

The Operation of Reparation Panels in the Community

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PRESENTATION OUTLINE

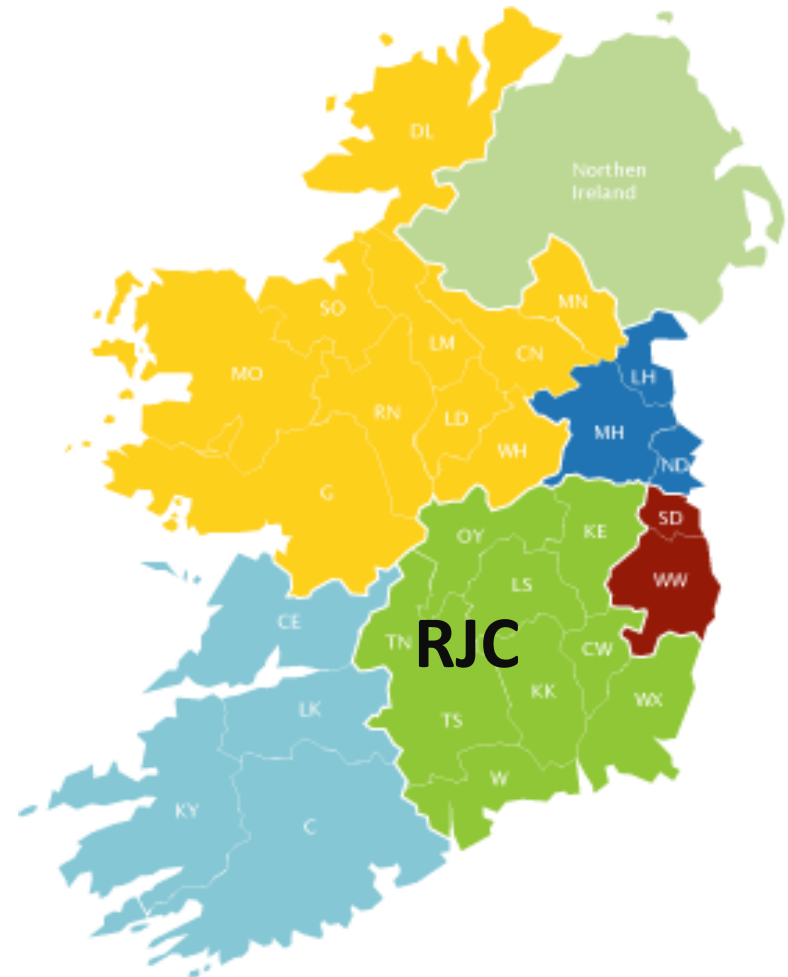
- **Context**
- **Development**
- **Practice**
- **Case Studies**
- **Challenges/Opportunities**





PROBATION SERVICE:

- Manage court orders
- Reduce risk of harm
- Reduce likelihood of reoffending
- Make good the harm caused by crime
- Partnerships





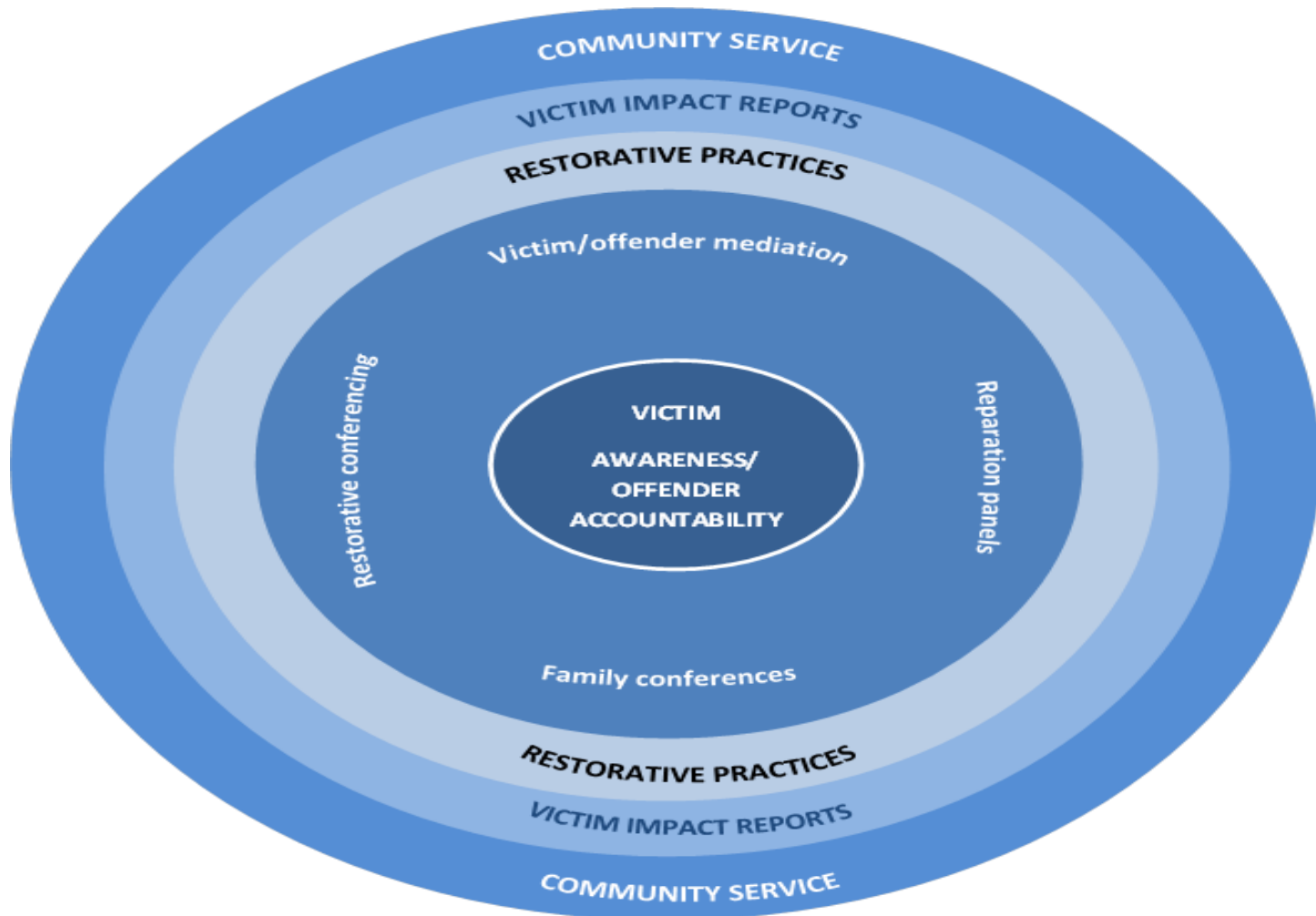
DEVELOPMENT OF RESTORATIVE JUSTICE

- **Reparation Panels**
- **Children Act, 2001**
- **National Commission on Restorative Justice (2009)**
- **Probation Service Strategy (2013)**





RESTORATIVE JUSTICE IN PRACTICE





Repairing the Harm: A Victim Sensitive Response to Offending

February 2015





RESTORATIVE JUSTICE IN THE COMMUNITY

- **Structure**
- **Referral process**
- **How does it Work.....**



THE PANEL

- **Composition**
- **Victim Engagement**
- **Role of Community Volunteers**
 - **Emphasize that crime hurts the victim and community**
 - **Highlight impact of offending on the local area**
 - **Consider appropriate ways to make reparation to victim and community**
 - **Bring plurality of perspectives**
 - **Communicate censure for the offence in a language understood by offender**
 - **Highlight interconnectedness and reacceptance rather than rejection**





THE PROCESS

- **Contract of Reparation**
- **Individualistic**
- **“It takes a village.....”**
- **Outcomes**



SAFEGUARDS

- **Restorative Ethos**
- **Flexibility**
- **Informed Consent**
- **Fair Procedures**
- **Proportionality**



BENEFITS

- **Research study**
- **Dialogue**
- **Learning/Censure**
- **Shared understanding**
- **Personalised accountability**



VICTIM'S VIEWS

“It has been a good result for both parties, us and the people who did the crime...We were saying originally that if they had gone to prison it would have been better but actually doing this was better. They had to talk it out [at the panel meeting] and I think all the things they’ve done [as part of the reparation agreement] like the apology and stuff is important.

Seeing that someone cared about what I was saying, feeling important helped it feel like delivering justice. The [offenders] didn’t really know what they did because they were all so [intoxicated]. They wouldn’t have known what they’d done unless someone else showed them...Originally I thought I wanted them to go to prison but in the end this worked out...better for them and for us....that sense of justice for us...but even they got something out of it, learned something from it and I don’t think they’ll re-offend. I think I have felt better [after doing the project] and I think if they had just gone to prison I wouldn’t feel better about it whereas [after the project] I do now....”



VICTIM'S VIEWS

“I think the outcomes have been very positive. In particular because [the panel] gave [the offenders] an opportunity to talk about it, talk about their feelings, reasons why they did it, basically giving them an understanding of why they did it and why it was wrong....gave them opportunity to repair really...and I felt that was very positive.... In our case....we had a say in what we would like to happen, an input in what we would like to see...we were made to feel very important in the process. I felt a lot of time and effort had been invested in this case and I presume it's one of many. It was a good feeling, being taken seriously.

Seeing how the case evolved, this end result is so much better than prison....[The offenders] were made to talk about it which was pretty difficult...going in front of the [reparation panel] ...and to do something physically like working [volunteering]...For all that they did, the writing, apologising, volunteering, physically they were being reminded of why they are doing it and hearing from a couple of places that it wasn't right...it wasn't just one person....must have made some impact which is some justice I think...I think for a human being to have to go through that process it probably very educating really”



OFFENDER'S VIEWS

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“We got to apologise, tell her that we were sorry, if we didn’t do this project we wouldn’t have got the chance to say that. [I] donated money to charity she picked and put it right by doing community work....You can show that you’re trying to put things right.....You can talk. You come [to the panel meeting] and tell your side of the story what happened and how you’ll put it right and then you [hear] about [the victim]...and get the chance to apologise....

I feel better after doing this project...I feel better because of getting to apologise and actually knowing what I done wrong. It helped me like- the understanding of it, understanding it better. When I first came I had no interest in this...now I’m delighted that I did this. I’m happy that I got the chance to say sorry and to put things right. It took weight off my shoulders you know.... Like we did this to show [the victim] justice. By doing the project and doing the things [the victim] asked us to do is giving that [feeling].....That you put things right....



OFFENDER'S VIEWS

“Talking about it....like we sat down and talked about it [as part of reparation panel]....saying it in your head is different, even talking about it to a friend is different cos they’re on your side...but sitting with the panel and talking about it, hearing someone ask how do you think [the victim] would feel...going back over it with somebody who was independent opens your eyes to ‘my god like I actually made [the victim] feel like that’....and I felt like....that’s terrible to do that to another girl....I learned all that when I was doing this programme...Now I know if I’m ever in a position where I start to feel like I could ever do that again I just think of walking away....I don’t ever want to be that person again...

[It] made me feel a little bit more comfortable- not about what I’d done but that I was trying to put it right....I did some work in community...Volunteered in second hand book shop to raise money for the community hall so they can refurbish it....felt like that would be something loads of people would benefit fromI think it is a way to make amends....In Court the biggest thing was it was embarrassing to sit there....standing in Court and your Solicitor is saying ‘they don’t have evidence so plead not guilty and hope for the best’. Whereas doing this you admit from the very start that you’re wrong which I think is a nice thing too for the victim to know.... in court...you can chance saying ‘not guilty’ and hope for the best...but what have you learned from that?”





CHALLENGES/OPPORTUNITIES

- **Victims voice**
- **Engagement with the Judiciary**
- **Volunteer/Community engagement**
- **Interagency cooperation**
- **Criminal Justice (Victims of Crime) Bill 2015**
- **Research**





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QUESTIONS & ANSWERS
THANK YOU