

Restorative Justice: Strategies for Change

IMPACT SUMMARY

Restorative Justice: Strategies for Change (RJS4C) has had far-reaching, significant impact, using restorative justice and restorative practices to drive more humane, evidence-based approaches to criminal justice.

With diverse groups across Irish criminal justice, RJS4C: 1) helped develop restorative justice law, policies and services; and 2) implemented and researched innovative, world-leading applications of restorative practices in policing and prisons.

IMPACT DESCRIPTION

Restorative justice (RJ) is among the only criminal justice interventions to reduce reoffending and support victim recovery. It involves a voluntary, facilitated dialogue between a victim and offender, allowing victims to ask questions, explore why it happened, express the impact, receive apologies and reparation, and move on. Dr. Ian Marder (Associate Professor in Criminology, School of Law and Criminology) is a global leader in RJ development. In 2017-18, he was Scientific Expert to the Council of Europe, writing a new European legal framework on RJ, adopted in 2018.

Before RJS4C began in January 2019, Ireland's capacity to deliver RJ was small, with minimal new policies or service growth over the last decade. Having drafted the European legal framework, Marder established RJS4C, aiming to build partnerships and develop strategies to coordinate the implementation of provisions calling for RJ to be accessible, and for criminal justice to use restorative practices (RP) innovatively (beyond victim-offender dialogue) to make justice more humane.

Marder established and coordinated RJS4C, with 40 partners from academia, policy and practice in 10 countries, and is among Ireland's four partners.

Partners established domestic coalitions to co-create local implementation strategies for the new European law. Beneficiaries included victims and offenders who gained access to restorative justice, as well as criminal justice professionals and the citizens they interact with who benefit from more humane justice practices. The project used evidence from the fields of implementation science, change management and design thinking to create a strategic, overarching approach across Europe, with each country's partners bringing together diverse groups to co-create locally appropriate plans – realistic in context, and with buy-in from important parties – to maximise access to RJ.

Projects like this are strategic priorities for MU. Consecutive strategic plans recognise our especially strong role in public policy development, our colleagues' strong relationships with policy, services and NGO communities, and the importance of engaged research in achieving equitable social impact.



RJS4C's 40 partners included justice ministries, probation services, RJ and victim services, NGOs and academics (Albania, Belgium, Czech Republic, Estonia, Ireland, Italy, Poland, Portugal, Netherlands, Scotland). They develop and coordinate national groups and strategies and meet annually to share learning.

This case study focuses on RJS4C's Irish impact. Measures of success include: 1) new policies and laws supporting RJ; 2) greater capacity in RJ services; 3) more people accessing RJ; 4) a clearer capacity and willingness in the RJ sector to collaborate; and 5) evidence of successful, innovative RP applications, assessed through action research. The submission shows strong evidence of impact on each measure and ever-growing beneficiaries – especially as innovative RP applications move to include the full criminal justice system in open research partnership development.

Evidence of Impact

RJS4C has had a profound impact on a number of different areas. It won MU's Engagement Award in 2024 and received a 'Commendation' in the IRC Researcher of the Year Impact Award in 2023. Further, Marder presented RJS4C at government conferences/parliamentary hearings in Canada, Estonia, France, Georgia, Finland, England, and Spain. We can evidence RJS4C's significant, far-reaching impact on Irish public policy, public services and society.

NEW POLICY

Through RJS4C, Marder was invited to help draft a DOJ policy, *Promoting and Supporting the Provision of Restorative Justice*. Minister Browne said the policy will "increase current levels of provisions of restorative justice services [and] make the most significant impact with the greatest efficiency." Marder was also invited to draft the *Criminal Justice (Promotion of Restorative Justice) (Amendment) Bill 2023*, moved in the Oireachtas in December, 2023. If enacted this will incentivise more victim referrals earlier in justice processes, providing better access to RJ, aiding victim recovery, diverting people from punitive sanctions, and reducing crime and costs to the justice system.

GREATER CAPACITY

RJS4C resulted in RJ service expansion. A new RJ service for North-West Ireland was established in 2023 after publication of the DOJ policy that Marder helped draft and citing RJS4C research that found parts of Ireland had no services. This benefits individual victims and people who offend, and society by reducing crime. This evidences that the policy is being implemented, reducing a postcode lottery of RJ access.

Marder also helped Dublin's RJ service develop its practice model, from one created locally when first established to an internationally-recognised best practice model ('conferencing'). He further helped the Tipperary RJ service design a new referral pathway from police, alongside adult cautions. This benefits victims and offenders, as previously RJ was not available to these persons.

MORE ACCESS

The main pathway to RJ now is judicial referrals. Marder has presented on RJ referrals at multiple judicial events, including the National Judicial Conference (which all Irish judges attend) in 2019, and at two judicial trainings in 2019 and 2024, in collaboration with probation and the Dublin RJ service.

His research shows probation-led cases grew 68% from 2019-2023 (important as most probation-led cases are for serious offences post-sentence, where the benefits to victims and offenders can be highest). For Dublin's RJ service, if trends continue referrals will double from 2023 to 2024, with participants in 2024 undertaking the aforementioned new, best practice model.

IMPROVED COLLABORATION

By organising and facilitating two meetings of the RJ sector in 2023, Marder enhanced sectoral coordination and collaboration. This resulted in a new Service Managers' Network and the first RJ sector collaborative agreement. Published in Dec 2023, this involves regular meetings of 6 services to share practice and collaborate on training and awareness raising. One RJ service manager said that "Marder was instrumental in bringing managers and practitioners together for collaboration, learning, and development."



TESTIMONIALS

"Marder's work to help introduce RP in Recruit Prison Officer training has proven to be hugely beneficial to our student experiences, in both their initial training and professional practice. Communication skills are a core element of professional prison officers' work and RP dovetails with our approach to Trauma Informed Care for those in our custody."

"Marder played a substantial role in helping design this new referral pathway, using his knowledge of criminal justice to ensure it will be viable and sustainable."