

**Aspiring To High Quality
Restorative Practices:
The RPI Quality
Assurance Framework**



**Restorative
Practices**
Ireland

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2021

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FOREWORD

This Quality Assurance Framework was commissioned by Restorative Practices Ireland (RPI) as an update and replacement of the 2014 document 'Towards Excellence in Restorative Practice: A Quality Assurance Framework for Organisations and Practitioners'.

RPI is a membership body open to all those who have a role or interest in the strategic management and development of restorative practice in Ireland. RPI's vision is of Ireland as a restorative society which embraces restorative approaches as a philosophy and practice, integral to all relationships. We promote and support the use of restorative approaches spanning all sectors of the community.

One of RPI's key objectives is to develop capacity, systems and infrastructures which support the growth, evolution and sustainability of restorative practice. This updated Quality Assurance Framework is an important contribution to achieving this objective. Like the original, it is designed to provide clear, practical information and to encourage and support individuals and organisations to achieve high-quality restorative practice consistently, for the benefit of all. It takes account of developments in standards since the previous version and is particularly relevant in Ireland given the massive growth in use of restorative practices (RP) in recent years. We anticipate that the Framework will be developed further with work on standards and guidance for specific contexts and settings and continue to be updated in future years.

It is hoped that the Framework will be a valuable tool to those delivering restorative services and using RP in their work and daily lives. For many practitioners and service managers, it may present little new, but will hopefully serve as a checklist and catalyst for systematically reviewing practice from time to time. It may also have value in training new practitioners and in continuing professional development.

The Framework is just one element of a possible overall architecture to ensure consistent quality and safety of practice. Another key element is the registration and accreditation of practitioners, trainers and services delivering restorative interventions. RPI is examining the complex issues involved in accreditation of both practitioners and courses, and ways to ensure consistent, high-quality, safe practice through independent, transparent, fair systems of oversight.

Marian Quinn
Chairperson

Restorative Practices Ireland

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The sources consulted for this Framework included work on standards and best practice by the European Forum for Restorative Justice (2018), the Institute for Research and Innovation in the Social Services, Scotland (2018), the Council of Europe (2018), the New Zealand Ministry of Justice (2019), the Restorative Justice Council (2020) and the United Nations Office on Drugs and Crime (2020). Additional sources included the Criminal Justice (Victims of Crime) Act 2017 and many of the publications listed in the 2014 Framework.

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GLOSSARY OF TERMS

Accreditation is the official approval or formal recognition by a recognised authority of a training or academic course, or of an organisation or practitioner providing a service.

Facilitator refers to a trained individual who facilitates a restorative process impartially where harm has been caused or as an involved person in relationship-building and problem-solving processes such as circles.

Harm-doer refers to a person who causes harm to another in a specific incident; where a crime has been committed, the term 'offender' is commonly used, although use of stigmatising labels such as 'offender' is avoided during restorative processes.

Harmed person refers to anyone who is affected negatively by the action of another person or persons in a specific incident; where a crime has been committed, the term 'victim' or 'injured party' is usually used instead although use of such terminology is avoided during restorative processes.

Quality is 'the standard of something as measured against other things of a similar kind; the degree of excellence of something' and **quality assurance** is 'the maintenance of a desired level of activity in a service or product, especially by means of attention to every stage in the process of delivery or production' (Oxford English Dictionary, 2011).

Reparation in its broadest interpretation is any effort to repair harm caused by a wrongdoer to a harmed person and can entail any action(s) agreed by both parties. It is often interpreted more narrowly as meaning a financial payment or non-financial alternative to the harmed person, a charity or a community cause.

Reparation panels involve meetings between offenders, supported by a case worker, and panels that comprise community volunteers and Garda and/or Probation Service personnel. The panel discusses what happened and how harm caused can be repaired and future offending avoided; agreed actions sometimes include contact with the victim.

Restorative circles are generally used in Ireland in settings other than the criminal justice system; they are used proactively to build relationships and discuss general issues and/or reactively to deal with specific issues that have arisen; they usually involve the passing around of a 'talking piece' to ensure everyone who wishes gets an uninterrupted chance to speak and be heard.

Restorative conferences are facilitated, structured meetings between harm-doers, harmed persons, and supporters and can include anyone capable of contributing positively to the deliberations and outcomes; they are problem-solving fora which discuss what happened, who was affected and how, and how best to repair harm and avoid recurrences.

Restorative conversations are between two people, one of whom is a restorative practitioner who has a direct interest in the issue being discussed and initiates the conversation.

Restorative language is a method of communication that involves observation without evaluation, identifying and expressing feelings, connecting feelings with needs and making requests that are clear, concrete, positive and action-oriented.

Restorative justice is a sub-set of restorative practice and generally refers to facilitated processes in the criminal justice system that enable persons harmed and persons causing harm to participate actively in resolving matters arising from the offence; processes in Ireland include victim-offender mediation, reparation panels and restorative conferences. The term is also used in settings such as schools and workplaces where harm has been caused or breaches of regulations have occurred.

Restorative meetings refer to facilitated meetings between harmed persons and harm-doers that discuss what happened, who was affected and how, and how best to repair harm and avoid recurrences; they may involve supporters

and resemble conferences in many respects and some sources use the terms interchangeably; meetings can focus on conflict between individuals or groups.

Restorative organisation refers to organisations such as schools, residential homes or businesses that work restoratively and reflect restorative principles in their approaches but do not normally provide restorative processes outside the organisation.

Restorative practice is an approach to building and maintaining interpersonal relationships, preventing and resolving conflict and responding to harm where it occurs; the approach is based on a set of key values and principles and underpinned by a set of skills and techniques; it is applied in a variety of settings including school, workplace, community, family and criminal justice, and in a variety of informal and formal formats. **'Restorative practices'** refers to constituent parts of restorative practice such as restorative conversations, circles or meetings.

Restorative practitioner refers to those who have been trained in and use RP in their everyday work and life and/or facilitators and case workers in restorative processes such as reparation panels and restorative meetings and conferences.

Restorative principles are key principles that inform good practice and reflect core values; they include voluntary participation based on informed consent, inclusivity and engagement, empowerment and restoration of harmed persons and harm-doers, accountability and support of harm-doers, and safeguarding of participants' interests. Core values include respect, fairness collaboration and group responsibility.

Talking piece refers to an object that is passed from person to person in restorative circles and gives the opportunity to the person holding it to speak without interruption and to others to listen actively; it may have symbolic meaning for the circle members related to their shared values; the term 'talking and listening piece' is also often used.

Victim-offender mediation involves a facilitated face-to-face meeting between a harmed person and harm-doer or indirect contact between them with a view to discussing what happened and agreeing how harm caused can be repaired. Use of the term is largely confined to the criminal justice context.



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Introduction

1.1 Outline

The quality of restorative practice relates to the extent to which practice adheres to restorative values and principles. A key focus of this Quality Assurance Framework is therefore on the values and principles that underpin effective restorative practice, associated practice standards and guidance for good practice. The Framework also focuses on techniques and mechanisms that help ensure quality. Section 1 outlines the scope of the Framework, discusses the nature of standards and the need for Irish standards, explores the importance of quality and presents a possible quality assurance architecture. Section 2 examines restorative practice values and principles and associated standards. Section 3 examines quality assurance mechanisms. Guidance for practitioners, service providers and trainers is provided in the Appendices.

1.2 Scope of the Framework

Restorative practices are used in a wide range of settings including criminal justice, schools, youth work, workplaces and communities and in both statutory and voluntary organisations. They were first used in the criminal justice system (and known as restorative justice) and focused on the aftermath of crime and healing of harm. Common models of intervention included victim-offender mediation and restorative conferencing. Restorative practices emerged from restorative justice but differ in three key ways: they have a broader range of application (including in the fields listed above), go beyond dealing with the aftermath of harmful behaviour to include proactive relationship building and conflict prevention, and employ a wider range of tools that includes restorative conversations and circles. Restorative justice can therefore be seen as a subset of restorative practice that deals with harm and although the term 'restorative justice' was long associated with criminal justice, it is sometimes used in connection with dealing with harm in other domains.

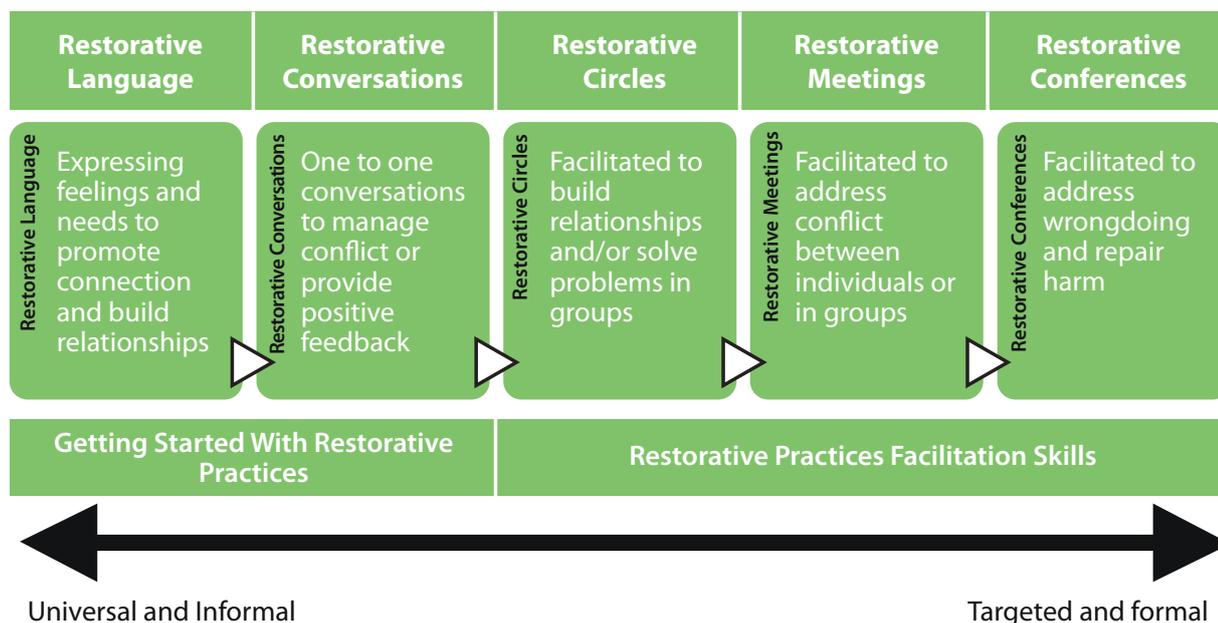
The use of restorative models and approaches has been gaining momentum in almost all domains in recent years. Increasingly, there is Irish and international evidence of the effectiveness of restorative approaches in this wider range of settings and across a continuum of interventions, from resolving conflict and responding to harmful behaviour to prevention and early intervention. This Quality Assurance Framework relates to restorative practice in all its guises and in all domains.

1.3 What are restorative practices?

Restorative Practices Ireland refers to a continuum of restorative practices that features restorative language and conversations at the more informal and universal end of the continuum and facilitated restorative circles, meetings and conferences at the more formal and targeted end (Restorative Practices Ireland, 2021:4). See Figure 1. The Childhood Development Initiative (CDI) describes restorative practices as *'both a philosophy and a set of skills that have the core aim of building strong relationships and resolving conflict in a simple and emotionally healthy manner'* (CDI, 2013:1). Hopkins in addressing RP in the education field talks of restorative approaches being *'all about making, maintaining and, when things go wrong, repairing relationships'* (Hopkins, 2011:5). The Institute for Research and Innovation in Social Sciences (IRISS) in Scotland describes restorative practice as *'a contested term'* which potentially encompasses both restorative justice and a range of other processes such as *'mediation, conflict resolution, problem-solving, circle time, emotional literacy, active listening and so on'* (IRISS, 2008:4).

Figure 1. Continuum of Restorative Practices

Restorative Practices Continuum



Source: Childhood Development Initiative, 2018

Definitions in the criminal justice arena focus on restorative justice rather than broader restorative practices. The National Commission on Restorative Justice, for example, used the following definition:

‘Restorative justice is a victim-sensitive response to criminal offending, which, through engagement with those affected by crime, aims to make amends for the harm that has been caused to victims and communities and which facilitates offender rehabilitation and integration into society’ (National Commission on Restorative Justice, 2009:34).

The Council of Europe defines restorative justice as referring to

‘any process which enables those harmed by crime, and those responsible for that harm, if they freely consent, to participate actively in the resolution of matters arising from the offence, through the help of a trained and impartial third party’ (Council of Europe, 2018:3).

These and other common definitions of restorative justice do not capture important aspects of restorative practice such as relationship-building and pre-emptive interventions as well as positive, respectful ways of interacting with one another in everyday situations. However, there is increasing recognition that restorative principles and approaches can be used in the criminal justice context. The Council of Europe (2018:7) refers to their potential use outside the criminal procedure to deal with conflict, to build and maintain relationships, to build trust, respect and social capital and to help build a restorative culture within criminal justice agencies. The European Forum for Restorative Justice embraces a proactive dimension in its description of restorative justice as an approach to ‘addressing harm or the risk of harm’ (European Forum, 2018:3).

1.4 Standards for restorative practices

All restorative practices share the common values and principles described below and these can inform common standards. Quality standards and guidance for good practice are well-developed in the field of restorative justice in

the criminal justice arena, not least because of the need to protect the rights and ensure the safety of participants and recommendations by international bodies such as the United Nations and the Council of Europe (see Section 1.6). International quality assurance mechanisms in relation to the proactive, relationship-building elements of RP are not developed to the same extent.

Many of the restorative justice standards are transferrable from the criminal justice domain to other settings in relation to dealing with situations where harm has been caused. In fact international best practice guidance for restorative justice generally assumes their universal applicability with little need for adjustment. The Scottish IRISS, for example, states that its guidance for restorative justice practitioners *'should, for the most part, apply in almost any context, including families, schools, anti-social behaviour, youth justice, residential homes and secure care, criminal justice, prisons, workplaces and so on'* (2008:3). The European Forum for Restorative Justice sees restorative justice as applying *'where people experience harm in society, in organisations, in schools, in families and in the justice system'* (2018:5). The Restorative Justice Council defines restorative justice as a *'broad philosophy'* that argues for involvement and empowerment of parties directly involved to respond to harm and resolve conflict and asserts that this approach can be used in any setting, citing as examples *'criminal justice, education and health settings and even the workplace'* (2020:4). By extension, the restorative justice practice guidance and standards of these bodies apply equally to all domains.

Organisations promoting standards in and across other countries argue that best practice guidance should be flexible and non-prescriptive so as to cater for the many different contexts in which restorative practices can be applied and to avoid restricting innovation. The European Forum for Restorative Justice, for example, presents standards in the form of questions designed to encourage conscious and reflective practice rather than as a list of tasks to be ticked off; it notes that not all questions will be relevant to every context or type of process.

Not all elements of the RPI Framework are relevant to every service or area of practice but largescale deviation from the common guidance would seem undesirable. Debate is needed on how standards created with the criminal justice system in mind should be applied in other sectors and other models (e.g., relationship-building circles) and whether some standards (e.g., participant safety) are absolute requirements in all circumstances while others may be more discretionary. Guidance on the operationalisation of standards in all sectors also needs to be developed (e.g., when and how risk assessments to ensure participant safety might be carried out). The relevance of standards and scope for adaptation in particular settings and circumstances are discussed later in Section 3 in connection with the presentation of standards.

The measurement of practice against standards is critical and issues of how and when measurement should take place are considered in Section 4. This Framework focuses on the degree of excellence of restorative practice as measured against generally accepted international standards. For processes that address harm-doing, the restorative standards apply at each stage of the restorative process (initial contact, preparation, running restorative events and follow-up with participants). For processes that focus on relationship-building and problem-solving, the standards apply primarily to circles and informal restorative processes while quality assurance in respect of restorative language and restorative conversations apply primarily to quality of training and practice supervision and support. The Framework also includes standards that apply to restorative practice services and trainers, focusing on selection, training, supervision and support of practitioners.

One option for setting overarching standards in Ireland is simply to adopt the entirety of standards of international organisations and other countries. However, an inclusive process of developing and agreeing standards is important in order to achieve full understanding, ownership and commitment. The process of development also helps ensure that standards take account of Irish cultural and other contextual differences, as appropriate. The standards set out in this Framework draw heavily from international sources, recognising that most standards have universal applicability. The standards are intended to support organisations and practitioners in achieving excellence, recognising that many have long experience and have operated in accordance with organisational policies and standards that are themselves derived from the international standards.

1.5 The need for quality

Quality is important for reasons that may be obvious but are nevertheless worth setting out. Quality has to be viewed primarily from the perspective of the recipients of a service. In restorative practice, quality is about safety and consistency, adherence to restorative principles and values and achievement of fair outcomes. Commitment to standards, provision of guidance on good practice, and verification of achievement of standards provide reassurance to various stakeholders. These include:

- the wider public who may be encouraged to support and participate in restorative initiatives;
- offenders and victims in the criminal justice sector who gain confidence in restorative processes;
- students and staff in schools who see the fairness and positive outcomes of restorative approaches;
- individual practitioners who can access guidance and support, be reassured that they are adhering to best practice after initial training, reflect on how to improve the quality of their work and gain recognition of their skills;
- service managers who have a route-map for monitoring performance, offering support, developing practice and achieving desired results;
- funders and oversight bodies who can have confidence in the service through use of clear criteria for monitoring and evaluation;
- trainers developing courses and procedures manuals, and
- researchers designing evaluation tools.

User confidence in restorative processes is critical. Poor practice can produce poor results and one bad experience has the potential to damage confidence and derail positive initiatives. The European Forum for Restorative Justice warns that a lack of sufficient attention to quality can result in poor outcomes that have a negative impact on the credibility of restorative justice with the public. Quality assurance mechanisms help avoid such negative experiences.

1.6 Architecture of quality assurance

Structures and procedures for independent quality assurance could entail the establishment of a national oversight body that monitors performance against agreed standards, provides practice guidance, approves training courses and provides accreditation for practitioners and trainers. International bodies have recommended that such systems be put in place for restorative justice and in some countries they are also in place outside the criminal justice arena, operating on a voluntary basis. In the UK, for example, the oversight system extends to providing recognition for restorative organisations (such as schools or workplaces).

In the area of restorative justice, the United Nations and Council of Europe have recommended robust oversight structures and procedures with agreed standards and a competent authority. In 1999, the Council of Europe set out principles that Member States should consider in developing mediation in penal matters, including notably that mediation services should be governed by recognised standards and monitored by a competent body and that standards of competence and ethical rules should be developed, along with procedures for the selection, training and assessment of mediators (Council of Europe, 1999). In 2018, it repeated its message that restorative justice services should be governed by standards which are acknowledged by the competent authorities (Recommendation 36) and that services and training providers should be overseen by a competent authority (Recommendation 37). In 2002, a United Nations Resolution suggested that countries adopt guidelines and standards, with legislative authority when necessary, that include standards of competence and rules of conduct governing the operation of restorative justice programmes (UN, 2002). In 2020 it reiterated that Member States should establish guidelines and standards, with legislative authority where necessary, to govern the use of restorative justice programmes.

Agreed national standards or a national oversight body have not yet been established in Ireland for restorative justice or restorative practice. Similarly, there are no arrangements in place for independent monitoring of performance or

procedures governing the selection, training and assessment of restorative justice practitioners. In their absence, services and individuals that deliver restorative practices take responsibility for monitoring and enhancing the quality of their own practice. Training is provided in these services by in-house or external trainers while individual practitioners must rely on independent training, usually provided by well-established training bodies such as the Childhood Development Initiative or the International Institute for Restorative Practices or through third level institutions.

In the UK, the Restorative Justice Council (RJC) is the national standards body for the field of restorative practice. It operates Registration Frameworks and Codes of Practice for practitioners, service providers and trainers (as well as restorative organisations) and provides Best Practice Guidance for each of the frameworks. The Codes of Practice refer to the minimum standards of professional conduct and practice necessary for the delivery of high-quality restorative practice. Practitioners can register at foundation, intermediate or advanced levels once they meet the requirements set out in the relevant framework and Code of Practice. Registered practitioners are monitored annually and must undertake continued professional development to retain registration. Practitioners and trainers are not required to be registered to offer services. The RJC Training Provider registration framework sets out standards relating to course design, trainer expertise, training delivery, evaluation and adherence to the relevant Code of Practice. RJC also provides training course endorsement, with criteria relating to the training programme's fitness for purpose, learner assessments, internal quality assurance, provision of clear information, an appeals process and recording of learning.

In New Zealand, the Ministry of Justice has contracted the Resolution Institute to provide accreditation for restorative justice facilitators. Accreditation is at three levels – trained status, facilitator and advanced. Practitioners can also be endorsed for specialist expertise in family and sexual violence cases. Accreditation requires completion of self-study, a five-day training course and mentoring. The Ministry commissions restorative justice services and requires facilitators to be accredited before practising, unless they are accompanied and supervised by an accredited facilitator.

Restorative Practices Ireland proposes the standards and guidance in this Quality Assurance Framework as a first step towards providing agreed standards and guidance that would operate on a voluntary basis. Likewise it is developing a course endorsement process with agreed standards, so that training providers can apply for RPI recognition of their course. In an RPI consultation process, both of these developments were clearly flagged as important to the strategic advancement of RP.

1.7 Use and development of the Framework

This Framework is a resource for individual practitioners that helps them review their practice and ensure that it remains of high quality long after initial training has been completed. It provides easy-to-access standards, guidance and checklists relevant to their individual practice. For service managers, the Framework can facilitate regular review of service delivery and offer the supports necessary for staff and volunteers. For policy-makers and funders it can provide a structure for ensuring effective, safe delivery and future development of services in accordance with best practice while also informing monitoring and commissioning processes. For oversight bodies, it provides a framework for evaluating services against objective, recognised standards and identifying and addressing shortcomings.

The Framework should be considered as a first step in a process of articulating standards of acceptable practice and developing an island-wide system to which everyone can subscribe and which can guide practice. It needs to be informed by the on-going experiences of practitioners and the needs of clients. It is intended to be sufficiently flexible to facilitate adaptation to local needs and choice of delivery model, subject to agreed universal principles and minimum standards. It should be reviewed regularly by practitioners, researchers and oversight bodies to ensure that it is updated in the light of research and developments in Ireland and internationally.



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Restorative Values, Objectives and Principles

2.1 Introduction

Standards for restorative practice and training at different levels and in different settings are based on the values, objectives and principles of restorative practice. Regardless of the format of standards or the context, it is important to understand the underlying philosophy and ethos of restorative practice in order to appreciate the rationale for standards and identify any scope that might exist for flexibility in their application. This is all the more important in contexts where standards have not yet been developed fully.

This section examines common restorative practice values, objectives and principles and presents six key principles that incorporate RPI's values and objectives. These principles provide the framework for the standards presented in Section 3.

2.2 Nature of standards

Standards can be broad enough to cover most eventualities and should not be so detailed as to restrict creativity and innovation. Each restorative event has unique features and practice choices are required on an on-going basis. Understanding the basis for standards helps ensure that choices are faithful to and aligned with the overall ethos and objectives of restorative practice. Restorative practice is not just a set of tools to be applied mechanically from time to time in certain circumstances, such as dealing with conflict in a work or school environment or a criminal offence. It is also a framework of values, language and social skills that facilitate building, protecting, maintaining and repairing relationships so as to make communities, organisations, schools and services better placed to achieve their objectives.

The nature of restorative interventions changes according to the domain (e.g., schools, youth work, communities, criminal justice) and the circumstances (e.g., impromptu, informal restorative conversations to deal with less serious issues and formal conferences for more serious issues). Restorative practice may also be embedded in an organisation's way of working (such as a daily circle in an education or residential setting or communications with users of a service) or be limited to specific occasions (such as dealing with the aftermath of an incident). Regardless of the occasion or context, quality is assured by adherence to standards that give expression to restorative values, objectives and principles.

2.3 Restorative values

Restorative practice is underpinned by a set of core values. Quality assurance systems need to ensure that these are upheld and seen to be upheld. Restorative services and organisations working restoratively should articulate clearly the values that inform their practice. The values are incorporated in the standards presented in Section 3 but are a useful guide in their own right.

Commonly accepted restorative justice values include reparation, respect, voluntariness, inclusion, empowerment, safety, accountability and transformation (Department of Justice Canada, 2018). These are expanded upon in Figure 2. The European Forum for Restorative Justice identifies four key values to guide restorative practices: justice; solidarity and responsibility; respect for human dignity; and truth. The Scottish Government (2017) states that any restorative justice process should be honest, informed, voluntary, safe, respectful, accessible, appropriate, confidential, not about establishing guilt, proportionate, empowering and facilitating, and look to the future as well as the past.

Figure 2. Values Guiding Restorative Justice Practice

Reparation: Focus on acknowledging and repairing the physical, emotional and financial harm caused by crime and meeting the needs of those affected.

Respect: Treat all participants with dignity, compassion and equal consideration.

Voluntariness: Ensure the participation of victims, offenders and community members is voluntary, and based on free, informed and ongoing consent.

Inclusion: Foster and support the meaningful participation of those affected, including victims, offenders, their friends, their families and their communities.

Empowerment: Enable participants to communicate openly and honestly and to have an active role in determining how to address their needs, as they see them.

Safety: Attend to the physical, emotional, cultural and spiritual safety and well-being of all participants. Participation in restorative justice should not result in further harm to any participant.

Accountability: Assist those who have caused harm to acknowledge and take responsibility for harm and reparation.

Transformation: Provide opportunities for understanding, healing and change, and contribute to the restoration and reintegration of victims and offenders.

Department of Justice Canada (2018)

Zehr (2002) highlights three key values in restorative justice, which are also applicable outside the justice domain: interconnectedness, particularity and respect. Interconnectedness refers to the web of relationships between people that crime or harm disrupts or that it is hoped to strengthen proactively. Particularity recognises diversity and individuality and appreciates that context, culture and personality are important. Respect applies to all, including those who are different or perceived as enemies.

Restorative practice outside criminal settings may not place the same emphasis on victims and offenders (obviously true where its use is proactive and not sparked by a specific incident) but recognises similar values of respect, inclusiveness, collaboration, interconnectedness, diversity, individuality and wider group or community responsibility. In its restorative practices training, the Childhood Development Initiative highlights respect, interconnectedness, fairness, personal accountability, honesty, collaboration and problem-solving.

2.4 Restorative objectives

Quality assurance systems need to take account of the objectives of restorative practice in each setting. In a school setting, objectives might include a positive mutually supportive learning environment, a focus on making, maintaining and repairing relationships and developing social responsibility, and a reduction in anti-social or disruptive behaviour. Similar objectives could apply to youth work or residential care settings, along with promoting and enabling young people to take responsibility for their behaviour and for the atmosphere and social environment. In communities, families and workplaces, objectives might be improvement of relationships, reduction in conflict and strengthening of collaboration.

In criminal justice, the United Nations (2020:6-8) lists the following objectives for restorative justice (RJ):

- Supporting victims, giving them a voice, listening to their story, encouraging them to express their needs and wishes, providing them with answers, enabling them to participate in the resolution process and offering them assistance;
- Repairing the relationships damaged by the crime, in part, by arriving at a consensus on how best to respond to it;
- Reaffirming community values and denouncing criminal behaviour;
- Encouraging responsibility-taking by all concerned parties, particularly by offenders;
- Identifying restorative, forward-looking outcomes, and
- Preventing recidivism by encouraging change in individual offenders and facilitating their reintegration into the community.

Johnstone (2003) identifies typical RJ objectives as (i) supporting offenders in repairing the harm resulting from their criminal acts, experiencing and expressing remorse and being fully reintegrated into communities of law-abiding citizens and (ii) victims being healed of the trauma of their experiences. Sharpe (1998) emphasises the need for victims to come out of the process satisfied, for outcomes to address the reasons for the offence and both victim and offender to get a sense of 'closure' and be reintegrated. She summarises the goals of restorative justice as putting key decisions in the hands of those most affected by crime, making justice more healing and, ideally, more transformative and reducing the likelihood of future offences. The Restorative Justice Consortium (2004) identifies the primary aim of restorative justice processes as 'the repair of harm', which can be understood in broad terms of harm to victims, communities, offenders, relationships.

Each restorative organisation and service should have a statement of objectives that take up these points and reflect at least some of the values and principles set out above and below.

2.5 Restorative principles

Different bodies articulate restorative principles in different ways and stress different aspects. The Restorative Justice Council, for example lists six principles: restoration, voluntarism, impartiality, safety, accessibility and empowerment (2020: 8). The European Forum for Restorative Justice (2018:5) identifies seven:

- voluntary participation based on informed consent,
- direct and authentic communication,
- processes designed to fit the participants' needs, capabilities and culture,
- value each participant's needs and wishes equally,
- non-judgemental, 'multipartial' facilitation,
- the importance of dialogue, and
- rigorous implementation of agreed actions.

Despite the differences in presentation, the principles expressed by the various bodies share a great deal of common ground and agreement on core principles. This is evident on examination of their explanations and elaborations of the principles.

Restorative Practices Ireland summarises restorative principles under five headings: voluntary participation; inclusivity and engagement; empowerment and restoration; safety, and accountability and support. It proposes standards under each that encompass values and objectives and take account of principles identified by the international and overseas bodies. These are presented in Section 3 and guidance on their application is set out in Section 4.



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**RPI Restorative Practice
Standards**

3.1 Introduction

This section identifies the need for clearly articulated standards to inform practice and presents RPI's standards.

Formal standards in relation to restorative approaches are most advanced in the criminal justice area, where their promulgation has long been recommended by international bodies such as the Council of Europe and the United Nations (see Section 1.6). In the absence of formal national structures for setting standards and monitoring performance in criminal justice in Ireland, not to mention services operating outside criminal justice, service providers and funders have developed their own systems. They have drawn, for example, on international literature and training, and focused more on principles and values than explicit standards. This is also the case for domains other than criminal justice, where formal standards have been slower to develop internationally.

RPI's standards below draw on the work by the European Forum for Restorative Justice (2018), the Institute for Research and Innovation in the Social Services, Scotland (2018), the Council of Europe (2018), the New Zealand Ministry of Justice (2019), the Restorative Justice Council (2020) and the United Nations Office on Drugs and Crime (2020). They are also informed by the European Union Directive 2012/29/EU establishing minimum standards on the rights, support, and protection of victims of crime and the Criminal Justice (Victims of Crime) Act 2017, as well as many of the publications listed in the 2014 Framework. The combined wisdom of those policies, legislation, research and experience have informed the development of standards grouped under five core RP principles.

The standards are framed mainly in respect of restorative processes addressing harm or conflict but are relevant and readily adaptable to processes aimed at building relationships and preventing harm.

3.2 Restorative practice standards

Principle 1 Voluntary participation

Participation in restorative events dealing with incidents of harm should be voluntary and based on informed consent. Participants should have the right to withdraw consent at any time, before or during the process. This principle holds equally for both harm-doers and harmed persons. Information should be provided that will enable parties to make an informed decision about participation. Such information should include the nature of the process, expectations, rights, and potential consequences of participation. No parties should feel coerced or induced by unfair means into giving their consent. Sufficient time should be allowed for parties to reflect and get independent advice. The consent of victims should refer to their own participation, not to whether a process takes place. In the case of multiple harm-doers and/or harmed persons, each should have a say in whether they would prefer a joint or separate process.

Children should have access to parents or guardians in deciding whether to participate. Agreed actions should be arrived at voluntarily without coercion. Participation by a harm-doer in a restorative process should not be used as evidence of guilt in any subsequent proceedings nor should a failure to reach an agreement be used against them. Processes involving children must guarantee their safety, respect their rights and be in the best interests of the child.

Participation in restorative practices aimed at building relationships or preventing or defusing conflict should also be voluntary and, in particular, participants in restorative circles should be given an option to pass when their turn to speak arrives. The extent of voluntariness may be limited in practice in school or similar settings where the restorative practice is a normal way of doing business.

Principle 2 Inclusivity and engagement

Restorative processes should be inclusive by seeking to ensure representation of all parties affected and enabling their

active participation in dialogue and decision-making. When seeking to address harmful behaviour, the harm doer and harmed person should be central to the process. Both should have the right to have a support person present if they wish. Parental consent and right not to participate are a requirement for under-age offenders in the criminal justice system. Restorative events which deal with harmful incidents in school and similar settings should likewise involve participation by parents or with parental permission proceed in their absence and should allow peer support. Involvement of other parties thought likely to have been affected or able to contribute to finding solutions should be considered in consultation with the harm-doer and harmed person. Practical arrangements for holding restorative events should take account of the needs and preferences of parties as far as possible. Accessibility issues should be addressed to ensure that participants with additional support needs are not excluded. Restorative practice treats all participants as equal, without discrimination on any grounds. Practitioners need to show equal concern for and commitment to all parties, respecting diversity, catering for differences in language or other communication abilities, respecting the dignity and inherent value of all participants and requiring all participants to honour these values. Translation and interpretation needs to be provided where required.

Restorative practices should take account of community interests and involve the community to the extent possible. Communities can be defined in different ways. In a school setting it may constitute a class or school and include teachers, students and parents. In a criminal justice setting it may be a local or wider community affected by social disharmony or specific offending behaviour. In a residential setting, the community may include some or all residents. Representatives of communities or organisations affected should be either those individuals most affected or those best placed to communicate the nature of the harm.

Principle 3 Empowerment and restoration

Participants in restorative processes should be empowered to tell their stories, express their views and jointly find solutions that best meet their needs. Processes dealing with harm should have a problem-solving focus and favour inclusive outcomes such as reconciliation and restoration rather than exclusion or stigmatisation. The focus should be on repairing harm and relationships and preventing recurrence and maximising collaboration, rather than competition of interests. A dialogue between the harmed person and harm-doer is at the heart of restorative processes: professionals who attend must not dominate discussion and facilitators should manage the process in an unobtrusive and non-directive way. An exception is that facilitators of relationship-building and problem-solving circles can have an active but not preeminent involvement.

The task of empowerment begins with preparation of the parties, with facilitators ideally having separate face-to-face meetings with the harmed person and harm-doer. Practitioners should listen to each person's side of the story, answer questions and respond to concerns. They should provide clear explanations of the process and what the participants can expect, including the likelihood of strong emotions. They should encourage participants to think about what they want to say and how they will say it. They should provide appropriate support even if those involved decline to join a restorative process. They should offer the possibility of indirect participation and/or feedback from any restorative intervention that proceeds without them. Participants should be encouraged to bring a support person if they wish.

Restorative values and positive outcomes are best served by direct, authentic communication between the parties (European Forum for Restorative Justice, 2018:13). Direct dialogue between the parties is favoured accordingly. The approach must take account of the wishes, needs and capacity of participants and potential risks to their safety and well-being. Practitioners should facilitate a dialogue in a way that is empathetic, respectful, calm, patient and understanding (UN, 2020:58). They need to ensure a safe space where participants feel free to express their feelings, needs, questions and requests and can expect to have their voices heard. They must be impartial in doing so and treat all persons fairly.

The process must show respect for the personal experiences of harmed persons, acknowledge the harm caused and recognise their right to repair of that harm and protection from future harm. They should be afforded the opportunity to

ask questions of their harm-doer and seek reassurance about the future. Harm-doers should be given the chance to take responsibility, make amends and seek support for the future. The aim of the process is to restore and reintegrate both parties, not to establish guilt or impose punishment.

Facilitators should manage all interaction between the parties to ensure that it is respectful. During the process they should allow participants a fair and equal opportunity to speak without fear of interruption. The process should control for any power imbalances. It should take account of the culture of participants and cater for cultural differences. Facilitators should intervene if necessary to remind participants of the need for respect and other ground-rules. A process dealing with multiple harm-doers and/or harmed persons should only hear the accounts of, and address the impact on, those present or those represented by an agreed person.

Principle 4 Safety

Restorative processes should be safe, even if challenging and uncomfortable, for all participants at all stages of the process. Participation in processes dealing with incidents of harm has potential risks for both the harm-doer and the harmed person that have to be managed carefully. At a minimum the process should not cause additional harm, physically, emotionally or otherwise. Processes should not be initiated where there is an assessed risk of further harm, unless the harmed person wishes to proceed in full knowledge of the risks. Relevant factors to consider include appropriateness of cases, risk assessment prior to commencement, planning for management of risk, on-going protection during the process, maintenance of confidentiality and need for follow-up support. Participation in relationship-building and problem-solving processes entails lower risk but the well-being of participants has to be protected throughout.

The appropriateness of cases should be considered in terms of ability to facilitate safely. Serious and complex cases require facilitators to have particular expertise and experience and additional supports may be required for harmed persons. In all cases a risk assessment should be carried out. The assessment may be informal based on personal judgement or formal in more serious cases using a recognised assessment tool. The views on risk of other parties who have worked with participants should be sought where relevant. Criteria for determining suitability or unsuitability should be clear and all decisions should be documented. Factors to consider include seriousness of the incident, threats, previous behaviour, attitude of the parties (e.g., lack of remorse, vengefulness), relationship between the parties, vulnerabilities (e.g., emotional state, cognitive capacity) and whether there is agreement over key facts.

Measures to manage identified risk should be put in place. These include flexibility in type of process, method of communication, presence of supporters and venue selection as well as preparation of the parties. Harmed persons should be contacted only after harm-doers have indicated that they are willing to engage. Facilitators should be vigilant during the restorative process and call a time-out or end proceedings if they consider it unsafe or detrimental to continue.

Meetings are private and what is communicated during the process is confidential. Personal information or information about what occurred during the process should not be disclosed without consent. Participants should be informed in advance about the types of information that may be provided to third parties, such as court or school authorities. Practitioners need to point out to participants that there are limits to confidentiality, such as where an imminent and serious threat is disclosed. The consent of harm-doers and harmed persons should be secured before observers or other non-participants can attend.

Practitioners also need to follow-up with participants after the restorative process to ensure that they are ok and assist them in accessing needed supports.

Principle 5 Accountability and support

In cases where harm has been caused by criminal or other unacceptable behaviour, harm-doers should be held accountable for their harmful behaviour. They should be required to agree about essential facts of the incident and accept some involvement or responsibility prior to any restorative process taking place. They should be treated with dignity and respect and given the opportunity to have their side of the story heard. The focus should be on increasing understanding and finding solutions, not on blaming or shaming. Harm-doers should be supported and encouraged to understand the impact of their behaviour (including ripple effects) and, knowing the impact, take real responsibility. Harm-doers should be provided with opportunities to make good the harm caused and should be supported in their efforts to repair the harm and avoid recurrence of the behaviour. The inherent capacity for good in wrongdoers should be recognised and nurtured.

Agreements aimed at repairing harm should be concluded voluntarily by all parties. Actions should reflect what people think needs to be done to put right the harmful behaviour and none should be considered as mandatory elements of any agreement. Agreed actions should be fair, appropriate and proportionate and be clear, relevant and achievable within a reasonable time. They should not be intended or experienced as punishments. Agreements should address issues around the nature and conduct of any future contact between the harm-doer and the harmed person.

The process of reaching agreement needs to be fully inclusive and responsive to the needs of the participants that are most directly affected by the incident under discussion. Outcomes should reflect what the participants themselves think can be done to repair the harm caused. Assistance in identifying options can be given by other participants when invited or when necessary. While facilitators must remain neutral throughout the process, they have a key role in ensuring that agreements are entered into voluntarily with full knowledge and informed consent, and that undertakings are proportionate, fair, realistic, achievable, credible and time-bound. Agreements should address the needs of all participants, including restoration for the victim and support for the offender. Agreements should be recorded in writing unless explicitly decided otherwise and the consequences, if any, of non-compliance should be made clear.

Arrangements should be agreed for monitoring implementation of the plan and dealing with any failure to comply. The consequences of non-compliance should be made clear. Participants should be informed of next steps in the restorative procedure, including reporting to anyone in authority.

Agreements reached in restorative processes need to be monitored to ensure compliance and signal any emerging shortcomings at an early stage. Clear responsibility needs to be assigned for checking on implementation, which requires clarity about what constitutes successful completion and whether and how success is to be acknowledged. Remedial action should be taken where necessary and additional support and encouragement provided to parties who find completion difficult. Significant developments about compliance should be reported to affected persons unless they have indicated that they do not wish to be kept up to date. In some criminal justice instances, outcomes are reported as part of the overall process (e.g., to court for a final determination of the case). Appropriate summary information should be reported from time to time (e.g., on the organisation's website or in its annual report) so that public awareness and understanding is increased. Processes and outcomes should be reviewed and evaluated regularly, including longer-term outcomes and impacts.



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Restorative Practice Guidance

4.1 Introduction

This section provides guidance for practitioners in preparing for and running restorative events. It focuses first on restorative circles and restorative conversations that focus primarily on relationship-building and prevention of harm and, second, on restorative interventions (meetings, conferences and reparation panels) that deal with the aftermath of harmful incidents or breaches of organisational rules. The guidance does not cover use of restorative language or development of a restorative organisation culture but checklists for these are presented in Appendices 1 and 6 respectively.

4.2 Preparation for a restorative intervention

Preparing all parties for a restorative intervention is critical to ensuring compliance with restorative principles and values and the effectiveness of the intervention. This section covers initial contact and preparatory meetings with the parties.

4.2.1 Preparing for restorative circles and conversations

Circles are used in many settings (such as schools, groups, communities and criminal justice) and for different purposes (notably relationship-building and problem-solving). Relationship-building circles are proactive and can be used to build empathy, understanding and connection in a group or to facilitate making decisions on matters of interest to the group. Problem-solving circles are reactive in that they deal with some conflict, difficulty or incident of harm. They can take different formats but at their simplest they resemble relationship-building circles in shape and process.

If a circle is being used for the first time, the person organising the circle needs to explain the purpose and process in advance. For problem-solving circles dealing with conflict between groups, much of the guidance for preparation of meetings and conferences applies, taking into account that typically there is no clear wrongdoer in circle scenarios and a larger number of people is involved. The facilitator should have separate meetings with each side to the conflict, ideally face-to-face. Holding these preparatory meetings as circles familiarises participants with the process while exploring each side's version of events, what they hope to get from the full circle and what they might need to make the circle work. Facilitators should consult early with those who can provide context to the issues at hand (e.g., managers, supervisors, teachers, group leaders). They should secure the consent of all parties to observe ground rules agreed in the circle.

In organising the circle, facilitators should attend to the same practical arrangements as for meetings, with the added consideration that the venue should be capable of catering for the group in a large circle with no furniture in between and with good acoustics. They should determine seating arrangements and identify, for each side, who will lead the discussion.

Restorative conversations are between two people, one of whom is the restorative practitioner. The restorative practitioner has a direct interest in the issue being discussed (either because they are personally affected or have a responsibility for dealing with it) and initiates the conversation. Where conflict is involved, the practitioner should wait until they and the other party have had a chance to calm down and reflect before engaging in the conversation. The practitioner should prepare in advance what they wish to say and be clear in their intention. The practitioner begins with an explanation and outlining of their position before inviting the other person to respond but holds off making suggestions as to what should happen next until the other person has made theirs.

4.2.2 Preparing for restorative meetings, restorative conferences and reparation panels

Restorative meetings are sometimes on-the-spot responses to presenting situations and there is little opportunity to prepare. Practitioners in such scenarios use their professional judgement to assess the capability of parties to participate calmly and constructively. If the facilitator thinks they are ready, the intervention can proceed there and then. If not,

parties should be asked to meet at a later time or the next day when they have calmed down and had a chance to reflect on what happened. Facilitators should prepare in advance what they wish to say and be clear in their intention. They must treat all parties in a manner that is consistent with restorative principles (for example, not being judgemental and hearing each party's story). They should decide on how to determine which party should speak first and be ready to explain their decision to the parties.

In other more planned situations, initial contact with parties should be appropriate to the case circumstances and consistent with the organisation's procedures. In schools and other non-criminal environments, initial contact is invariably face-to-face and parties should be provided with information about the organisation's restorative procedures or advice on how to access it. In cases of less serious harm or conflict where a speedy, informal restorative intervention is deemed appropriate, the intervention may take place without a separate preparatory meeting, but key messages and explanations should be provided at the start of the process. In criminal justice, an invitation to engage with a service might be sent by written correspondence (including explanatory information in a leaflet or otherwise) or made by telephone, with the aim of securing a follow-up face-to-face meeting.

A harm-doer should be contacted first and any harmed person contacted only if the harm-doer accepts responsibility and is willing to participate. This applies at both the initial contact and subsequent contact at the preparation stage.

The initial contact in all scenarios should provide enough information to allow the parties to make an informed decision about whether to engage in a restorative process. The information should include an explanation of the purpose and nature of the restorative process, the roles and responsibilities of those involved and the different restorative options that might be available. It should also outline potential benefits of participation and make clear the voluntary nature of participation. It should explain how the process fits into the criminal justice or organisational system e.g., how outcomes will be taken into account in sanctioning decisions. Any questions should be answered clearly. The person making the initial contact need not be the person who will ultimately facilitate the restorative process.

Subsequent preparatory contact with the key parties should be face-to-face unless there are exceptional factors that prevent it. This helps build rapport and allows a better assessment of risk. The preparatory meeting and any other preparatory contact should be with the person(s) who will facilitate the actual restorative process. As far as possible, the same facilitator(s) should be involved in all stages of the process. This is especially true in cases involving more serious harm and complexity.

Facilitators need to treat all parties with respect and dignity throughout the process and must not discriminate on any grounds (including whether they are harm-doer or harmed). They need to listen actively and empathically to what the parties have to say and seek to understand their needs and capacity to engage. They should encourage an open and honest conversation through reassurances about safety and confidentiality and through their own exchanges. They should enquire if the parties have any fears or concerns about participation and explain that they will be able to have supporters present if they wish. This may be a legal requirement in some cases (e.g., under 18's) and advisory in others (e.g., emotional or other vulnerability, likelihood of power imbalances). Facilitators need to prepare any supporters and furnish them with the same information and explanations as for the primary parties. They should make sure supporters understand their role very clearly. Contact with supporters may be by phone although in practice supporters usually attend preparatory meetings.

Facilitators should not put pressure of any kind on either harm-doer or harmed person to participate and should allow them sufficient time to reflect and decide on participation. They should ensure that parties can make a fully informed decision by providing clear, accurate information. They should advise the parties of the right to withdraw consent at any stage including during the restorative process, noting any implications of doing so. They should point out that they may not be able to disclose the reason for a party's withdrawal if that occurs but should support the remaining party to deal with the disappointment.

They need to explore all the parties' versions of the events that caused the harm or led to the breach of discipline or regulations, recognising that versions may differ between the parties, but requiring that the harm-doer accepts responsibility for their behaviour. They should ask about the nature of the incident (e.g., any sensitive aspects), participants' thoughts and feelings at the time of the incident and since, and the level and impact of harm caused or experienced. They should also explore the parties' needs and expectations and views on ways forward and manage unrealistic expectations. They should refrain from offering their own solutions although, if parties seek help in the matter, they may identify a menu of possible actions used in similar cases or provided for in legislation.

In order to ensure the safety of all participants and to reduce the risk of revictimisation of harmed persons and risk of victimisation of harm-doers, thorough risk assessments should be completed prior to restorative events going ahead. Facilitators should use the preparatory stage to review risk or, if no prior assessment has been made, to complete an assessment. In serious or complex cases, a formal assessment is recommended, to be signed off by a supervisor or manager. In cases with no clear victim or involving a breach of organisation codes, an informal assessment of risk should be made. Risk assessments carried out by referring agencies or other bodies should be sought and considered where available. Key indicators of risk include ambivalence towards taking responsibility for behaviour and likelihood of coercion and control. Where a concern over safety arises, factors designed to mitigate the risk should be put in place. Factors relevant to risk assessment identified by the Restorative Justice Council (2020:27-28) include communication ability, emotional state or vulnerability, extent of impact of harm, intimidation, previous history between the parties and significant disagreement in accounts of what happened; factors identified in relation to risk mitigation include use of alternative communication mechanisms, accompaniment by supporters, expectation management, venue selection and practical arrangements. The level of risk should be explained to harmed persons (and harm-doers) to the extent consistent with ethical and legal requirements and they should be empowered to make the final decision as to whether or not to proceed.

In situations where both the harmed person and harm-doer are participating, facilitators should check in with key participants in the run-up to the restorative event, to confirm participation and respond to any questions or concerns. They should assess the likelihood of strong emotions or conflict emerging at the restorative event and have a plan for dealing with it. They should ensure that participants arrive at different times, giving preference to the harmed person as to arrival before or after the harm-doer.

The facilitators need to decide, on a neutral venue, agreement on forms of address and who should enter the room first, in consultation with key parties. They also need to consider access issues and practical arrangements (such as travel or child-minding duties) and decide on a seating plan. In many circumstances, such as schools and offices, there may be restricted choice as to venue and practical arrangements may be left to the participants. The key considerations are that the venue does not put anyone at a relative disadvantage and barriers to participation are removed.

Co-facilitation should be the norm for serious and complex cases and, to the extent possible, for simpler cases. Where co-facilitation occurs, the facilitators should decide on respective roles and tasks at all stages of the process, jointly assess difficulties that might arise during the meetings and how they will respond and agree how they will communicate with each other during the meeting.

4.3 Running a restorative event

4.3.1 Running restorative circles and having restorative conversations

In starting a circle, the facilitator (sometimes known as the 'circle keeper') should state the purpose and focus of the circle. They should remind participants of the ground rules as necessary (e.g., if it is the first time for the group to meet or if an established group is joined by newcomers). For problem-solving circles, they should mind participants of the need for confidentiality. They should respect the voluntary nature of participation by allowing participants to decline to speak when it is their turn and checking in later to offer an opportunity to speak. They should use a '*talking piece*' to facilitate

uninterrupted speech and active listening. They should model behaviour by answering initial questions themselves and should intervene only where necessary to keep the circle (e.g., reminding participants of the ground rule of uninterrupted speech if there are infringements). As with restorative meetings, facilitators should constantly monitor participants' well-being and intervene immediately to protect participants if required. For problem-solving circles, they should use layered questioning beginning with easy, 'low-effort' questions before progressively moving to sensitive issues and more challenging questions. They should start proceedings with an opening circle and finish with a closing circle and use intermediate rounds of the circle according to the circumstances of the event. They should adopt different forms of circle as appropriate, beginning and finishing with sequential 'go-around' circles.

For informal restorative interventions such as restorative conversations, practitioners must act in accordance with restorative principles (for example, being open to hear the other party's story, not rushing to judgement). They should use the restorative questions as a framework for the conversation and give their own answers first to provide critical information and cues to the other person. However, they should not offer solutions before getting the views of the other person.

4.3.2 Running restorative meetings, restorative conferences and reparation panels

4.3.2 (i) Face-to-face meeting

At the start of the meeting, the facilitator(s) should introduce themselves and explain their role. They should remind participants of how the process will proceed and basic ground rules (such as no abusive or threatening behaviour, uninterrupted speech, possibility of time outs). Ground rules should be kept to a minimum and take account of participant wishes. The facilitator(s) must ensure that everyone understands each other's role and responsibilities.

In running the event, facilitators should encourage active participation by everyone at all stages, ensuring no-one dominates or is left out. They should move the process on at an appropriate pace that balances participants' needs and the time available. They should work to ensure that the dialogue is between the parties themselves rather than between the facilitator and them. Facilitators must continuously monitor participants' well-being and, if necessary, intervene immediately to protect participants. They must ensure compliance with agreed ground rules and intervene to halt non-compliance as required and appropriately. Facilitators should stop meetings, call time outs or have break-out meetings as they deem necessary or useful.

Although exact processes and formulations differ between organisations and services, the process should cover at a minimum what happened, what people were thinking and feeling at the time and since, who was affected and how, what could have been done differently and what needs to happen next. Everyone should be asked the same questions, although the facilitator may tease out answers with additional questions.

In looking at what needs to happen next, facilitators should ensure that participants have an opportunity to discuss the outcomes that they would like. Facilitators should not themselves propose solutions but may, if necessary, remind harm-doers of things they had offered at the preparatory stage.

Facilitators must ensure that outcomes are agreed voluntarily and based on full and informed consent. This holds true for both providers and recipients of reparative actions. Agreed actions should be appropriate and proportionate in relation to the harm caused and be realistic in terms of parties' capacities (including resources) and practical limitations (such as insurance, restrictions on liberty and age). Reparative activity should be clear and measurable and necessary supports should be agreed to help the harm-doer to complete the actions. If financial reparation is involved, arrangements should be put in place to verify payment. Actions to address risk of repeated harmful behaviour should take account of the harm-doer's needs and supports available for them. Arrangements for monitoring follow-through on any agreed actions should be explained where they exist or put in place if they are not yet established. Facilitators have responsibility for ensuring that these issues are addressed at the meeting. Facilitators should also ensure that harm-doers are aware of possible

consequences for them, such as return to court or suspension from school, if they do not fulfil their commitments.

Practitioners should record all decisions and agreements and have them signed by the harm-doer, and possibly the harmed person. Copies should be provided to the harm-doer and others who have a legitimate reason to have them, including relevant referring or overseeing authorities. The meeting should agree who will be informed and/or updated on progress in carrying out agreed actions.

Some processes involve provision of refreshments after the formal meeting has concluded in the interests of cementing restoration and relationships. It should be made clear at the preparatory stage that this will take place and that participation is encouraged but optional. Facilitators should remind participants at the end of the meeting that they are not obliged to remain. They should note any additional significant restorative developments at this informal part of the process. All participants should be thanked for their participation and contributions.

Facilitators should check in with the harmed person and harm-doer after 2-3 days to see how they are getting on and get their thoughts and feelings about the restorative process. The opportunity can also be used to see if promised actions are being carried out. Parties should be advised as to where they can access specialist support if required and, with the agreement of the participants, services providing on-going support should be advised of any new concerns.

4.3.2 (ii) Indirect meetings

Face-to-face meetings are the preferred option but practitioners need to be able to identify when indirect contact will better meet participants' needs and preferences (e.g., in cases of perceived risk or vulnerability). Parties should not be pressurised to participate in face-to-face meetings and should be offered indirect interventions if they do not wish to meet face-to-face.

Much of the guidance for face-to-face processes is relevant to indirect contact, especially as regards preparatory meetings, explanation of the process, monitoring well-being, the themes included in the dialogue, refraining from suggesting solutions, voluntary participation and agreements based on informed consent, nature of actions and monitoring, consequences of non-fulfilment, record-keeping and check-ins with participants at a later date. As in all restorative processes, facilitators must remain impartial throughout.

'Shuttle restorative practice' is one option for indirect contact. This entails the practitioner moving between parties, passing information from one to the other. Facilitators using this method should ensure that the information gathered is clear and agree what information can be conveyed to the other party and how. They should make clear that the information being passed from one party to the other is that of the party not the facilitator and they must take care not to alter messages in any significant way. A variation is communication by audio or video recording which is potentially useful where the parties live far apart. A limitation is the scope for responding to questions and facilitators need to manage expectations in this regard.

Written communication between parties is another option where they do not wish to meet in person. The first communication should come from the harm-doer to the harmed person and may elicit a written or oral reply. Facilitators need to be certain that the potential recipient wishes to receive the letter and should manage their expectations about style and content, taking account of the writer's capability. The harm-doer should be advised of the need to be honest and to address the harmed person's concerns as reported by the facilitator. They should be further advised that the facilitator will read the letter prior to its transmission and may not pass it on if there is concern that it will add to the harm. They should explain how an approved letter will be handed over. Facilitators should deliver letters in person wherever possible but if it proves necessary to use the post or email, the recipient should be contacted by follow-up phone call. Facilitators should avoid suggesting content but may remind writers of what they said when discussing the incident, its impact and possible outcomes. Practitioners should assess risk in recipients retaining the letters, the main risk being circulation to a wider audience.



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**Quality Assurance
Mechanisms**

5.1 Introduction

Quality relates to a continuum of activity from selection of personnel to evaluation of programmes and policies. It includes several dimensions, with some overlaps: selection, training, supervision and continuing professional development; accreditation of practice and commitment to standards; learning from practice through self-reflection, de-briefing, feedback from clients, independent observation and feedback, and record-keeping; and review and evaluation. Checklists or templates are a useful tool to support quality to a consistent standard. The need for a coherent overall policy and transparency is also important. These are discussed in the following sections.

5.2 Selection, training, supervision and continuing professional development

5.2.1 Staff selection

In organisations providing restorative services, selection of personnel to deliver restorative interventions or play key roles, be they staff or volunteers, is obviously critical, both initially and after training. It is necessary to have robust and fair systems in place that ensure that only suitable staff and volunteers are carried through each stage of recruitment, training and probation. Personnel must have the skills, knowledge and personality that will allow them to function effectively. The organisations must resist the temptation and pressure to fill gaps by taking on individuals who do not meet all requirements and must be strong enough to let people go or reassign them to other roles if they cannot reach or maintain the necessary standards with support and additional training. In restorative organisations such as schools, residential homes or businesses that work restoratively but do not deliver restorative services externally, selection needs to take account of the need to be able to apply restorative principles and contribute to the restorative ethos and values of the organisation.

Meeting the needs of clients, not staff, is paramount. No-one should be compelled to perform a facilitator role or other central role in restorative practice. The roles are not for everyone, and non-selection or de-selection is not a negative reflection on a person. The capacity of personnel to deliver evidence-based programmes is discussed in the Childhood Development Initiative report *'Quality Services, Better Outcomes – A Quality Framework for Achieving Outcomes'* (Murphy et al, 2011:29). The report identifies desirable personal characteristics that include emotional intelligence, conscientiousness and agreeableness.

The United Nations and European Forum for Restorative Justice identify characteristics and skills required for facilitators in the criminal justice arena, many of which apply to other settings and to wider restorative practice. The UN advises recruitment of staff and volunteers from all sections of society who possess a good understanding of local cultures and communities and are committed to restorative values and principles. In its opinion, facilitators should be able to demonstrate self-awareness and lack of bias or prejudice. The European Forum stresses, among other things, the need for facilitators to be compassionate and non-judgemental, have good communication and listening skills and be open to continuous professional development.

5.2.2 Staff training

The selection and training of people is related to their role and function. Everyone can benefit from training in restorative approaches, language and skills. The facilitation of problem-solving circles, restorative conferences, reparation panels or victim-offender encounters, on the other hand, requires an enhanced set of skills and aptitudes. Considerable effort is required in respect of training. Case workers and facilitators are normally required to undertake formal training before leading these processes, but the same standards should apply to professional staff and volunteers who are assigned key roles. Inadequate training can mean that team members are not always consistent, especially if they come from different backgrounds or professions. It is also useful for people who will be working together to share training experiences, challenge each other and develop a common understanding.

Trainers should have a command of the subject, strong communication skills, confidence, charisma, energy and flexibility. Quality assurance systems are needed in respect of training of trainers and subsequent training delivery. Training materials and approaches should take account of up-to-date evidence on effective facilitation practice.

Initial training should equip practitioners with the skills and knowledge required to carry out the functions of the role. Core skills and knowledge articulated by the Restorative Justice Council were presented in Appendix 1 to the 2014 Framework. The Council of Europe and United Nations emphasise competences for restorative justice of conflict resolution skills, the specific requirements of working with victims, offenders and vulnerable persons, and basic knowledge of the criminal justice system including relevant laws and policies. They also recommend that facilitators should be experienced and receive advanced training before delivering restorative justice in sensitive, complex or serious cases. Such advanced training should include understanding of the dynamics of coercive behaviour, impacts of trauma and how to minimise risk of revictimisation.

Opportunities to practice formal restorative processes may be limited in some instances, training lessons may be forgotten, and practice may get rusty. It is important therefore that completion of training and commencement of restorative practice is followed up on an ongoing basis in order to maximise implementation and ensure that practice is faithful to the model. Practitioners need to be confident too that their practice is up to date. There are numerous ways of building on initial training, some of which are set out below.

5.2.3 Supervision and support

The term 'supervision' is used here to encompass two dimensions: performance measurement and personal support. All practitioners require supervision, especially newly appointed personnel, be they paid staff or volunteers. New approaches will become integrated more quickly with regular, structured review, which affirms positive skills attainment, encourages trying out new ways of working and also challenges those who are reluctant to step out of their comfort zone. Supervision offers an ideal place to do this. It needs to be available at the request of practitioners and also at predetermined regular intervals. Services and management have a responsibility to ensure that performance meets standards and that practices are being delivered safely and effectively and they must take appropriate action when performance falls short of what is expected. Their response may include advice, support, information, affirmation, guidance, further training or staff re-assignment. The support dimension includes provision of emotional and pastoral support, checking in with individuals about concerns and issues they might have in relation to their role and identifying appropriate actions, and sharing experience in a safe, confidential environment. It is important that minutes of supervision are kept tracking agreements and progress.

Most international sources refer to the need for supervision. It is a requirement in the Code of Practice of the Restorative Justice Council, which recommends supervision at least once every three months and more frequently where practicable. The Council identifies supervision possibilities as one-to-one (face-to-face, by phone or virtually), group or external and requires that supervisors are registered advanced practitioners with enhanced skills, knowledge and ability to provide supervision.

5.2.4 Continuing professional development

All practitioners need to engage actively in continuing professional development (CPD) and be supported in doing so. The Council of Europe calls for on-going, in-service training while the European Forum for Restorative Justice expresses an expectation that practitioners continuously seek further opportunities to learn and improve their practice and be supported to do so.

Participation in formal CPD events may be a requirement of relevant accreditation bodies but should be encouraged and supported even where accreditation is not at stake (not all restorative practitioners want or need accreditation). Formal events include conferences, seminars, courses, master classes, workshops or lectures but also sharing and learning forums. The formal events may offer CPD points which can contribute to those required for continued accreditation. The Mediators' Institute of Ireland, for example, requires attendance at a number of sharing and learning events each year, where issues of practice are raised and discussed and where practitioners take turns to present cases. Registered Practitioners with the Restorative Justice Council must demonstrate that they have undertaken CPD in line with the Council's Practitioner Code of Practice: the requirement is a minimum of six hours per annum for practitioners at foundation level, 12 hours at the intermediate level and 16 hours at the advanced level.

It is important that participants find sharing and learning events to be positive experiences where they can feel safe in revealing aspects of their practice without fear of criticism or censure. A practice developed by the University of Ulster is that learners report on a practice issue and feedback is provided by their fellow-learners in ways that focus on their own experience rather than any direct critique of what they have just heard. Other forms of sharing and learning include Communities of Practice, professional learning communities or similar groups which meet at regular intervals to share experience. The Childhood Development Initiative requires its Restorative Practice trainers to attend a minimum of two Communities of Practice each year in order to remain licensed. Organisations can also promote and support their staff and volunteers to meet their professional responsibility for development through access to resource material and research evidence. Material can be provided to staff and volunteers in situ or to a wider audience by electronic means.

5.3 Accreditation and codes of practice

Accreditation refers here to official approval or formal recognition by a recognised authority of a training provider, an organisation providing restorative practice services or a restorative practitioner. Accreditation provides independent assurance of quality and engenders confidence in interested parties. It usually requires demonstration of competence with respect to set standards and commitment to codes of practice, as with the Restorative Justice Council (RJC) in the UK. For practitioners, it may entail completion of specific training, as in the case of restorative justice practitioners in New Zealand. Accreditation may also refer to endorsement of specific training courses or endorsement of organisations that work restoratively but do not deliver restorative practice services outside the organisation. Codes of practice for restorative practice practitioners usually require them to commit to work to the principles of restorative practice and to uphold its core values; to have completed appropriate training; to build on the initial training; and to adhere to national standards and best practice guidance (RJC). The Mediators Institute of Ireland Code of Ethics and Practice (2021) sets out the fundamental principles of mediation and requires members to commit to certain standards of practice, including continuing professional development and practicing within approved areas of competence.

There is as yet no Irish system of independent accreditation of restorative practice trainers, services, practitioners or organisations. Organisations must rely on their own resources in making decisions about providing or availing of training or services and must satisfy themselves as to the quality of restorative practice services and trainers. As argued earlier, an independent system of accreditation and endorsement in Ireland would enhance quality assurance (see Section 1.6) and the credibility of restorative approaches. Restorative Practices Ireland is developing a voluntary course endorsement process as a first step. Accreditation would complement ongoing quality assurance processes such as those described in this Section. Even where practitioners do not wish to be formally approved by an accrediting body, they could be encouraged to follow best practice guidance and codes of practice. Monitoring adherence to these standards and codes should then form part of supervision or of team reviews.

5.4 Learning from practice

5.4.1 Self-reflection

It is highly desirable that practitioners take time to reflect on their practice and use of restorative skills as a way of self-development and quality assurance. Everyone needs to remind themselves periodically of the principles and values underpinning their practice. This is true of experienced practitioners as much as novices. To be effective, self-reflection needs to be disciplined and structured. It can be focused on specific aspects of practice but should also include consideration of how integrated restorative values and principles are. It should be a routine and regular activity but may also be in response to interventions in specific events or following processes that were perceived to have gone very well or were disappointing, focusing on what went well or badly and why. Self-reflection can require a high degree of self-awareness, clear recall and objectivity. Structured self-reflection can be assisted by use of checklists (See Section 5.6).

5.4.2 De-briefing among practitioners

A useful adjunct to personal reflection is de-briefing with colleagues and other participants in a restorative intervention. The focus of post-intervention conversations is often on outcomes or the performance and contributions of others. Such de-briefing sessions may sometimes of necessity be brief as the next client arrives or busy professionals return to other tasks or even home after a long day. However, it is extremely useful to take a few minutes to focus on what went well or badly and on how practice might be improved. It should be part of the restorative culture that constructive criticism is encouraged, welcomed and appropriately offered. Skills should be developed or taught that facilitate such feedback in de-briefings or in other forums where practice is reviewed, such as supervision, team or organisational reviews.

Modelling these skills and attitudes is critical to engendering a culture that sees feedback as helpful and should be a key element of managers' roles. Ground rules can be agreed that make it safe to give feedback. A practice used by Céim ar Chéim in Limerick in staff and staff/student circles is that someone is nominated to be the '*keeper of restorative values*' who keeps a check on language and interactions and gives feedback. The concept is easily implementable and capable of becoming a standard practice in many environments.

5.4.3 Feedback from clients

Restorative practice services should regularly and actively look for feedback from users or clients in respect of the service they received. This can be part of checking-in with people after use of a restorative process or as part of periodic reviews and evaluations. As part of a checking-in process, records should be kept using a common template. Feedback offers important opportunities for learning and service improvement and can also be valuable in affirming practices. Structured feedback (e.g., through surveys, questionnaires or interviews) should also be established.

The organisation should also have clear procedures for receiving and dealing with complaints and grievances, which should be handled in accordance with restorative principles. The complaints procedures should obviously allow for processing of the complaint by someone other than the person originally involved in delivery of the service. Records should be kept of all feedback, including complaints, and analysed on a regular basis.

5.4.4 Observation

Independent observation is highly desirable as a quality assurance mechanism. It does not have to occur every time to be useful. Most services are under resource pressures and may find it difficult to appoint an external person or spare an internal volunteer or staff member to observe and provide feedback. However, observation is an important element of supervision, support and development and should take place from time to time.

The role and focus of observers should be explained to all participants in every instance and should only occur with their consent. The agreement of service providers from partner agencies, where this is a feature of the restorative model being employed, is required. Structured oral and written feedback should be provided to those delivering the restorative intervention. The feedback should be in accordance with an agreed checklist of dimensions to be monitored. Observers should take care not to disrupt proceedings, distract participants or intervene. They should be discreet in taking notes. Recording devices should not generally be used and then only with the prior informed consent of all participants and subject to agreed procedures for safety and confidentiality of the material.

5.4.5 Record keeping

It is important that services keep records of all significant restorative interventions and ensure confidentiality and privacy. Appropriate record-keeping can be seen as a standard in its own right, but reliable summary records have immense value in reviewing performance and ensuring overall service quality and relevance. The nature of required records needs to be worked out in association with staff, funders and oversight bodies and record-keeping needs to conform to data protection legislation and codes of practice. A balance has to be achieved between utility and burden of collection: data recording should be kept to the minimum deemed necessary for accountability and review.

In the criminal justice system, summary information recorded should include source and date of referral, type and date of offence or incident, assessment of suitability, number and nature of participants, nature of contact (notably dates, time and location) and nature of agreements. More detailed information would be kept in individual case files, including copies of documentation such as referral forms and agreements reached and intervention follow-up. Summary information could potentially also be kept on inputs (e.g., preparation and intervention times) and on process aspects of interest (e.g., level of involvement of participants).

Similar records should be kept in other domains which use restorative approaches, including circles, conferences and meetings that address incidents that cause harm or hurt. On the other hand, it is generally not necessary or practical to record details of informal uses of restorative approaches embedded in everyday working such as impromptu restorative conversations or even classroom circles that are used to check in with students at the beginning or end of school sessions.

Summary information can be extremely valuable in terms of quality assurance as regards frequency and type of intervention, profile of the harmful incident and harm-doer, number and profile of participants and extent of completion of agreements. It is not unusual, however, for information to be neglected even where actually collected. To make an obvious point, it is important that the information is analysed from time to time. This can be as simple as reading through reports at quarterly supervision to identify common themes or involve developing IT systems or inputting data to support more rigorous interrogation of the information.

At an organisational level, records that inform the extent to which overarching objectives are being achieved are important. For example, the commitment to work restoratively may arise from a desire to reduce formal disciplinary processes, decrease staff sick leave, or improve participation in decision-making processes. Tracking these will be necessary in order to assess efficacy.

5.5 Review and evaluation

Periodic reviews and evaluations also have an important place in quality assurance. They constitute systematic, in-depth examinations of processes, outputs and outcomes, and assess the extent to which objectives are achieved. They can be carried out internally or externally, but the greater the distance between the service deliverer and the evaluator the better – independent evaluation enhances objectivity and credibility. Rigorous evaluation is onerous and often expensive, and is usually only necessary after a number of years of delivery. Ongoing review with clear objectives and relevant monitoring systems can help ensure that the validity of earlier evaluations has not been eroded or that recommended improvements have been made. Evaluations typically involve analysis of records, observing practice,

eliciting stakeholders' views, assessing participation levels and agreements, and measuring outcomes.

Observation gives an immediate opportunity for feedback to practitioners on how processes measure up in terms of restorative values, principles and objectives. Observations can also be written up as case studies, which, duly anonymised, can inform wider practice and become a valuable training and advocacy resource. Stakeholders' views are often collected through face-to-face or telephone interviews, using semi-structured interviews to collect information to a standard format while allowing for free expression of views. Key issues examined include consent, preparation, experience of the process, perception of impact and satisfaction with the process and outcomes. Interviewees in the criminal justice domain include victims, offenders, supporters and professionals. In other domains, the views of participants in restorative events would be sought involving all participants in smaller events and a representative sample where numbers are large.

Assessing participation levels goes beyond examining numbers attending and considers the extent to which participants are involved and play an active role. Assessing agreements focuses on individual elements and issues of proportionality, fairness (to all) and realism. Compliance rates also need to be assessed.

Measuring outcomes is perhaps the most challenging aspect of any evaluation. Often the objective is to achieve change in relationships and engagement, which can be subjective and hard to measure. A complicating factor is that many desired outcomes need to be measured over longer periods (e.g., reduced re-offending, increased community safety, fewer discipline problems). More challenging still is the linking of wider impacts to specific restorative interventions, establishing a direct cause-and-effect relationship. Anti-social behaviour, for example, has many underlying causes and a restorative intervention with individuals or groups may not result in positive changes in overall levels in the short or medium term.

Evaluations usually include both retrospective elements (e.g., assessment of existing records) and prospective elements (e.g., observation of cases, interviews). Expert advice is recommended before commencement of an evaluation.

5.6 Use of checklists

Checklists for reviewing practice provide a template for assessing performance and assisting consistent and comprehensive achievement of quality. They can be used for self-reflection, post-event de-briefing or external observation. Checklists tend to focus primarily on process issues and adherence to restorative values and principles but can also refer to skills.

Checklists need to be adapted to the circumstances of each model employed to ensure that they are relevant. A checklist for a restorative event dealing with a harmful incident, for example, would be slightly different if it involved direct or indirect contact and would be different again for a reparation panel (where decisions about location might be taken at corporate level and allow no flexibility, roles might differ, and victims are often not involved).

Sample checklists for restorative language, conversations, circles, meetings (addressing harmful incidents), classrooms and organisations are presented in Appendices 1-6. The sample checklists can be readily adapted and customised to different settings.

5.7 Policy and transparency

5.7.1 Restorative practice policy statement

It is desirable that organisations or services that engage in restorative practice have a clear policy statement that sets out objectives, principles and values. It should include commitments to stakeholders, explain how restorative practices will operate and set out what service users can expect. Part of that commitment should be a statement on the quality standards that will underpin practice. The policy should have clear visible support from top management and buy-in from all stakeholders. Measures should be taken to ensure that the policy is widely available and that there is general

awareness, understanding and acceptance of it. Ownership can be enhanced through involvement of stakeholder representatives in drawing it up. Relevant messages should be prominently displayed so that people are regularly reminded of key aspects of the place of restorative practice in the organisation. Existing policies should be reviewed to ensure consistency with the restorative practice policy and its values. The policy should be reviewed periodically to ensure its continued relevance and freshness, and to ensure consistency between the policy and evolving practice.

The exact format of the policy document and the way in which it is drafted may vary according to the nature of the business and the extent to which it is hoped to change organisational culture and behaviour. Some schools, for example, have used restorative practices to introduce fundamental change in the relationship between staff and students, and the way in which education is delivered, moving away from over-reliance on traditional authority roles. Some services have prioritised using restorative practices to manage interactions with their clients, providing a common language and stated principles, but without seeking to introduce significant change within and across the whole organisation. The policy document should articulate the vision of restorative practice in the organisation, however radical or conservative that vision is.

An organisation's management and Board should review restorative practice performance on an ongoing basis, even where this is not its core business. The Childhood Development Initiative's (2014) *A Community-wide Restorative Practices Programme: Implementation Guide* suggests ways in which such reviews can be carried out.

5.7.2 Transparency

Review, monitoring and evaluation findings should be shared and published to the maximum extent possible. It is an instinct for organisations to restrict access where weaknesses are identified, at least while remedial action is being taken. On the other hand, everyone can gain from sharing and learning from the experiences of others. Transparency is desirable in respect of all restorative services in terms of regular reporting on cases, numbers and their characteristics, or other uses and benefits of restorative practice.

Too much good practice goes unnoticed. Publication, online or in more traditional formats, and dialogue regarding insights and learning serve the valuable purpose of increasing public awareness, as well as meeting public accountability needs. A self-perception that use or outcomes are too modest should not prevent publicising or sharing performance information. Sharing facilitates quality if it invites reflection and feedback. A commitment to sharing helps ensure commitment to good practice.



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6

Conclusion

6.1 Summary

This Quality Assurance Framework starts from the premise that quality in restorative practice depends critically on adherence to values and principles. The first step in ensuring quality is that practitioners are fully aware of and understand these restorative values and principles. We may learn about them in initial training and education, but risk losing sight of them over time. We may alternatively learn techniques that do not adequately articulate the underlying philosophy and ethos. The first aspect of the Framework, in Section 2, was therefore on restorative values and principles.

The second step in ensuring quality is that practitioners commit to standards that incorporate these restorative values and principles and are supported in their efforts to achieve them. Statements of standards and practice guidelines have the dual benefit of operationalising values and principles for practitioners and providing reassurance for clients and third parties. The second main focus of the Framework, in Sections 3 and 4, was accordingly on standards and guidance respectively.

The third step in ensuring quality is that practitioners use various mechanisms to ensure that their practice attains and maintains high quality. The third main focus of the Framework, in Section 5, was therefore on various techniques for ensuring quality across a range of activities, from selection and training of staff to evaluation of service delivery. These three steps are summarised in Figure 3.

Figure 3 Ensuring quality of restorative practice

Step 1	Practitioners are fully aware of and understand restorative values and principles
Step 2	Practitioners commit to standards that incorporate restorative values and principles and are supported to achieve them
Step 3	Practitioners use a range of mechanisms to ensure that their practice attains and maintains high quality

This final Section concludes by examining key characteristics of practitioners and organisations that deliver high-quality restorative practice and looking at challenges to quality assurance and next steps in developing structures and systems to ensure restorative practice of high quality.

6.2 High-quality practitioners

Restorative practitioners who provide a consistently high-quality level of service are likely to do most or all of the following:

- undertake appropriate training from recognised providers;
- be aware of, understand and believe in restorative values and principles;
- use restorative approaches in their interactions with others, in the workplace and in everyday situations;
- commit to meeting standards that enshrine these values and principles;
- commit to codes of ethics and codes of practice, where relevant;
- display key values and standards in their place of work;
- build on their initial training by engaging in continuing professional development through a variety of formal and informal methods;
- actively learn from practice through self-reflection, de-briefing with colleagues and feedback from clients;
- be open to independent observation and feedback;

- keep adequate records of their use of restorative practice;
- use checklists to provide structure for reviewing their practice.

6.3 High-quality organisations

Organisations that provide restorative services of a consistently high quality or seek to embrace restorative principles in their operations are likely to do most or all of the following:

- select staff who have the potential to deliver a high-quality service, support staff to do so and work restoratively with staff who are not meeting standards;
- provide access to appropriate training for staff and encourage their participation;
- be aware of, understand and commit to restorative values and principles at all levels in the organisation, including senior management;
- use restorative approaches in their internal operations as well as with external clients;
- commit publicly to meeting standards that enshrine restorative values and principles;
- commit publicly to codes of ethics and codes of practice, where relevant;
- have a clear policy on the use of restorative practices and embed restorative practices in all their policies;
- display key values and standards in workplaces;
- facilitate and encourage staff to build on their initial training through continuing professional development and learning from practice;
- provide support and supervision for practitioners;
- carry out periodic independent evaluations and share findings;
- review their organisation from time to time as regards penetration of a restorative ethos;
- keep adequate records of their use of restorative practices and make appropriate information easily accessible by third parties.

6.4 Challenges to quality

Potential barriers to achieving consistent quality in restorative practice include:

- inadequate access to training opportunities, especially as regards continuing professional development;
- inadequate supervision and support;
- insufficient provision for learning from practice;
- failure on the part of funders or senior management to understand and safeguard the essentials of restorative practice, such as adequate time for preparation prior to encounters and for dialogue within the restorative events;
- lack of visible active support for quality standards;
- lack of a coherent system of practice oversight;
- pressure to meet unrealistic output targets, such as numbers of cases processed;
- pressure to carry out restorative events within unrealistic timescales;
- pressure to use restorative approaches in unsuitable cases or situations;
- inadequate resourcing;
- failure to keep adequate records and unwillingness to share information.

6.5 Future development

Restorative Practices Ireland has developed the standards and guidance in this Framework as a guide for practitioners, trainers and services. The Framework will also be used as a basis for consultation with RPI members and interested bodies as to its further development as a set of agreed national standards and accompanying guidance. The intended consultation will also explore other elements of quality assurance, including establishment of a national oversight body, drawing on people's long experience of working restoratively and seeking to respond to their evolving needs.

6.6 Final remark

It needs to be recognised that without an ongoing commitment to quality, practice risks becoming mundane and lacking the restorative essence that make it successful. In that scenario, practice slips down the restorativeness scale, risks making situations worse and is devalued and discredited. If high quality is to be achieved consistently, it cannot be taken for granted and needs to be reflected in job specifications, resource levels and timetables. Individuals and organisations need to commit to quality, and it is hoped that this Framework document is helpful in that endeavour.

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APPENDIX 1 Checklist for restorative language

A checklist for using restorative language in everyday work and personal life could include the following:

- Did I observe without evaluation? In other words, did I describe the situation causing difficulty for me or giving me pleasure by simply stating observable facts, without explicit or implied judgement, blame or criticism?
- Did I express my feelings arising from the situation in an open, honest, calm way?
- Did I link my feelings to my met or unmet needs?
- In seeking to guide future behaviour, did I make a 'doable' request – was my request clear, concrete, positive and actionable?
- Before commencing, was I clear in my intention to build or maintain my relationship with the person?
- Was I open to anticipating and accepting different interpretations of what was going on?
- Was I willing to respect the other person's feelings, needs and suggestions around future behaviour and take them into account?
- Did I use 'I' statements throughout, confining descriptions of behaviour, feelings and needs to my own?
- Did I invite and encourage the other person to express their feelings and needs?
- Did I provide prompts to support the other person in identifying and expressing their feelings and needs?
- Did I take responsibility for any contribution I might have made to the situation?
- Was I open to my doable request being refused and to hearing other possible solutions?

APPENDIX 2 Checklist for restorative conversations

- Did I prepare adequately what I wanted to say?
 - Did I reflect in advance on the restorative questions – what happened, what my thoughts were at the time and now, who was affected and how, what could have been done differently and what needs to happen next?
 - Was I clear in my intention to repair or maintain my relationship with the other person while addressing what occurred?
 - Was I clear in what I wanted to communicate?
- Did I wait until the other person and I were calm?
- Was I open to hearing and respecting the other person's views?
- Did I begin the conversation by describing what happened, my thoughts then and now, who was affected and how and what could have been done differently?
- Did I use restorative language as regards observing without evaluation, expressing feelings and needs, and using 'I' statements?
- Was I succinct in giving my views?
- Did I take responsibility for my part in what happened?
- Did I invite the other person to answer the same questions? Did I prompt as necessary and explore unexpressed feelings? Did I refrain from interrupting their answers?
- Did I listen actively? Did I avoid asking questions they may have answered before they were asked?
- Did I invite the other person to say what they thought needed to happen next before offering my own suggestions?
- Did I seek a clear, concrete, positive, actionable agreement on a way forward?
- Was I comfortable and natural in using the restorative questions? Did I know them off by heart?

APPENDIX 3 Checklist for circles

For restorative practice circles – for example, in schools or workplaces to build relationships or discuss general issues – the checklist could include the following:

- Was the intention for the circle clearly explained?
- Were ground rules of respect and listening agreed?
- Was a talking piece agreed and passed around?
- Was the right to pass explained? Were those who passed given the opportunity to speak later?
- Did check-ins and check-outs occur?
- Were mixers/ice-breakers appropriate and inclusive?
- Were energisers used as needed and were they effective?
- Did everyone have an opportunity to speak, without interruption? Was everyone encouraged to speak? Overall, was sufficient time allowed for dialogue?
- Was everyone treated equally? Was personal bias allowed to affect dealings with anyone?
- Was everybody made to feel that what they had to say was valued and that their opinions, thoughts, feelings and needs were listened to and acknowledged?
- Was the facilitator's body language appropriate and consistent?
- Was the facilitator skilled in use of listening, probing, reframing and formulating plans in a non-directive way?
- Did the facilitator show empathy, interest, concern and understanding?
- Was the facilitator open to ideas?
- Was the facilitator accepting of differences of opinion?
- Was the facilitator able to elicit everyone's needs and facilitate discussion on how to meet them?
- Did the facilitator demonstrate awareness of underlying restorative principles and values?
- Is there anything that needs to be improved next time?

APPENDIX 4 Checklist relating to incidents of harm

A checklist for restorative practice addressing specific incidents of harm caused might include the following:

- Was preparation adequate? Did participants know what to expect?
- Were introductions made and roles explained?
- Was the right to leave and/or terminate the event or ask for a break made clear?
- Were ground rules agreed? Were confidentiality and the grounds for sharing information explained and agreed?
- Did everyone fully understand what was going on at all stages? Was language used clear and jargon-free?
- Were the interventions and observations of the facilitators and other professionals non-judgemental?
- Were people involved in decision-making? Were people encouraged to find their own solutions?
- Was respect shown to all participants? Did the facilitator intervene where necessary to ensure that people were respectful to each other?
- Were the interests of all parties safeguarded throughout?
- Were the harmed person and wrongdoer positively affirmed?
- Were the location and facilities suitable? Was the room restricted to those directly involved? Was the seating appropriate?
- Were the right people present? Were supporters encouraged to attend?
- Were the key restorative questions used skilfully? Was use of the questions natural or stilted?
- Was personal accountability achieved without making wrongdoers feel bad about themselves?
- Were agreed outcomes voluntary, fair, proportionate and achievable, and focused on repair of harm and avoidance of recurrence?
- Was there clarity on the monitoring of agreed actions?

APPENDIX 5 Checklist for a restorative classroom

In a classroom that aspires to be restorative, quality would include the following, as identified by Hopkins (2011):

- Everybody has their own unique and equally valued perspective – everybody matters and everybody's ideas are valued.
- Recognising that thoughts influence emotions and emotions influence actions, the class tries to make what is invisible visible by talking about and listening out for thoughts and feelings.
- Empathy and consideration – the class recognises that what they say or do has an effect on everybody else and because they care about each other, they think before they speak or act.
- Needs and unmet needs – the class knows that each member needs to give of their best and consider everybody else's needs as much as possible as they work together.
- Collective responsibility for problem-solving and decision-making – the class recognises that they are all connected and that it is up to all of them to make the class function well, so they will plan together, make decisions together, solve problems together and help each other out if things go wrong.

A checklist from a teacher's perspective would relate to the quality attributes by including some of the following:

- Did I model restorative practice values and principles?
- Did I give everyone the opportunity to participate and respect their ideas?
- Did I give appropriate attention to everyone (including the quiet/well behaved students)?
- Did I create ways in which students could feel emotionally safe?
- Did I encourage students to explore more deeply around feelings and needs? Did I challenge them?
- Did I manage any difficulties that arose appropriately, without negative comments or actions? Did I demonstrate empathy and understanding? Was I non-judgemental? To what extent did I escalate or de-escalate incidents?
- Did I facilitate the class in identifying its own solutions?
- Was I consciously aware of the dynamic in the room, its impact on me and my subsequent emotions?
- How did my teaching behaviour affect my goals of creating and maintaining a restorative classroom?

(Adapted from Hopkins, 2011).

APPENDIX 6 Checklist for a restorative organisation

A checklist for a restorative organisation could include the following:

- Are the senior management team, middle management and external stakeholders committed to using restorative approaches?
- Have they undergone RP training?
- Do they themselves model use of RP?
- Does the organisation have an agreed vision and objectives that incorporate its restorative ethos?
- Do policies reflect this restorative ethos?
- Are there recognised restorative champions and an RP team in place in the organisation?
- Are they actively engaged in promoting and supporting RP use?
- Is there an on-going programme of training in place to cater for personnel turnover and refresher training?
- Are there opportunities for RP communities of practice?
- Is there an in-house training capacity or budget for external training?
- Are staff facilitated to attend RP training or other development activities?
- Is use of RP promoted on a regular basis (e.g., through signage, resource materials, allocation of time for RP activities)?
- Are staff encouraged and equipped to engage in reflective practice?
- Are there agreed mechanisms for monitoring the use of RP?
- Are there mechanisms in place for on-going review and evaluation that capture RP outcomes and impacts?
- Is there a plan for further development of restorative approaches?
- Are governance structures transparent?
- Are decision-making mechanisms participative?
- Can staff/volunteers/service users influence decisions?
- Does the organisation respond appropriately to constructive criticism?
- To what extent do staff, volunteers or service users experience the organisation as a restorative organisation?
- How could this be improved?

