland to benefit victims, offenders and communities.

Introduction

This report, is as recommended by the Winston Churchill Memorial Trust (WCMT), targeted at those who may be best placed to implement the learning and suggested changes in relation to Restorative Practice with Adult Offenders in Northern Ireland. As required, it is relatively short and practice focused. Consequently the context of restorative practice in Northern Ireland is briefly outlined and limited space has been given to research context and statistics. The objectives of the travelling Fellowship and this report emphasise the context within which I am working.

The Probation Board for Northern Ireland contributes to reducing offending and making local communities safer through supervising adult offenders subject to court orders and licences, challenging and assisting them to change their behaviour. Central to the work of PBNI is a clear focus on the impact of the harm on the victim and respect for victims' rights. This includes the provision of information to victims, through the co-located Victim Information Unit.

Background

I am an Area Manager with the Probation Board for Northern Ireland (PBNI) with current responsibility for the operation of Community Service Orders in the Belfast area. I have worked with offenders and victims in PBNI for 30 years and during the past ten years my roles have included responsibility for the establishment of PBNI's co-located Victim Unit which operates the statutory Victim Information Scheme. I have also had responsibility for the development and delivery of a range of restorative practices with victims and offenders. In 2013/14 I had a lead role in the completion of PBNI's first Restorative Practice Strategy. One aspect of the strategy action plan is that PBNI will ensure that any developments are informed by research and practice from other jurisdictions. Consequently the opportunity of the WCMT was extremely valuable and well timed.

Aims of the Project

The aims of my Winston Churchill Fellowship project on Restorative Practice with Adult Offenders were:

1. To inform the development of the Probation Board for Northern Ireland (PBNI) Restorative Practices Strategy.
2. To inform the development and operation of at least one new pilot restorative practice project based on what has worked well in other countries.
3. To learn from the experiences of other practitioners in countries with different cultures, justice systems and approaches.
4. To use the time and space provided through the Fellowship to learn more about restorative practice, to reflect on this and contribute to improvements in the Justice System in Northern Ireland and the work of PBNI.
5. To provide a summary of the learning from the Fellowship to benefit a wide audience including PBNI, other criminal justice, victim and restorative justice organisations.

Context

Restorative Practice has a range of definitions but in essence, in a justice setting, it is a problem solving approach which seeks to allow the offender to gain insight into the impact of their behaviour and to restore, as much as is possible, the victim or community.

Restorative justice enables victims to meet or communicate with their offender to explain the impact a crime has had on them. 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.

The goal of restorative processes is to build understanding, encourage accountability and provide an opportunity for healing. It engages victims, offenders, and community members all those affected by the crime in an effort to put things right.

PBNI Restorative Practice

The PBNI Restorative Practice Strategy¹ outlines the approach adopted in this area of work-:

“There is no current legislative framework for Restorative Practice in adult offender cases in Northern Ireland, unlike in Youth cases. Nevertheless, PBNI’s work seeks to include a restorative approach and provides a range of restorative interventions in some adult offender cases.

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’².

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

¹ From PBNI Restorative Practice Strategy 2014

² Ministry of Justice Restorative Action Plan for the Criminal Justice System 2012

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 costs³. There is 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.'

Additionally, new legislation for restorative justice with adult offenders and their victims has been introduced in England and Wales through an amendment to the Crime and Courts Bill. This was in a large measure pursuant upon the success of restorative youth conferences in Northern Ireland. Guidance has been issued by the Secretary of State for Justice under section 1ZA (6) of the Powers of the Criminal Courts (Sentencing) Act 2000 about deferring the passing of sentence to allow for restorative justice."

The Restorative Practice Continuum (Annex 1) outlines how Restorative principles currently influence PBNi work.

³ Professor Joanna Shapland: Restorative Justice Council/Sheffield University

Itinerary

During my planning, I sought to establish where I could travel to see and learn about Restorative Practice with Adult Offenders. Restorative Practice is still most commonly practised with young offenders but my research and some contacts provided by colleagues in Northern Ireland, indicated that there would be opportunities for appropriate learning in parts of North America.

My schedule (Annex 2) was therefore developed around the states of New York, Pennsylvania and Vermont. I arrived in New York on 01.09.14 to commence my three week travel Fellowship and spent approximately one week in each state. My first stop was New York State. On my first day I was in Red Hook, New York. In 1988 Red Hook was described as one of the US's most "crack-infested" neighbourhoods and in 1992 a local school principle was shot dead having been caught in gang crossfire. This galvanised the community into change and the development of a court modelled on the "broken window" theory of policing small crimes to prevent larger ones. The Red Hook Community Justice Centre, (opened in 2000), prides itself on problem solving rather than process based justice mainly in less serious offences but including domestic violence. The centre was initiated in partnership with the Government funded centre for court innovation to reduce crime and imprisonment and improve public trust. It has resulted in a 10% reduction in reoffending and \$15 million saving through "procedural justice" (the perception of fairness in the decision making process). 78% of cases result in alternative sentences (compared to 22% in other courts). Some of these sentences which resulted in reduced reoffending involved just days or hours unlike our more long-term supervision. The court is staffed by a single Judge and feels more like a community centre. Compliance with sentences is actively overseen by the Judge and a team including Social Workers and Lawyers.

Also in New York I visited Harlem Community Court, the New York Attorneys offices Victim Bureau Witness Aid Unit and the John Jay College hosted New York Dispute Resolution "List Serve" breakfast meeting. This network facilitates discussion regarding restorative practice and dispute / conflict resolution.

The last part of my travel in New York State was to Castleton-On-Hudson in Albany to an Alternative Dispute Resolution Project run by the court system.



With Lorraine Stutzman,
Restorative Co-ordinator,
Mennonite Central Committee

My second week was in Pennsylvania (PA) and much of it was hosted by Lorraine Stutzman, the Restorative Practice co-ordinator for the Mennonite Central Council and an experienced Restorative Practice facilitator, trainer and author. She had responded to a general email I had sent to her organisation (I knew that Howard Zehr the 'Grandfather' of Restorative Practice in the USA belonged to this organisation). It turned out that Lorraine had been involved in some restorative justice development work in schools in Belfast 10 years previously and we knew a few folk in common! Lorraine accompanied me on my visits / meetings during these first 3 days which she said was a great help to her also in meeting or reacquainting herself with others in the Restorative Practice field in this part of PA. I stayed in the Mennonite Centre in Ackron which was very relaxing and reminded me of the Corrymeela Centre in Ballycastle, Northern Ireland. A great contrast to the hustle and bustle of Brooklyn New York! In PA I visited projects in Lancaster, Harrisburg and Philadelphia.



With Chad Libby,
Dauphin
County Probation
Services

Finally my third week was spent in Vermont as I was aware that their Justice System has had on statute (since 2000) that restorative principles must shape all parts of it.

In January 2015 I completed my Fellowship during 4 days in Swansea, Wales, achieving a Restorative Practice Trainer award with the International Institute of Restorative Practice. I was grateful that WCMT agreed that I could complete this training (rather than the original plan to study Restorative Practice in Scandinavia). This course enables selected experienced restorative practitioners to train others in accredited Restorative Practice skills training. This means I can tangibly increase Restorative Practice in PBNI and beyond by training others. I have already integrated some of this learning into restorative training provided to colleagues in PBNI (Annex 4).

Executive Summary

The opportunity to observe Restorative Practice with adult offenders in the USA, through the Winston Churchill Memorial Trust Fellowship has been invaluable. Structured learning, commencing with clear objectives to inform and improve this approach to Justice, has already benefitted me professionally and personally as well as PBNI and the wider justice family in Northern Ireland.

America is a huge country of 50 States all with varying approaches to Justice. The USA has the second highest incarceration rate in the world at more than 700 adults per 100,000. Whilst a high use of imprisonment usually signifies that restorative principles are not integrated into all justice initiatives, America is full of contrasts and contradictions. I was fortunate to see progressive restorative practice instigated by a range of people who were committed to finding more effective ways of “doing justice” to benefit victims, offenders and communities. These developments in New York, PA and Vermont were initiated and supported by Government, Volunteers, Faith and Community Groups.

The aims of my WCMT project have been successfully achieved. This should serve to benefit society in Northern Ireland in relation to the ongoing “justice” journey to deal as effectively as possible with crime and how it impacts on victims, offenders and communities-:

1. This project has further informed the development of the PBNI Restorative Practice Strategy. This has been through increased Restorative Practice knowledge and exposure to potential new approaches / projects. Additionally the Restorative Practice trainer skills which I have developed have been utilised in PBNI staff training.
2. I have observed and learned about a number of potential restorative practices which have informed a PBNI business objective (2015-16) to pilot new restorative practices.
3. I have had the great opportunity to learn from the practice of over 40 Restorative Practice practitioners in North America. This included observing how different cultures and justice systems impact on restorative approaches.

4. It was really beneficial to have the time and space provided, during my 4 week Fellowship not only to travel, observe and learn more about Restorative Practice but also to reflect. This was critical, as it enabled me to consider possible restorative improvements in justice.
5. Hopefully my Winston Churchill Fellowship project has, in some way, been a catalyst for change. Restorative practice developments, in adult offender cases, will depend on many leaders, enablers, practitioners, policy makers and community members as well as those who are victims of crime or who have caused harm through a criminal offence.

This report represents the more formal summary of my learning. However my Fellowship experience has already been the basis of much rich debate and discussion regarding restorative practice in adult offender cases in Northern Ireland. In advance of the completion of this report I have presented my learning to approximately 110 colleagues (see Annex 4). This has developed an increased understanding of the variety of potential restorative options in adult offender cases.

This report has information on some of the restorative schemes I observed, including for example Reparative Panels; Re-entry and Rapid Intervention Courts, Circles of Support and Accountability and Victim Apology Letter banks.

The report includes a range of recommendations, some of which have already served to provide direction for PBNI's Restorative Practice action plan. It is hoped that other recommendations, for the Department of Justice, wider justice and community sectors, in Northern Ireland, will also be adopted. In this way the Criminal Justice System can become more effective for victims, offenders and communities.

Much of the Restorative Practice I saw demonstrated an inevitable overlap of benefits and services for victims, offenders and communities. I have chosen to summarise my findings regarding restorative practice and its application in the USA, in relation to Court and Diversion; Community Sentences and Community Involvement; Victims and Prison Release / Community Re-entry. Inevitably imprisonment sometimes has to occur but my study did not focus on this. From a restorative perspective any time spent in prison is harmful to individuals, families and communities and imprisonment normally increases recidivism.

Findings

Restorative Practice in Courts and Diversion

The Centre of Court Innovation (a public-private partnership promoting new justice thinking) in New York has instigated a range of community courts, particularly in the poorest neighbourhoods who suffer significant crime. The approach was of problem solving, rather than the more process driven courts which are common in the UK. In the examples I saw there were fewer barriers between the courtroom judge, victims, offenders and the community. For example, in Harlem, an old court building had temporary offices inside the court where Probation Officers and others met with their clients. The Judge was not only involved in sentencing but the offender regularly appeared again in front of him to discuss progress and challenges as well as any failures to meet sentence requirements. In the court corridor, offenders were working on a bright, modern mural as part of their 'Community Service hours'. Alongside them local volunteers provided food for offenders, victims and those who attended court with them. Restoratively there were clear principles of dialogue / engagement with all those who had been affected by crime.

In Vermont, the **Rapid Intervention Court** which I visited had less serious cases (including theft, drugs, fraud and low level assaults) referred directly from either the police or court. These cases were dealt within 30 to 90 days of arrest. Offenders, who agreed to be part of this process, had the option of being referred to a **Reparative Panel**. This panel coordinated a meeting with the offender, jointly agreed a reparative plan and if successfully completed, the case



At Harlem Community Justice Centre

was dismissed with the offender receiving no criminal record. Reparative panels are in place which is volunteer-driven, and volunteer-led. In the panel meetings work is carried out to identify what happened, who was affected by what happened, how were they affected, what do they need for the harm to be repaired, and whose responsibility is it to repair this harm, as well as what is this person going to do so that something like this doesn't happen again? They collectively, and in a consensus fashion, develop a reparative contract, which sets up specific activities that the offender is going to complete, in order to fulfil their contract agreement. Those involved typically have about 90 days to complete that work, at which time they come back, they meet again with the group, and talk about what they've learned from the process, and what they have achieved. With over

90% of contracts fulfilled, only 7.4% of these successful completions resulted in further reconviction. This **diversion from court** was particularly targeted at first time offenders and those with mental health or drug problems. One case I observed in a reparation panel, through the Rapid Intervention Court, involved a young mum who had defrauded a bank of approximately £1000. She talked through the impact of this harm on herself, her family, the bank and the community. A reparative panel plan was agreed including that she provide apple pies she had made to a local hospice; she repaid the £1000 and wrote a letter to her young child about the impact of the offence. I witnessed her clear understanding that crime harms and has consequences. This speedy justice benefited everyone.

In Vermont, Court Diversion is a state wide restorative program. Participants typically never meet a Judge but instead meet a team of trained community volunteers in a reparative panel to agree a contract to repair the harm. These examples of community courts and diversion often developed because of frustration by local people about quality of life crimes like vandalism and minor drug / alcohol offences. The goals included prevention, problem solving, engaging the community and testing out new effective justice approaches. In Northern Ireland we have made some progress in Police diversion. However, in adult offender cases, there is much more unexplored scope for relevant partners including Public Prosecution, Court Services community partners and PBNi to collaborate and pilot some of the options above.

Within a Restorative framework these options are likely to be more demanding for offenders; victims' needs are central, the community, through volunteers can be actively involved; savings are made and re-offending is reduced. In addition these approaches allow speedy justice.



With Vermont Directorate of Restorative Practice

Restorative Community Sentences and Community Involvement

The high number of trained volunteers involved in so many aspects of Justice in North America really impressed me. **Volunteers** were core members in offender Circles of Support and Accountability (COSA); on Reparative / Restorative panels; in Peace Making programmes; in Mural Arts programmes; in Community Justice Centres; in Victim Support;

in prisoner resettlement / re-entry and in providing a range of important practical services like court catering. I observed how this provided a rich variety of support for victims and offenders. Volunteers, as ordinary, but influential community members, became visibly connected to those who had harmed or been harmed. They clearly had an investment in their community and in dealing with crime restoratively. As well as those approaches outlined in relation to Courts and diversion I had the opportunity to observe a number of reparative panel meetings, particularly in Vermont. Offenders could attend as part of a Probation community sentence or as an alternative / diversionary sentence. For example in one panel meeting a young man charged with dangerous driving and speeding agreed to write a paper on the effects of speeding, present this and his experience to two peer groups and complete 30 hours of Community Service. Often, “less serious” offences were treated “seriously”. The aim was to prevent more serious offences through meaningful restorative responsibility. In some panel meetings victims represented the impact of the harm on them and in others the community volunteers provided this representation. In Vermont (2007) research showed a recidivism reduction of 23% in the initial years following a successful reparative board completion. ⁴Another case example I was told about involved a young woman convicted of a serious driving offence which resulted in her victim becoming disabled. As part of her Probation supervision (after 30 days in prison and 5 months of in-house confinement) she had to spend 100 hours of Community Service speaking to High school students about the damage of texting whilst driving. Significantly, those offenders who attend a reparative panel demonstrate that they have gained an understanding of the implications of their actions and take steps to repair the harm and avoid reoffending.

Another very interesting concept I observed was how Philadelphia incorporates **Murals** in restorative practice. Some murals were jointly developed by those who had been harmed and those who had caused the harm as a positive example of community healing. The scheme also included some training and employment opportunities for released prisoners.

⁴ Hemphrey, J.A., Burford, <http://doc.vermont.gov/about/reports/reparative-v-probation/view>

Restorative Practice and Victims

Restorative Practice seeks to ensure that victims of crime have their needs met and that, as much as possible, there is some healing of the harm they have experienced. Victims' rights of assistance, information, compensation, safety, to be heard and the right of choice are the basis for any restorative interventions

and all the approaches outlined above included these rights. One of the interesting projects I heard about in Vermont and Pennsylvania was **An Apology Letter Bank**.

This ensured that any apology letters written by offenders were kept by the relevant

Victims Unit and available if and when a victim decided that they wanted to access it.

This simple concept, enabling offenders to provide real letters, has been well received by victims.

Every Apology Letter will be reviewed by the case worker, or treatment provider and a member of the Victim Services Programme staff before being filed in the Apology Letter Bank.

Many of the other services I heard about are also available, to some extent in Northern Ireland for example victim / offender restorative meetings, indirect victim / offender dialogue and victim information. However, in all the states I visited victims had additional rights, for example being able to know the location of a supervised offender. Keeping victims informed of the status of their case and the progress of the offender's sentence is often a challenging service to provide. In Vermont an automated notification service has been developed.

The importance of the principle that the offender is first and foremost accountable to their victim was clearly evident in all of the work I observed with both state funded and community groups specifically ensuring that restorative practice is available to victims in all cases. Whilst victims in youth cases in Northern Ireland always have the opportunity to meet the offender in their case (given specific legislation) this cannot be said in adult offender cases.



Vermont – Train the Trainer – Victims in Restorative Practice

Offender Prison Release / Community re-entry

In all three US states I observed very interesting support work for prisoners as they re-entered back into the community. For example, in Harlem, each week a Judge presided over a **Re-entry court** and this model combined case management, pre-release engagement, judicial monitoring, Probation and volunteer support. Consequently prison release / supervision were recognised formally, the Judge received regular updates and released prisoners received a range of supports. 79% of parolees involved in the Parole re-entry court successfully completed the terms of Parole. This equates to a 19% reduction in recidivism.

Another component of the re-entry services was the **Harlem Justice Corps**, an intensive career development and service programme; each participant is supported by a “life coach” as they work volunteering on community projects and training in life skills or education.

In Harlem I also observed a “**Raising my Voice**” programme coordinated by the re-entry family and faith circles of support. This included a group programme of 22 hours of public speaking training. I was really impressed by the presentations that I observed. Through the programme these ex-long-term prisoners had clearly developed skills to present themselves in interviews. Additionally they had developed a support group which clearly assisted them on release.

Lancaster County had a specific **Re-entry management organisation (RMO)**. This was a partnership of over 50 organisations. A RMO case manager worked to ensure that all the services and supports a “returned citizen” (released prisoner) needs were provided. Only 8 % in the intensive programme committed new offences. The cost of the programme was estimated to be \$3098 as opposed to \$6340 for 3 months in prison. Another interesting programme was a simulation event “Returning to the Community” which enabled community members to walk in the shoes of those released from prison (i.e. simulating all the challenges regarding accessing accommodation, medical support, financial benefits and meeting Probation supervision requirements etc.)

In all three states **Circles of Support and Accountability (COSA)** played a critical role, particularly in relation to high risk sexual and violent offenders. This concept is an evidenced based model originally initiated in Canada. The COSA team included 3-5 community volunteers, a statutory or voluntary organisation staff member (Probation, Community Justice Centre etc.) and the 'Core member' – the released prisoner. Weekly contact provides practical support and ensures that accountability and relapse prevention expectations and responsibilities are adhered to. Core values and principles include:

- No more victims
- Human beings are capable of change and should be supported
- The community has responsibility for restoring victims and reintegrating offenders
- Volunteers are a critical component



Grandview United Methodist Church
PA – Circle of Support and
Accountability venue

⁵Fox observed five qualities that make for good COSA volunteers: “non-judgemental attitude; belief that people can change; good listeners; no agenda / expectations; and good boundaries.” Another quote from this report by a volunteer was that, “ultimately they’re going to be coming out; they’re going to become members of our community. And do we want to have that 58% or so that keep cycling through the system year after year after year at \$55,000 a year, or do we want to try and break that cycle someplace and turn them into constructive, tax-paying members of society and people that we’d be proud to have for neighbours?”

COSAs are part of a state-wide effort in Vermont that began over two decades ago when the Department of Corrections (DoC) performed a market study to find out how the public felt about the current services they were offering (prisons, probation etc.). It turned out the public was pretty unhappy with corrections; only 37% approved of their services. The study went on to determine what the public did want. It emerged that the public wanted involvement in the criminal justice process. They also wanted alternatives to prison that would hold people accountable while repairing the harm done, particularly for low-level crimes.

⁵ Fox, K.J. (2013). Circles of Support & Accountability: Qualitative evaluation. Final report prepared for the State of Vermont Department of Corrections. <http://www.doc.state.vt.us/about/reports/circles-of-support-accountability-finalreport/view>

The Vermont DoC has since partnered with community organisations and municipalities throughout the state to form 20 Community Justice Centres (CJCs). Each CJC is locally controlled and supported by the work of volunteer community members. No two centres are exactly the same, though they share similar programmes like Reparative Panels and COSAs. I observed two different COSAs in PA where the core members were sex offenders. The venue for one COSA meeting was at Grandview United Methodist. One, clearly had an appropriate balance in terms of support and accountability (the supervising Probation Officer attended this circle once per month) whereas the other (facilitated by a different community project) seemed slightly collusive with the core member and did not evidence the important accountability aspect. Thus, for example, the volunteers asked the core member if the Probation Officer (who held supervisory responsibility) was still causing difficulties! This emphasised the challenge inherent in COSAs but they are clearly a very effective restorative victim, offender and community solution to the successful release and reintegration of high risk offenders. Indeed a similar model could also be very effective for less serious offenders.

Inevitably some offenders will breach the conditions of their release supervision. The USA has, like the UK, struggled to effectively manage the high percent that can be recalled to custody. Both in PA and Vermont **Parole Violation Centres** have been developed.



With staff at Wernersville Parole Violators Centre

Whilst different models exist, most included a fulltime group work programme which those recalled had to attend for a minimum of 60 days. The programmes targeted thinking skills, employment, relationships, money management, substance abuse and parenting. Each 'parole violator' also had to complete a minimum of eight hours Community Service per month. The Wernersville Parole Violator Centre I visited was in a secure college; indeed one part of it included day release for training and employment. Prior to recall, all attempts were made to ensure that those on licence remained in the community if possible. For example a senior Probation Manager might meet the offender for a "**Disciplinary Interview**" in relation to lower level supervision licence breaches. These managers had the freedom (without the involvement of court or parole commissioners) to agree immediate sanctions which, for example, might include attendance at a relevant community programme, reparative panel or the completion of a small number of Community Service hours.

Whether as a sanction in its own right or as part of another sentence or reparative plan, I noticed that the majority of Community Service hours were much lower than we would award in Northern Ireland. There was recognition that 30 hours of Community Service was often adequate in order to enable offenders to maintain other family, employment or supervision responsibilities.



A Disciplinary Interview

Conclusions

My experiences in the USA, considering Restorative Practice with adult offenders, as part of this Winston Churchill study Fellowship has been extremely helpful. I had hoped that my learning would be beneficial in PBNI, in the wider justice and community sectors and for me individually. I believe that, on all those levels, the benefits have been significant. I am convinced that in Northern Ireland we have many unexplored restorative opportunities to make justice more effective in adult offender cases. Perhaps, in the current climate where we need to find new ways of working, we have ideal opportunities to adopt different approaches. As Winston Churchill said, “A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty.”

During my three weeks in the USA I was very aware of extremes in justice – from armed Probation Officers to restorative justice led by volunteers. Many of these ordinary volunteers were involved in extraordinary roles. Some were initiated by faith communities whilst others were from a range of backgrounds. In Northern Ireland we do have volunteers who complete significant community work. However, I think there is still much untapped potential.

At a personal level I found the Fellowship stimulating, challenging and inspirational. This was because of the opportunity to observe amazing staff, volunteers, offenders and victims as they contributed to real justice – restorative justice. Additionally for me, after 30 years working in Probation it was wonderful to have reflection time. The challenge to share the learning with others has been very stimulating and has further encouraged my commitment to do justice restoratively wherever is possible.

Recommendations

The following recommendations, to further develop Restorative Practice in adult offender cases in Northern Ireland are made with leaders, enablers, practitioners, policy makers and community members in mind.

I have set out recommendations which the Probation Board for Northern Ireland, the Department of Justice (DOJ) and others may consider. Some are more specific to the work of PBNI whilst others require collaboration within the wider Criminal Justice System and Northern Ireland Community.

There are a range of opportunities for the development of Restorative Practice in the Criminal Justice System in relation to prevention, diversion, pre sentence, deferred sentence and post sentence stages.

DOJ aspirations as outlined for example in the draft Restorative Practice Strategy, the Strategic Framework for Reduced Offending and the Victims and Witness Strategy are significant.

My recommendations sit comfortably with PBNI's Corporate Plan (2013-17) and many are already embodied in the PBNI Restorative Practice Strategy (2014-17). It has been very helpful for me to confirm, on PBNI's behalf, that this strategy is indeed an appropriate road map.

I have had to keep any detail attached to these eighteen recommendations brief. I regard them as providing the basis for further discussion and debate regarding what is possible within the current resource environment.

Restorative Practice Strategy

1. PBNI should prioritise the ongoing delivery of the Restorative Practice Strategy Action Plan 2014-2017, ensuring that as much as possible, restorative principles are integrated into all of the Boards work.

Victims

2. PBNI should scope the potential development of a Victim Apology letter bank.

Community Sentences

3. PBNI should pilot a specific project to support offenders released from custody on their 're-entry' back into the community. This should incorporate restorative principles.
4. PBNI should examine the use of restorative options for dealing with those who violate conditions of their supervised licences.
5. PBNI should pilot the introduction of a restorative / reparative condition within offender supervision / licences in partnership with community organisations. This could be targeted at particular offences e.g. against the elderly or hate crime in both an urban and a rural setting. It might also support offenders 'under threat' from community members.
6. PBNI should evaluate the possibility of redesigning Community Service Orders (CSOs) to allow at least 2 hours of each order available for restorative conversations with PBNI staff, community members or victims (as appropriate). Where possible the Community Service hours should be worked in as relevant a way as possible, given the harm caused by the original offence. In addition, CSOs should normally be a maximum of 100 hours. In the USA the reparative hours, that I saw, were often a maximum of 30 hours. Victims and community members normally felt that this was most appropriate and enabled offenders to maintain other important responsibilities (e.g. employment and family).

Court and Diversion

7. PBNI should explore the feasibility of a pre sentence diversionary restorative pilot for first time offenders with the Police Service for Northern Ireland, the Public Prosecution and Court Services. This could include the introduction of Reparation Panels with a Rapid Intervention Court model.

Volunteers

8. PBNI should explore the use of Restorative options within Deferred Sentences.
9. PBNI should consider and pilot the involvement of volunteers / mentors in the delivery of Restorative Practice.

Training and Staff Development

10. PBNI should continue to seek opportunities to provide training in Restorative Practice to all PBNI staff and should train a cohort as facilitators of Restorative Practices including victim offender meetings.

11. PBNI should establish an Internal Restorative Practitioners Forum.

Human Resources and Management

12. PBNI should seek to consider further integration of Restorative Principles and mediation as an option within Management and Human Resources when any relevant practices and policies are reviewed.

Prison Release / Community Re-entry

13. PBNI / Prison Service should examine opportunities to pilot a 'Raising my Voice' presentation skills programme for clients during or following a long-term prison sentence.

14. The Department of Justice, PBNI, and relevant partners, should consider the development of Circles of Support and Accountability for high risk violent and sexual offenders.

Partnership Opportunities

15. PBNI, with relevant partners, should continue to seek additional funding to support the development and piloting of Restorative Practices at various stages of the justice journey.

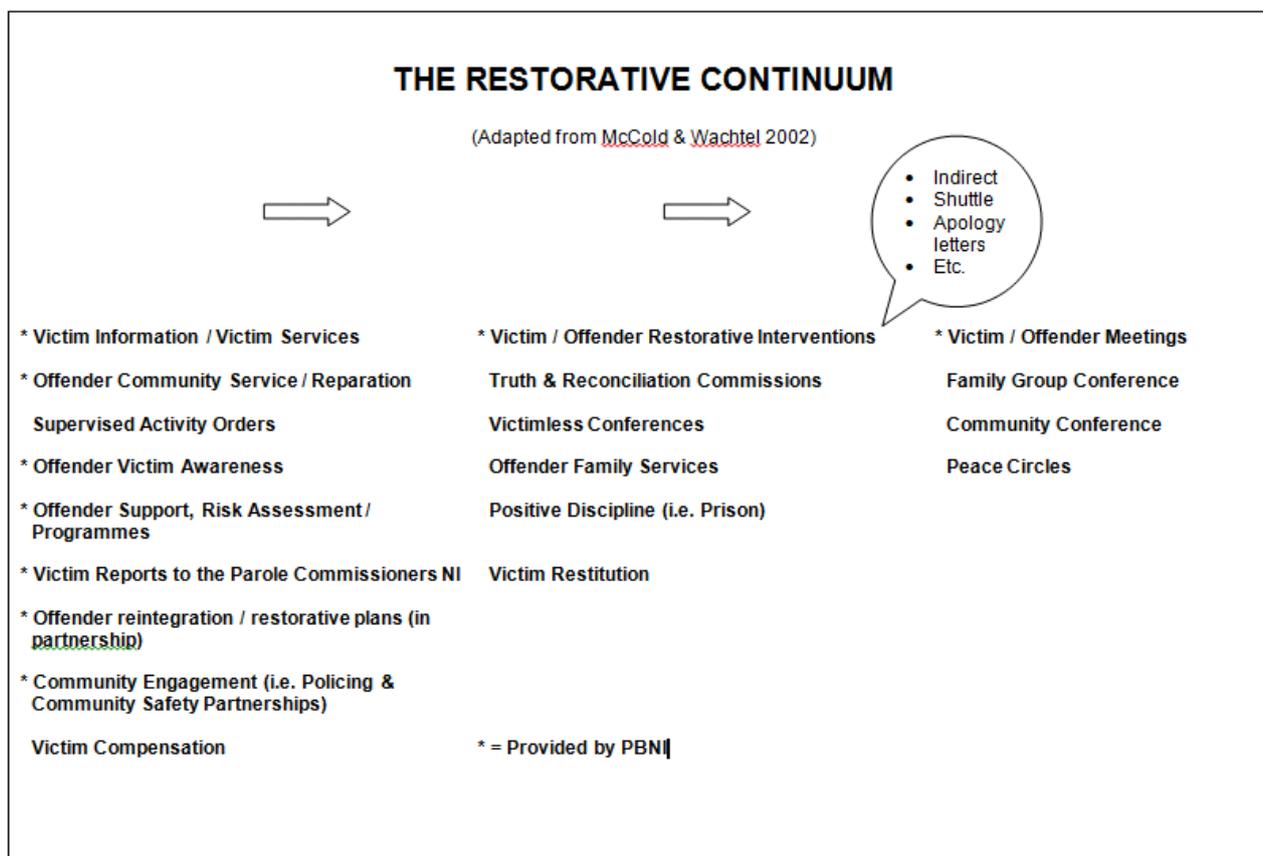
16. The Department of Justice (DOJ) should take the lead in the strategic development of Restorative Practice with adult offenders through a Restorative Strategy and action plan.

17. In adult offender cases, the DOJ and relevant justice organisations should examine the potential to pilot a Rapid Interventions Court as a means of speedy justice and the diversion of relevant cases.

18. The DOJ, PBNI and relevant partners should consider and pilot Reparation panels for use at various stages of the Justice Journey. These could include victim and community volunteers agreeing a reparative plan with appropriate offenders.
19. The DOJ, PBNI and other Justice / Victim organisations should ensure that victims have the choice to be involved in safe and supportive Restorative practice if this would help them deal with the aftermath of the harm they experienced. The European Directive on victims notes an entitlement for victims to have the choice of access to safe and competent restorative services.

Christine Hunter
30 April 2015

The Restorative Practice Continuum (Annex 1) outlines how Restorative Principles currently influence PBNI work.



Travel Schedule

Date	What / Where	Who
01.09.14	Travel to New York	
02.09.14	District Attorneys Victim Witness Aid New York Red Hook Community Justice Centre – New York	Mildred Silvie
03.09.14	Harlem Community Justice Centre New York	Debbie Boar
04.09.14	John Jay College New York Dispute Resolution Forum Alternative Dispute Resolution – Albany	Maria Volpe Alice Rudrick
05.09.14	Alternative Dispute Resolution – Albany Travel to Harrisburg PA	Alice Rudrick
08.09.14	Victim Advocate Department of Corrections Mechanicburg / Harrisburg PA Court training and research – restorative justice Shippersburg PA	Andrew Barnes Jen Storm Kathy Buckley Susi Blackburn
09.09.14	Dauphin County Probation Service PA Lancaster Re-entry management organisation PA Centre for Community Peace building Lancaster PA	Chad Libby Melanie Snyder Jon Singer
10.09.14	Circles of Support and Accountability	Deirdre Foley Citro
11.09.14	Harrisburg Probation and Parole PA Parole Violators Centre Wernersville PA	Kelly Evans
12.09.14	The Guild Restorative Justice Arts Mural Project Philadelphia PA / The Good Shepherd Mediation Programme	Robyn Buseman Cheryl Cutrona
15.09.14	Victim Services Burlington Vermont Greater Barre Community Justice Centre Rapid Intervention Court Burlington	Amy Holloway Lori Baker Emmet Helrich
16.09.14	Essex Community Justice Centre and Reparative Panel Winooski Reparative Board	Kate Searles Eliah Ferrel
17.09.14	Train the trainer – volunteers – Victim Impact – Randolph Williston Community Justice Centre reparative panel	Steve La Tulippe
18.09.14	St Albans Community Justice Centre Lamoile	Marc Wennberg
19.09.14	Vermont Restorative Practice Director	Derek Mildownik

Those with whom I met

New York-:	Red Hook Community Court	New York
	Mildred Silvie Director Witness Aid, District Attorney's Office	New York
	Debbie Boar Harlem Community Court	New York
	Maria Volpe John Jay College	New York
	Alice Rudrick Court Alternative Dispute Resolution Service	Albany, New York
Pennsylvania-:		
	Lorraine Stutzman Restorative Practice Co-ordinator Menonite Central Community	Ackron
	Jen Storm Kathy Buckley & Lynn Shiner Office of Victim Advocate	Harrisburg
	Chad Libby Director Dauphin County Probation Services	Lancaster
	Melanie Snyder Lancaster County Re-entry Management Organisation	Lancaster
	Deirdre Foley Circles of Support and Accountability	
	Robyn Buseman Mural Arts	Philadelphia
	Cheryl Catrona Good Shepherd Mediation Programme	Philadelphia
Vermont-:		
	Amy Holloway Director of Victim Services, Department of Corrections	
	Emma Helrich Rapid Intervention Court	Burlington
	Kate Searles Community Justice Central	Essex
	Gliash Ferrel Reparative Board	Winoaski
	Andrea Van Liew Victim Impact train the trainer training for volunteers	Randolph
	Steve la Tulippe reparative board	Williston
	Marc Wennberg Community Justice Centre	St Albans
	Derek Miodiwnik Restorative Justice Director	
Wales-:		
	John Boulton International Institute for Restorative Practice Train the Trainer award	Wales

Sharing the Learning from the Churchill Fellowship with a wide audience

The learning gained from the Winston Churchill Fellowship regarding Restorative Practices with Adult Offenders has to date been shared with approximately 110 people through formal presentations, informal discussions and training events:-

All PBNI Staff

- Through short updates and photographs sent during my travels in USA September 2014 and uploaded on PBNI intranet
- Through articles in the staff e-magazine – Probation News

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Winston Churchill Travelling Fellowship

Probation News met with Christine Hunter, Area Manager recently to find out about her success in winning a Winston Churchill Memorial Trust travelling Fellowship. Every year, the Trust awards travelling fellowships to British citizens from all walks of life to travel overseas, to bring back knowledge and best practice for the benefit of others in their UK professions and communities. Fellows receive a grant to cover all costs and must provide a report on their experience and learning.



The opportunity to apply for a fellowship was offered to all PBNI staff in August 2013, with the most relevant category for PBNI being Prison and Penal Reform, aimed at those who are interested in projects that reduce reoffending and contribute to a just, humane and effective penal system.

Christine's application was to research 'Restorative Interventions with adult offenders in a Probation setting'. The award of a Fellowship is based on experience and knowledge of your chosen area; benefit to the criminal justice system and to NI society, and a clearly defined and worthwhile project. Christine is currently confirming where best to visit in order to see relevant restorative work with adult offenders.

The application process is rigorous, the first application, if accepted to the next round, is followed by a second more detailed submission and an interview. Over 1,000 people applied in this round and only 255 were interviewed in January in London. Finally, 137 people were notified of their success, and one of those was Christine!

Christine's objectives in pursuing the Fellowship were clear: to inform PBNI's Restorative Practice and Strategy and to bring into operation at least one new pilot scheme; to learn from other Justice systems; to bring practices back which would inform and influence work in NI and to; provide a summary of the research and disseminate the findings.

Christine says: "I am keen to inform the implementation of the Restorative Practice Strategy developed by myself and Assistant Director Roisin Muldoon (Board approved March 2014). Since setting up the Victim Information Scheme in 2005 and studying restorative practices at the University of Ulster in 2008 I have facilitated and supported staff to deliver restorative practices. Victim/offender meetings have been facilitated where appropriate, particularly in serious crimes where only the offender is in a position to answer questions that the victim has."

She continues: "I have seen the difference restorative work can make for victims offenders and the community and I believe this fellowship will further inform innovation in PBNI practice in the future."

The fellowship needs to be completed by March 2015 and Christine has promised to share her experiences in Probation News.

PBNI Board Members

A presentation on 12.12.14

PBNI Staff

A Lunchtime Seminar 12.03.14

PBNI hosted WCMT Restorative Practices lunchtime Seminar

Presentation of the findings of my Winston Churchill Fellowship on 12.12.14 for approximately 25 colleagues (Department of Justice, NI Prison Service, Prosecution Service, University of Ulster, Victim Support, Youth Justice Agency, NI Alternatives, Community Restorative Justice NI, Quaker Service etc.)

PBNI Probation Officers & Managers	The provision of two 1 day training events in Restorative Practice during February & March 2015.
PBNI Victims Reference Group	A presentation to representatives of victim organisations 12.03.15
Northern Ireland Cross Border Partnership working for Public Protection Seminar	Presentation in Dublin (21.11.14) to senior colleagues from both the Criminal Justice System in Southern Ireland and in Northern Ireland.
Restorative Justice Forum (NI)	Informal presentation to members of this forum, November 2014.
The Irish Probation Journal	An Article on restorative practice in PBNI and the Winston Churchill Fellowship submitted for publication September 2015.

Some Useful Reference Sources

www.courtinnovation.org

www.courtinnovation.org Procedural justice from the bench: How Judges can improve the Effectiveness of Criminal Courts.

www.ccp.org (Centre for Community Peacebuilding)

www.pacrivevictims.com (Pennsylvania Commission on Crime)

[mcc.org/usprograms/services/restorative justice](http://mcc.org/usprograms/services/restorative%20justice)

www.lancastercountyreentry.org

www.jobs4lancaster.com

www.wernersvillecommunitycorrectioncentre

www.ncti.org (national curriculum & training institute)

www.pbppstatepa.us

www.manhattanda.org

<http://rethinkingreentry.blogspot.com>

Re-entry Court Toolkit – www.courtinnovation.org

www.etcny.org (Exodus re-entry Programme)

www.dojni.gov.uk Department of Justice NI Strategic Framework for Reducing Offending (2013)

http://ec.europa.eu/justice/policies/criminal/victims/docs/com_2011_275_en.pdf The European Directive on Victims

www.pbni.org.uk

Muralarts.org

<http://www.doc.state.vt.us/about/reports/circles-of-support-accountability-final-report/view>

Humphrey, J.A., Burford, <http://doc.vermont.gov/about/reports/reparative-v-probation/view>

www.cjnv.t.org

www.pacrivevictims.org