



REVIEW OF
**COMMUNITY
RESTORATIVE
JUSTICE IRELAND
AND ITS ACCREDITED
SCHEMES**

MAY 2023

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LIST OF ABBREVIATIONS

BHSCT	Belfast Health and Social Care Trust
CEO	Chief Executive Officer
CBRJ	Community Based Restorative Justice
CIT	Communities in Transition
CJI	Criminal Justice Inspection Northern Ireland
CRJI	Community Restorative Justice Ireland
CRJ Ltd	Community Restorative Justice Limited Derry
CRJ Newry/Armagh	Community Restorative Justice Newry/Armagh
CRN	Community Resolution Notice
DCSDC	Derry City and Strabane District Council
DfC	Department for Communities
DoF	Department of Finance
DoJ	Department of Justice
ECOs	Enhanced Combination Orders
GDPR	General Data Protection Regulation
HR	Human Resources
LINCS	Local Initiative for Networks Connections and Support
NIHE	Northern Ireland Housing Executive
NIHRC	Northern Ireland Human Rights Commission
PBNI	Probation Board for Northern Ireland
PPS	Public Prosecution Service for Northern Ireland
PCSPs	Policing and Community Safety Partnerships
Police Service/police	Police Service of Northern Ireland
SMT	Senior Management Team
STARS	Striving Towards a Restorative Society
TEO	The Executive Office
YJA	Youth Justice Agency

Explanatory Notes

- **the 2007 Protocol** - the Protocol for Community Based Restorative Justice (CBRJ) Schemes published in 2007.
- **the Schemes** - Community Restorative Justice Ireland, Community Restorative Justice Newry/Armagh and CRJ Limited.

CHIEF INSPECTOR'S FOREWORD

A good reputation can take a long time to build and can be lost in an instant. This was one of the challenges facing Community Restorative Justice Ireland when, just before leaving office, the then Minister of Justice requested that CJI undertake a Review of it and its accredited schemes.

This followed a number of concerns about the management and operation of Community Restorative Justice Ireland relating to accounting and other internal issues that gave rise to negative publicity and damaged public perceptions and confidence.

Community Restorative Justice Ireland and its accredited schemes were one of two pathfinder organisations in developing and delivering community-based restorative justice in Northern Ireland.

The 2007 Protocol did not serve any of the Schemes well in that it did not produce the level of anticipated referrals from the Public Prosecution Service for Northern Ireland and realistically reflect service need and delivery.

Relationships with statutory organisations in some instances were too personality dependent and the level and the distribution and purpose of public funds were not clear to all funding Departments and the statutory agencies nor adequately monitored.

There is a perception that the effectiveness of Community Restorative Justice Ireland

is their ability to leverage outcomes and influence a solution to community-based issues without the requirements of adequate accountability for the public money they receive and spend. This is neither accurate nor helpful in fostering public confidence in the important work they do in support of community safety and restorative practice and how public money is being spent.

What is clear though is that Government Departments took comfort and assurance from an accreditation process "owned" by the Department of Justice – even though it had been paused for over a decade.

This Review provides some clarity and assurance about the work of Community Restorative Justice Ireland and its schemes, where they get their funding from, what it is for and the outcomes it achieves.

But it is not a clean bill of health. I am encouraged that Community Restorative Justice Ireland did not wait for this Review but took decisive action to strengthen their leadership and improve governance in advance of it. Much has been done but their journey continues.

The recommendations in this Review report will help them, and the Department of Justice, the Police Service of Northern Ireland and the Probation Board for Northern Ireland, to be more open and clearer about the important partnerships and role they each play in the criminal justice system.

A new draft Protocol has been developed and published. CJI will be working with the Department of Justice to clarify our future role in the reaccreditation process. This should be a new start for all community-based restorative justice schemes and provide more transparency in what they do and the governance standards required.

My thanks to James Corrigan, Deputy Chief Inspector, and Muireann Bohill, Inspector, who completed this Review.

I am also grateful to the Department of Justice, the Police Service of Northern Ireland and the Probation Board for Northern Ireland and especially the dedicated Board members and staff from Community Restorative Justice Ireland, CRJ Ltd and Community Restorative Justice Newry/Armagh who co-operated fully with Inspectors and supported this Review.

Jacqui Durkin

Chief Inspector of Criminal Justice
in Northern Ireland

May 2023



EXECUTIVE SUMMARY

Criminal Justice Inspection Northern Ireland (CJI) were asked to conduct a Review of Community Restorative Justice Ireland and its accredited schemes as a result of concerns that arose following Community Restorative Justice Ireland's self-reporting of financial irregularities in July 2022 and other concerns that had been raised. The purpose of the Review was to determine compliance with the *Protocol for Community Based Restorative Justice (CBRJ) Schemes*¹, published in 2007 (the 2007 Protocol/the Protocol), assess the quality of practice, examine work that had been undertaken in partnership with criminal justice agencies and to examine the policy and procedures around the monitoring of expenditure of public funds. No concerns were raised in respect of Community Restorative Justice Newry/Armagh or CRJ Ltd but they were inspected as part of this Review as they shared policies and other resources with Community Restorative Justice Ireland.

Prior to this Review, Community Restorative Justice Ireland had identified that it did not have effective governance arrangements in place which increased the risk of financial irregularities and risks in other areas such as human resources.

In 2021 the Acting Director, now Chief Executive Officer, began raising concerns regarding Community Restorative Justice Ireland's capacity in terms of human resources and financial administration. It was becoming increasingly evident that Community Restorative Justice Ireland was expanding and it lacked the appropriate skill set and experience to sustain this growth. Incorrect salary and pension payments were identified and a

number of concerns arose regarding the governance procedures.

Community Restorative Justice Ireland responded to these failings in order to provide assurance that had been lacking.

They established a new Senior Management Team with clearly defined roles and responsibilities and engaged human resources specialists to assist with revising and updating human resource and governance policies. They recruited an experienced Treasurer and Finance Officer, implemented a revised financial policy, adopted an integrated accounting system, and engaged an external accountancy firm to manage its payroll and pension system.

1 DoJ, *Community Restorative Protocol*, 5 February 2007, available at: [Microsoft Word - Finalised CBRJ Protocol as published on 5 February 2007.DOC \(ulster.ac.uk\)](#)

They also upskilled the Board of Directors regarding their responsibilities and roles. Community Restorative Justice Ireland had also made good progress in reviewing and updating its policies and guidance. There were still areas for improvement including the development of an anti-fraud policy and procuring external auditor services through a tender process.

The working relationship between Community Restorative Justice Ireland and the Department of Justice was not effective. There had been limited engagement between the Department and Community Restorative Justice Ireland over recent years with the last meeting having taken place on 15 January 2020, approximately one and half years before the concerns arose. The Department of Justice also accepted that their oversight of Community Restorative Justice Ireland had been lacking. The last quarterly report that had been provided to the Department of Justice by Community Restorative Justice Ireland covered July–September 2021. The Department of Justice need to carry out a risk assessment to determine the appropriate level of oversight required of Community Restorative Justice Ireland, and amend the Memorandum of Conditions to reflect the necessary frequency of monitoring meetings and review the reporting structure for quarterly reports from Community Restorative Justice Ireland.

The Police Service of Northern Ireland spoke positively about their working relationship with Community Restorative Justice Ireland, CRJ Ltd and Community Restorative Justice Newry/Armagh (the Schemes) and told us they viewed the Schemes as a strategic partner in the criminal justice system.

However, there was no formal policy setting out the working relationship between the Police Service of Northern Ireland and Community Restorative Justice Ireland. This lack of formal guidance required Police Officers to develop their own working relationships with Community Restorative Justice Ireland, which took time, and this impacted the effectiveness of their working relationship. There were also Police Officers who were reluctant to engage with Community Restorative Justice Ireland because they were unclear what their remit was with regards their partnership.

The Police Service of Northern Ireland and Community Restorative Justice Ireland required a formal document setting out the nature of their relationship and their respective remits when working in partnership and to develop induction training for Police Officers to explain the ethos of community-based restorative justice and identify points of contact in the respective organisations. The Police Service of Northern Ireland should also develop a system to record referrals from community-based restorative justice schemes to enable feedback to the Schemes as to whether the person reported to police.

There were issues around communication, information sharing and reporting between Community Restorative Justice Ireland and the Probation Board for Northern Ireland. Community Restorative Justice Ireland and the Probation Board for Northern Ireland needed to identify the appropriate parties within each organisation and establish effective communication so that expectations are clearly defined and understood and the necessary information is being provided.

Community Restorative Justice Ireland should also provide quarterly reports within the required timeframe.

The Schemes had been mostly compliant with the 2007 Protocol with very minor improvements suggested for two matters. Inspectors were assured that the Public Prosecution Service for Northern Ireland could refer Protocol cases and the Police Service of Northern Ireland could refer Community Resolution Notices² and other matters to the Schemes with confidence. However, there had been only four referrals to Community Restorative Justice Ireland in 13 years and they had undertaken other work and projects, many not funded by criminal justice organisations but their work cut across the criminal justice system.

The Schemes had also made significant progress against previous CJI recommendations, the only recommendation outstanding being the further work required by both the Schemes and the Police Service of Northern Ireland to develop a wider range of working level contacts with one another.

Inspectors were told that there was a perception by some that the Schemes were politically affiliated. Inspectors found that the Schemes priorities were to focus on improving outcomes for the community through addressing the systemic socio-economic issues in communities where paramilitaries operated including housing, exclusion and marginalisation, drug and alcohol issues and difficulties accessing employment.

The Schemes provided a service to the community that was not provided by any other group or organisation. For those involved with statutory services, they were able to provide ongoing support after any court ordered work was completed. The communities also relied on the Schemes to deal with matters that didn't meet the threshold for statutory intervention.

In 2022 the Schemes closed 1,221 cases in which they provided advice and support, mediation, referrals to statutory and non-statutory organisations and other restorative interventions. Of those 1,221 cases, 94% of cases were resolved. The Schemes supported 1,854 victims of anti-social behaviour, intimidation, assault, theft and other matters.

The quality of the service provided by the Schemes was in part evidenced by the fact that statutory and non-statutory services continued to refer cases to Community Restorative Justice Ireland each year and some provided funding for the various projects. In 2022, 229 cases were referred in from statutory services and 992 from non-statutory services for mediation, restorative interventions and support.

Inspectors were impressed by staff, their attitude to ongoing learning around restorative practice, the qualifications they had already achieved and particularly, their dedication to the work they did. Their passion for restorative work was evident and, for most, it was a vocation as opposed to a job with the majority having worked in restorative justice for many years.

2 A Community Resolution Notice is an informal non-statutory disposal issued by the Police Service of Northern Ireland and used for dealing with less serious crime and anti-social behaviour where the offender accepts responsibility.

RECOMMENDATIONS

STRATEGIC RECOMMENDATIONS

STRATEGIC RECOMMENDATION 1

Within one month of publication of this report, the Department of Justice should:

- carry out a risk assessment to determine the appropriate level of oversight required from the Department of Justice over Community Restorative Justice Ireland;
- amend the Memorandum of Conditions for Community Restorative Justice Ireland to reflect the necessary frequency of monitoring meetings and schedule the dates that the meetings will take place for the duration of the yearly contract; and
- review the reporting structure for quarterly reports from Community Restorative Justice Ireland, so that the necessary and appropriate information, including expenditure of funding, is contained within the report.

(paragraph 2.44)

STRATEGIC RECOMMENDATION 2

Within six months of publication of this report, the Police Service of Northern Ireland and Community Restorative Justice Ireland should:

- draft a formal document setting out the nature of their relationship and their respective remits when working in partnership; and
- develop induction training for Police Officers who are new to community policing to explain the ethos of community-based restorative justice, the working relationships that have been established between the Police Service of Northern Ireland and Community Restorative Justice Ireland and identify points of contact in the organisations.

(paragraph 2.46)

OPERATIONAL RECOMMENDATIONS

OPERATIONAL RECOMMENDATION 1

Within six months of publication of this report, the Police Service of Northern Ireland should ensure that community-based restorative justice is recorded on criminal records as a diversionary disposal.

(paragraph 2.7)

OPERATIONAL RECOMMENDATION 2

Within one month of publication of this report Community Restorative Justice Ireland should commence the tender process for an external auditor.

(paragraph 2.26)

OPERATIONAL RECOMMENDATION 3

Within six months of publication of this report Community Restorative Justice Ireland should develop and implement an anti-fraud policy and provide training to staff and volunteers on it.

(paragraph 2.26)

OPERATIONAL RECOMMENDATION 4

Within one month of publication of this report Community Restorative Justice Ireland and the Probation Board for Northern Ireland should identify the appropriate parties within each organisation and schedule regular meetings so that expectations are clearly defined and understood.

(paragraph 3.59)

OPERATIONAL RECOMMENDATION 5

Within one month of publication of this report the Police Service of Northern Ireland should remind all Police Officers of their obligation to complete the referral form when referring cases to community-based restorative justice schemes.

(paragraph 3.84)

STRATEGIC RECOMMENDATION 6

Within three months of publication of this report the Police Service of Northern Ireland should develop a system to record referrals from community-based restorative justice schemes to enable feedback to the Schemes as to whether the person reported to police.

(paragraph 3.84)

CHAPTER 1: INTRODUCTION

- 1.1 Criminal Justice Inspection Northern Ireland (CJI) was requested by the then Minister of Justice in October 2022 to undertake a Review of Community Restorative Justice Ireland (CRJI) and its accredited schemes under Section 43 (5) of the Justice and Security (Northern Ireland) Act 2007. CJI had previously conducted eight pre-accreditation inspections of community restorative schemes between 2007 and 2016. In 2016 the accreditation process was paused by the then Minister. Since this Review commenced, new accreditation arrangements were outlined in a new draft Protocol, published by the Department of Justice (DoJ) in February 2023, along with the report following an independent panel's review of the 2007 Protocol.
- 1.2 This Ministerial Review was prompted by a series of events in 2022, which included concerns around financial irregularities, an industrial tribunal case and negative public commentary and accusations on social media. CRJI self-reported to funders, the Police Service of Northern Ireland (the Police Service) and others in July 2022 and DoJ suspended its funding by letter dated 29 July 2022.
- 1.3 CRJI was founded in 1998 and was accredited by the Northern Ireland Office in 2008 to deliver community restorative justice in compliance with the 2007 Protocol. It has grown to six locations throughout Belfast with separate aligned schemes in Derry/Londonderry and Newry/Armagh. This Review included the operation of all these schemes.
- 1.4 The aims of this Review were to examine governance information including whether policies and practices were fit for purpose and in compliance with the 2007 Protocol. The purpose of the Review was not to examine issues subject to alternative reviews or investigations such as financial audits or to comment on the ongoing industrial tribunal.
- 1.5 CJI Inspectors reviewed all relevant documentation and information and met with management and staff in all eight offices. Key criminal justice stakeholders were consulted including meetings with the DoJ, the Police Service, the Probation Board for Northern Ireland (PBNI) and the Public Prosecution Service for Northern Ireland (PPS). The full methodology can be found at Appendix 1 and the Terms of Reference can be found at Appendix 2.

CHAPTER 2: STRATEGY AND GOVERNANCE

2.1 This chapter assessed the impact and effectiveness of the 2007 Protocol as the revised draft Protocol was published subsequent to the completion of this Review. It sets out the strategy and governance of CRJI and the accredited schemes in delivering Community-based Restorative Justice (CBRJ). It considers the working relationship with the DoJ and other criminal justice organisations who funded the work of CRJI and work in partnership with them. It also examines the policy and procedures around the monitoring of expenditure of public funds by criminal justice organisations.

PROTOCOL FOR CBRJ

2.2 The governing policy for the Schemes was the 2007 Protocol/Protocol. The Protocol aimed to establish a framework for more formal relationships between the accredited CBRJ organisations and the criminal justice system. Any organisation or Scheme wishing to apply for accreditation had to first ensure that they complied with the Protocol. The Protocol applied to all cases where schemes dealt or sought to deal with criminal offences. All such cases were to be passed by the Police Service to the PPS who would refer suitable low-level offences back to the Schemes to be dealt with in accordance with the Protocol. Schemes were not permitted to deal with more serious offences, including for example, sexual offences or cases of domestic violence, or any criminal offences not the subject of a referral from the PPS. In addition, the Protocol did not relate to non-criminal matters.

2.3 To date, the only two accredited CBRJ organisations were CRJI and Northern Ireland Alternatives. The DoJ Register of CBRJ schemes³ lists the following schemes as being accredited under the CRJI umbrella:

- CRJI Central Office, Belfast;
- CRJI Colin, Belfast;
- CRJI Falls, Belfast;
- CRJI Greater Andersonstown, Belfast;
- CRJI Upper Springfield, Belfast;
- CRJI Head Office, Derry;
- CRJI Ballymagroarty, Derry;
- CRJI Brandywell, Derry;
- CRJI Creggan, Derry;
- CRJI Shantallow, Derry; and
- CRJI Newry/Armagh.

³ See DoJ Register of Community Based Restorative Justice Schemes available at [Register of community based restorative justice schemes | Department of Justice \(justice-ni.gov.uk\)](https://www.justice-ni.gov.uk/register-of-community-based-restorative-justice-schemes).

The Schemes in Belfast and Derry were accredited in 2008 and CRJI Newry/ Armagh was designated as accredited in 2010.

- 2.4 Co-operation of the Schemes with criminal justice agencies, including the Police Service, was central to the Protocol. Conversely, Inspectors were told by Police Officers and CRJI that effective relationships were established between accredited organisations and the criminal justice system in spite of the Protocol, not as a result of it. They had to find ways to work around the Protocol to enable any constructive joint working to take place.
- 2.5 Inspectors were told that Prosecutors were reluctant to refer cases to CBRJ Schemes as the requirements of the Protocol did not provide the assurance and structure that other organisations such as the Youth Justice Agency provided. They advised that there was no assurance that the staff and volunteers in the Schemes had the necessary training and skills to do restorative work, there was no requirement for Schemes to feed back to the PPS regarding whether service users were completing the programme and there was not sufficient oversight by the DoJ regarding their performance.
- 2.6 The Protocol did not deliver the results intended. Only 42 cases were referred to the PPS by the Police Service between 2009 and March 2022 and of these, only 16 were referred back to the Schemes. Chart 1 shows that of the 16 referrals, one quarter were made to CRJI with the remaining three quarters referred to Northern Ireland Alternatives and its accredited schemes.

Chart 1: PPS decisions to refer cases to CBRJ schemes under the Protocol from 2010-2022



Sources: PPS and Police Service

2.7 There were a number of reasons provided by the Police Service and the PPS for the low numbers of referrals including that Police Officers were still anxious about using the CBRJ schemes as they were unsure about the formal process for referrals, there was a lack of uptake from suspects who preferred to go through the court process, and in some communities, there was still a level of distrust. The accredited CBRJ organisations were also limited geographically to certain, mainly urban, areas in Northern Ireland, potentially giving rise to inequitable treatment in the criminal justice system. The PPS also flagged that CBRJ was not being consistently recorded on criminal records as a diversionary disposal.

OPERATIONAL RECOMMENDATION 1

Inspectors recommend that within six months of publication of this report, the Police Service of Northern Ireland should ensure that community-based restorative justice is recorded on criminal records as a diversionary disposal.

2.8 In March 2022, the then Minister of Justice commissioned an independent Review of the 2007 Protocol. A clear view emerged through the Adult Restorative Justice Strategy *Restoring Relationships, Redressing Harm 2022-25*⁴ consultation process that the Protocol needed an extensive review. The Proposed Draft Protocol for CBRJ Schemes was published on 27 February 2023 together with the Report of the Review Panel⁵. It will be the responsibility of the DoJ, and operational partners, to finalise and agree the new protocol.

THE SCHEMES

2.9 CRJI incorporated six Schemes across Belfast. The Schemes in Newry and Armagh and in Derry had been accredited under the umbrella of CRJI. Since then, the Schemes in Derry had amalgamated into one Scheme; they had become a limited company in September 2020 and were registered with the Charity Commission for Northern Ireland under the name CRJ Ltd. The scheme in Newry/Armagh was also an independent organisation, with its own charitable status (see Appendix 3 for flow chart of organisational relationships). No concerns were raised in respect of either Scheme, but they were inspected as part of this Review as they share policies and other resources with CRJI. CRJI, CRJ Ltd and CRJ Newry/Armagh will be collectively referred to as 'the Schemes'.

4 DoJ, Development of an Adult Restorative Justice Strategy, published May 2021, available at: [Adult RJ Strategy - Summary of Consultation Responses \(justice-ni.gov.uk\)](https://www.justice-ni.gov.uk/sites/default/files/publications/justice/review%20of%20the%202007%20protocol%20-%20final%20report.pdf)

5 DoJ Proposed Draft Protocol for CBRJ Schemes, 27 February 2023, available at <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/review%20of%20the%202007%20protocol%20-%20final%20report.pdf>.

CRJI

2.10 CRJI is a charitable organisation registered with the Charity Commission for Northern Ireland since 12 January 2016. Their mission was 'Through a process of empowerment, CRJI seeks to build a just, restorative community that is tolerant, responsive and inclusive'. CRJI's strategic objectives were contained in their annual Business Plan. CRJI set six strategic objectives in their Business Plan for 2022-23. They were:

- **Customers** – To resolve the disputes that our clients are involved in a way that leaves them happy with the restorative justice practice and outcome;
- **Processes** – To ensure that our processes, (protocol and non-protocol), are efficient and effective in supporting the delivery of our restorative justice work and the development of new CRJI focused work;
- **People** – To ensure that our people (staff and volunteers) are trained and qualified to an acceptable standard and to acquire consistent levels of competence for the purposes of the service delivery of the CRJI product;
- **Recognition** – To recognise restorative justice as an effective, evidence-based alternatives to retributive criminal justice policies and punitive school discipline capable of reducing re-offending and fostering a culture of community safety;
- **Partnership Working** – To foster a collaborative/partnership approach to working with community groups, statutory agencies and elected representatives to support communities in transition; and
- **Resources** – To secure mainstream and steadily consistent levels of funding which will utilise the community pound to best effect allowing CRJI to work efficiently as both a standalone body and as a partnership body.

2.11 CRJI was governed by a Board of Directors (the Board) who were responsible for supervising and controlling the management and operations of CRJI. In 2021, the acting director, now Chief Executive Officer, began raising concerns regarding CRJI's capacity in terms of human resources and financial administration.

2.12 CRJI did not have effective governance arrangements in place which allowed the occurrence of financial irregularities. Incorrect salary and pension payments were identified. The Senior Management Team (SMT) and Board had little detail on the charity's financial information, there was lack of clarity around income and expenditure, access to company accounts was restricted, the accounting system was difficult to navigate or access and the authorisation process for making payments left CRJI vulnerable. Policies were also outdated.

2.13 In an effort to address this, CRJI engaged an independent external financial administrator to oversee the *Striving Towards a Restorative Society* (STARS) Project⁶ finances and an independent external Human Resources (HR) consultant was employed in October 2021 to standardise contracts and employee's terms and conditions. CRJI began implementing changes to the SMT in March 2022.

6 *Striving Towards a Restorative Society (STARS) Project* CRJI led the STARS Project which was also delivered by Northern Ireland Alternatives. This programme, funded by The Executive Office and managed by Co-operation Ireland, commenced in March 2020 with CRJI designing and delivering a programme of activities to increase the use of restorative practice in the community.

- 2.14 Having identified these financial irregularities CRJI self-reported to their funders, the Police Service and the Charity Commission for Northern Ireland on 5 July 2022. On receipt of this notification, The Executive Office and the DoJ suspended funding (see Appendix 4 for timeline of events).
- 2.15 In advance of CJI's Review, CRJI responded to these failings in order to provide assurance that had been lacking.
- 2.16 The new SMT had clearly defined roles and responsibilities including the appointment of a Senior Operational Manager and Programme Manager to support the overall mission statement, strategies, values and objectives. CRJI:
- engaged a HR company to assist with revising and updating HR and governance policies;
 - implemented a revised financial policy;
 - adopted an integrated accounting system, to prevent errors through a double bookkeeping system; and
 - engaged an external accountancy firm to manage the payroll and pension system and communication.
- 2.17 CRJI upskilled the Board members regarding their responsibilities and roles. CRJI completed a Board members skills audit to identify necessary training and a review of its operation. In response, an information pack was developed for Board members, including an induction pack for new members. This pack set out clear expectations and structures for the Board. The Board Chair took up this position in July 2022 and began making improvements, including attending frequent meetings with the SMT and arranging mandatory training for the Board around the roles and responsibilities of Board members with regards governance and oversight. CRJI also advised Inspectors that Board meeting dates were being fixed over a year in advance.
- 2.18 The Board skills audit was used to identify skills gaps on the Board before commencing recruitment for new members. CRJI had completed a recruitment campaign to encourage new Board members with diverse skills and backgrounds to participate.
- 2.19 Significant improvements had been made within CRJI around financial practice and procedures, however the procurement policy for the role of external auditor needed to include a tender process.
- 2.20 A new Treasurer had been appointed in December 2022 who had helped develop the new finance policy and had instigated the establishment of the Finance, Audit and Risk Committee. This Committee, which was due to commence monthly meetings in January 2023, comprised the SMT, the Finance Officer and the Treasurer. The Finance, Audit and Risk Committee provided an additional layer of assurance for funders and stakeholders.

- 2.21 A new Finance Officer, with the requisite experience, had also been appointed. They advised Inspectors that the financial practice and procedure was more streamlined now and that there was a centralised system that those who were entitled to the information could access.
- 2.22 Change was required, however, regarding the external auditor. The purpose of an independent review of the accounts by an external auditor was to provide transparency to stakeholders that the organisation was being run in stakeholders best interests. Unfortunately, the financial irregularities around incorrect salary and pension payments in CRJI were not flagged during the external audit (see *Operational Recommendation 2 paragraph 2.26*).
- 2.23 CRJI had done a lot of good work around reviewing and updating their policies and guidance and they should continue with this momentum as they strive to improve. A significant piece of learning from the events that gave rise to this Review was that CRJI needed to develop an anti-fraud policy.
- 2.24 The governing policies and procedures are set out in the company handbook. The HR company employed in October 2021 reviewed CRJI's policies and provided guidance relating to all employment matters to ensure the organisation was compliant with employment legislation. The policies were being updated at the time of fieldwork for this Review to reflect the guidance and a new Employee Handbook was to be rolled out to staff in April 2023.
- 2.25 The HR company was engaged by CRJI following an internal complaint. An examination of CRJI's grievance and complaints policies and processes determined that they required improvement. The HR consultant provided a written reflection of how the complaint was handled in terms of roles and responsibilities, timeframe, communication, recording, professionalism, internal process and restorative purposes. There was also a section on opportunity for key learning and recommendations on how to improve their process and policies. Both the grievance and service user complaint process and policies were updated following the lessons learned from this complaint and investigation and the recommendations made by the HR company were implemented.
- 2.26 CRJI needed to ensure that all employees were aware of a zero-tolerance attitude to fraud, theft and any other criminal breaches of business practices. CRJI needed to develop guidance for staff, the SMT and the Board regarding their responsibilities in preventing and detecting fraud, how to report concerns, the process by which a suspected fraud would be investigated and the obligation to report suspected fraud to the Police Service. Having an anti-fraud policy in place was also a requirement of the DoJ in the Memorandum of Conditions attached to their offer of funding. To further improve its approach to corporate governance and managing financial risk, CRJI needed to develop and implement an anti-fraud policy and commence the tender process for an external auditor.

OPERATIONAL RECOMMENDATION 2

Inspectors recommend that within one month of publication of this report Community Restorative Justice Ireland should commence the tender process for an external auditor.

OPERATIONAL RECOMMENDATION 3

Inspectors recommend that within six months of publication of this report Community Restorative Justice Ireland should develop and implement an anti-fraud policy and provide training to staff and volunteers on it.

CRJ Limited (CRJ Ltd)

2.27 CRJ Ltd is based in Derry/Londonderry and is a charitable organisation registered with the Charity Commission for Northern Ireland since 18 October 2021. CRJ Ltd's strategic objectives were contained in their operational plan and the objectives in their operational plan 2022-23 included:

- **PSNI engagement strategy** – Further develop their working relationship with the PSNI through mutual understanding and respect;
- **Achieve targets set by the Department for Communities** – Chair Community Safety Forum, deliver proactively on community safety and crime prevention initiatives and support community relations project;
- **Update Service Level Agreements** with all the housing associations;
- **Continue engagement with schools** and further develop partnerships to provide young people with information around mediation and community safety; and
- **Develop staff training and volunteers training** – Identify the core competencies for co-ordinators and based on these competencies, develop a training needs assessment and then source training.

2.28 CRJ Ltd was run by a manager who reported to a Management Committee. They were independent from CRJI but they had benefited from strategic work done by CRJI around Service Level Agreements with Northern Ireland Alternatives, the Housing Associations and the PBNI. They had also adopted CRJI policies and procedures with some minor amendments to reflect their practice. CRJ Ltd should liaise with CRJI regarding the recommendations above relating to policies to ensure that their policies and guidance are fit for purpose.

2.29 Inspectors examined minutes from a number of Management Committee meetings and were satisfied with the level of reporting by the Manager and Finance Administrator regarding operations and finances and assured that the Management Committee had sufficient oversight of and input into operations and policy.

- 2.30 Their staff were fully funded by the Department for Communities (DfC). They provided a quarterly report to the DfC on salary and running costs and the DfC carried out quarterly monitoring visits when they also audited the expenditure reports.
- 2.31 Funding was also provided for small projects by the Big Lottery Fund and Derry City and Strabane District Council (DCSDC). DCSDC had also provided a letter of offer to CRJ Ltd for Policing and Community Safety Partnership (PCSP) funding for a domestic violence project. However, PCSPs were funded by the DoJ and this offer of funding was suspended at the same time as CRJI's funding.
- 2.32 Inspectors were told that the Management Committee numbers had dwindled over time to six members. At the time of the inspection a skills register had been provided to the Management Committee for completion. There was recognition by staff and others that CRJ Ltd need to have more diversity on the Management Committee to reinforce their ethos that they served all members of the community. As an area for improvement, **Community Restorative Justice Limited should conduct skills and diversity and inclusion gap analyses to determine their criteria for recruiting new members to the Management Committee and use this information to inform the recruitment of new Management Committee members.**

CRJ Newry/Armagh

- 2.33 CRJ Newry/Armagh is a charitable organisation registered with the Charity Commission for Northern Ireland since 16 August 2017. CRJ Newry/Armagh's strategic objectives were contained in their strategic plan and they set five strategic objectives in their strategic plan for 2022-27. They were:
- **Increased visibility, awareness and accessibility** - Delivery of digital strategy to increase day-to-day productivity and allow more streamlined engagements, increased visibility and communication;
 - **Financial sustainability** - Increased capacity to generate income to meet demand for services through increased output of strategic funding applications;
 - **Extended services** - Development of community spaces and collaborative working and relationship building. Recruitment of a Volunteer Development Co-ordinator to increase volunteer base and extend skills and diversity within community volunteers;
 - **Increased productivity and streamlined use of resources** - Digital and technological equipment and processes/systems assessment and upgrade/modernisation; and
 - **Effective succession plan and skills transfers** - Creation of a detailed succession plan and regular skills assessments, including volunteer and staff development days. Creation of resources and blueprints to have a detailed record of skills, processes and networks.

- 2.34 CRJ Newry/Armagh was governed by a Management Committee, with a manager overseeing day-to-day operations. They had the same ethos as CRJI but CRJ Newry/Armagh worked with different groups and different people to achieve the same results. As with CRJ Ltd, they were independent from CRJI but they had adopted CRJI policies and procedures with some minor amendments to reflect their practice. CRJ Newry/Armagh should liaise with CRJI regarding the recommended areas for improvement relating to the policies to ensure that their guidance is fit for purpose.
- 2.35 Having examined minutes from a number of Management Committee meetings, Inspectors were assured that Management Committee meetings operated as a mechanism to ensure members were up-to-date on all operations. Reports were provided for each project at every meeting, the status of funding applications were discussed, they were provided with the same quarterly report that the DfC received detailing all the expenditure and there were strategic planning discussions.
- 2.36 They were funded by the DfC for the *Safer Stronger Communities* project. The roles and responsibilities of staff working on this project were clearly set out in their contracts, provided by the DfC. They provided a quarterly report to the DfC on salary and running costs and the DfC carried out monitoring visits when they also audited the expenditure reports. Part of this funding was for the *Fixing It* project which involved CRJ Newry/Armagh visiting a school to speak to Primary Seven pupils about mediation and restorative practices.
- 2.37 Their other source of funding was the International Fund for Ireland who funded staff for *Digger Deeper*, a cross-border project. CRJ Newry/Armagh did not receive any DoJ funding.

DoJ

- 2.38 The DoJ provided core funding to CRJI, referred to as grant-in-aid, to pay salaries and running costs, including training. On 1 July 2022, the DoJ offered core funding for the period 1 April 2022 to 31 March 2023 of £69,000. The letter of offer of funding included the terms and conditions which included an expectation that CRJI would carry out the following strategic aims, to contribute to Outcome 7 of the draft *Programme for Government 'We have a safe community where we respect the law and each other'*, which included aiming to keep communities safe and reduce crime, make the justice system more effective, and reduce reoffending. The strategic aims included:
- *reducing anti-social and offending behaviour among those perceived to be vulnerable to offending, through working with children, young people and their families;*
 - *reducing offending, and its impact, through services which provide effective support for families and children affected by imprisonment;*

- contributing to a reduction in offending and re-offending through appropriate and effective support for both adults in the community and those leaving prison; and
- contributing to policy and practice by communicating key messages and engaging with relevant public agencies.

2.39 The letter of offer was accompanied by a Memorandum of Conditions, last updated on 18 January 2019, that set out the reporting obligations for CRJI and the monitoring and accountability obligations for the DoJ regarding the stewardship of public funds.

2.40 When CRJI self-reported the financial irregularities in July 2022, funding was suspended for all projects funded by the DoJ, which included money from the PBNI for Enhanced Combination Orders (ECOs⁷) and PCSP funding offered to CRJ Ltd, even though there were no concerns related to CRJ Ltd. Chart 2 shows the breakdown of funding suspended by the DoJ.

Chart 2: CRJI funding suspended by DoJ in July 2022



Source: DoJ

2.41 The working relationship between CRJI and the DoJ was not effective. There was limited engagement between the DoJ and CRJI over recent years. Since 2019 there had been two monitoring meetings, the last monitoring meeting being 15 January 2020, approximately one and half years before the concerns arose. CRJI advised Inspectors that they did not know who their nominated contact was in the DoJ. When CRJI self-reported, the only communication with the DoJ was in writing and they were subsequently notified of the CJI Review. Most other funders spoke directly to CRJI to seek assurances and continued to provide funding on receipt of those assurances.

⁷ The Enhanced Combination Order (ECO) is a community-based alternative to short sentences. With a focus on rehabilitation and desistance, the ECO involves interventions that address criminogenic needs.

- 2.42 The Executive Office (TEO) were first to suspend their funding and an investigation into the financial irregularities was commenced by the Department of Finance (DoF). This was concluded and TEO funding was reinstated in October 2022. However, the DoF investigation was limited and DoJ's responsibilities regarding accreditation and fitness to undertake protocol referrals and the reliance of other statutory funders of CRJI on that accreditation led to the Minister of Justice's request to CJI to undertake a Review.
- 2.43 The DoJ did not have sufficient oversight of CRJI. The last quarterly report that was provided to the DoJ by CRJI covered July-Sept 2021. The DoJ accepted they did not have as much oversight of CRJI and Northern Ireland Alternatives as they did with other organisations. They advised that they provided less funding to CBRJ schemes than they did other community and voluntary organisations and their level of oversight was commensurate with the assessed level of risk. The DoJ was aware that CRJI was receiving significant funding from other Departments and publicly funded organisations. DoJ officials told Inspectors that there had not been the level of follow-up from the DoJ that CRJI should have had.
- 2.44 Inspectors examined quarterly reports provided by CRJI to the DoJ from 2019-2022. The reports contained information regarding all the projects and programmes of work that CRJI had undertaken and that were being funded by other Departments and organisations. Informing the DoJ about other projects in which they were involved with a brief overview of their work illustrated the scope and scale of CRJI's work but the statistics for those projects did not need to be provided. The reports contained no breakdown of expenditure of the funding provided by the DoJ to CRJI. This reporting format needs to be reviewed so that the information required to provide the DoJ with the necessary assurances regarding CRJI is contained in the reports.

STRATEGIC RECOMMENDATION 1

Inspectors recommend that within one month of publication of this report, the Department of Justice should:

- carry out a risk assessment to determine the appropriate level of oversight required from the Department of Justice over Community Restorative Justice Ireland;
- amend the Memorandum of Conditions for Community Restorative Justice Ireland to reflect the necessary frequency of monitoring meetings and schedule the dates that the meetings will take place for the duration of the yearly contract; and
- review the reporting structure for quarterly reports from Community Restorative Justice Ireland so that the necessary and appropriate information, including expenditure of funding, is contained within the report.

The Police Service

- 2.45 There was no documented agreement or policy setting out the working relationship between the Police Service and CRJI, other than the referral system contained in the Protocol. Police Officers advised Inspectors that when they commenced working in communities in which CRJI were based and had asked their superiors for guidance around their relationship with CRJI, they were told that they were to treat them like any other community organisation. This lack of formal guidance required neighbourhood Police Officers and more senior ranked Police Officers, who were new to an area, to develop their own working relationships with CRJI, which took time, and this impacted the effectiveness of their working relationship. There were also Police Officers who were reluctant to engage with CRJI because they did not know what their remit was with regards their partnership.
- 2.46 Both the Police Service and CRJI told Inspectors that the most successful relationships that led to good outcomes for the community were where Police Officers had been in post for some time and had established positive working relationships with CRJI. When those Police Officers moved on, in the absence of any formal guidance, handover or induction training for incoming Police Officers around the working relationship, the whole cycle had to begin again. There had to be a degree of flexibility in this working relationship given the nature of community work, however it was evident that written guidance and the provision of induction training for Police Officers working in communities would be beneficial.

STRATEGIC RECOMMENDATION 2

Within six months of publication of this report, the Police Service of Northern Ireland and Community Restorative Justice Ireland should:

- draft a formal document setting out the nature of their relationship and their respective remits when working in partnership; and
- develop induction training for Police Officers who are new to community policing to explain the ethos of community-based restorative justice, the working relationships that have been established between the Police Service of Northern Ireland and Community Restorative Justice Ireland and identify points of contact in the organisations.

The PBNI

- 2.47 The PBNI contracted CRJI and Northern Ireland Alternatives to carry out restorative interventions for ECOs. The terms and conditions of funding were set out in an Agreement of Funding Renewal between the PBNI and CRJI for the funding period 1 April 2022 – 31 March 2023. The PBNI agreed to provide £40,000 funding to CRJI for this period. The PBNI informed CRJI by letter dated 19 August 2022 that their funding to CRJI was being suspended. Prior to this, the PBNI had released half of the annual funding, £20,000, to CRJI.

2.48 Inspectors were informed that the strategic links were in place between the organisations and that they attended joint strategic meetings and project groups. There was also recognition of the importance of their working relationship and the work they were doing as CRJI agreed to continue working with the PBNI on ECOs even after funding was suspended.

CHAPTER 3: DELIVERY

3.1 This chapter sets out the Schemes compliance with the Protocol. It details the work that was carried out by the Schemes in the absence of Protocol cases and the projects, funded by various bodies, that were delivered. The working relationships between the Schemes and criminal justice agencies, namely the PBNi and the Police Service were also reviewed. Finally, we assessed progress against previous recommendations in the CJI pre-inspection and inspection reports published in 2007 and 2008⁸.

3.2 As so few cases had been referred to the Schemes under the Protocol (see paragraph 2.6) Inspectors conducted a review of the work being carried out by the Schemes by examining cases that were closed during a specific week (see Review methodology for selection of sample cases). Review of these cases, together with observations, interviews and inspection of documents and policies helped determine compliance with the requirements of the Protocol as set out below.

Adherence to the United Nations 'Basic Principles on the use of Restorative Justice Programmes in Criminal Matters'.

3.3 The particular principles were:

- *restorative processes should be used only with the free and voluntary consent of the parties (which may be withdrawn at any time);*
- *agreements should be arrived at voluntarily and should be reasonable and proportionate;*
- *disparities leading to power imbalances, and the safety of the parties, should be taken into consideration in referring a case to, and during, a restorative process;*
- *parties should have the right to legal advice about the process;*
- *before agreeing to participate, parties should be fully informed of their rights, the nature of the process, and the possible consequences of their decision; and*
- *neither victim nor offender should be coerced, or induced by unfair means, to participate in the process or to accept the outcome.*

3.4 The notices on the walls of the Schemes offices, the leaflets available to service users and the evidence obtained from staff made it clear that the restorative process was a voluntary process. CRJI practitioners made contact with each party to gain consent before continuing with the process. The feedback questionnaire also checked with service users that CRJI practitioners had explained to them

8 CJI Report of a pre-inspection of Community Restorative Justice Ireland 30 October 2007, available at: [Community Restorative Justice Ireland - October 2007 \(cjini.org\)](#) and CJI Inspection report of Community Restorative Justice Ireland 26 June 2008, available at: [Community Restorative Justice Ireland - June 2008 \(cjini.org\)](#)

that they could withdraw their consent at any time. Inspectors saw examples of correspondence to parties inviting them to take part in dialogue and making it clear that it was their decision as whether they contacted CRJI to take part.

3.5 The goal of the dialogue was to put in place restorative solutions that ensured positive outcomes for everyone involved, and that were agreed upon by the parties. It was best described by one CRJI volunteer when she said it did not matter if the practitioners were happy with the resolution because *"it was their (service users) resolution, not ours"*.

3.6 Inspectors were informed by staff that they advised service users of their right to seek legal advice about the process. **As an area for improvement the Schemes should include this information in the consent form and have information available to service users advising them of this right.**

Obligation to report criminal offences to the Police Service

3.7 Police Officers spoken to as part of this Review had no concerns that CRJI were not complying with their obligation to report criminal offences.

3.8 The majority of the work in which CRJI were involved fell below the threshold of criminal offences and included neighbourhood disputes, anti-social behaviour, parking issues, housing advice and assisting vulnerable service users. However, every member of staff and volunteer in CRJI advised Inspectors that they were aware of their obligation and told service users about this obligation to report when they were speaking with them. Staff advised that when they had become aware of a criminal offence they had encouraged victims to report the offence to the Police Service, they had facilitated the making of a statement of complaint to the police either at their offices or by attending the police station with the service user and if a victim had refused to report the crime, they reported it to the police so that there was a record of it.

3.9 There were notices on the walls and in pamphlets advising *'Should there be any information disclosed to our office in relation to a criminal offence or any child protection issues CRJI have a duty of care to pass all information to the relevant agencies'*.

3.10 Inspectors saw leaflets that had been distributed in North Belfast by CRJI, the Police Service, housing associations, Belfast City Council, and the PCSP encouraging people to report crime to the police with the tag line *'It cannot be sorted if you do not report it'*. They also advised the community that CRJI could support them to report an incident. Ultimately, the goal was for the community to report criminal offences to the Police Service directly, but Police Officers recognised that there were still those who did not feel comfortable reporting directly to them and CRJI played an important role in bridging that gap.

Accreditation for the Protection of Children and Vulnerable Adults

- 3.11 The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 aimed to prevent unsuitable people working with children or vulnerable adults in paid or voluntary positions. All staff and volunteers had AccessNI⁹ clearance and Inspectors were advised that they were not allowed to do any work with the Schemes until this was obtained. There was no official expiry date for an AccessNI check however. As good practice, CRJI should consider having AccessNI checks carried out every three to five years.
- 3.12 CRJI had a policy for safeguarding including child protection. The Schemes offices had notices identifying the designated Safeguarding/Child Protection Officer and refresher training was provided annually.
- 3.13 Inspectors understand that due to the deletion of some documents, there had been gaps in the records for AccessNI. CRJI had to process new applications to get registration numbers for staff who had already had AccessNI clearance but whose records were unavailable. As an area for improvement **Community Based Restorative Justice should keep all records relating to staff and volunteers on a centralised database with restricted access to prevent information being lost.**

Training

- 3.14 The Protocol required adequate training to be provided around human rights, equality legislation, their obligations under the criminal law, mediation and victims among other things and that training be updated regularly. It also required training provided in cases referred under the Protocol to be accredited and delivered by accredited trainers.
- 3.15 When they began working with CRJI, staff and volunteers received a formal induction including a mandatory training programme which included restorative practice, communication and safeguarding including child protection. CRJ Newry/ Armagh advised Inspectors that after this initial training around restorative practice was completed, new members of staff shadowed an experienced staff member for a number of months before they started working with service users.
- 3.16 The staff and volunteers in CRJ Newry/Armagh completed their mandatory training with CRJI. CRJI records for 2020-2023 showed that mandatory training was delivered to staff and volunteers each year for safeguarding, United Kingdom General Data Protection Regulation (GDPR)¹⁰, human rights and equality and diversity. The records showed the number of attendees at each training event and confirmed that all staff and volunteers had attended and the date the training was attended. However, the names of the attendees should be held on training records so that if someone was unable to attend, they would be easily identifiable and arrangements could be made to attend the training on another date.

9 Access NI check is a criminal history record check which provides different levels of information.

10 General Data Protection Regulation (GDPR) sets out the key principles, rights and obligations for the processing of personal data.

- 3.17 As with the AccessNI records, there were gaps in the training information due to the removal of some of the training records. Staff had been asked to provide details of the training they had attended in an attempt to capture some of the lost information but ultimately, it was decided to move toward group training as streamlining would make it easier to manage and monitor training. Inspectors would reinforce the area for improvement in paragraph 3.13.
- 3.18 CRJ Ltd had an encrypted list of all training staff and volunteers had undertaken including mandatory training. There was a record of the date that training was completed and, where necessary, dates on which refresher training needed to be organised for staff. At the time of the Review they were in the process of moving to an online training platform which would automatically provide an alert when refresher training was required.
- 3.19 The majority of training provided by CRJI was accredited, as were the trainers. In addition to leading on the STARS Project, CRJI had designed and developed training which had been accredited by the Council for the Curriculum, Examinations and Assessment and the Office of Qualifications and Examinations Regulation. The accredited training included restorative practice, work with victims, survivors and witnesses and early interventions. Working together since 2005, Time-Out Assessment Centre and CRJI had established a partnership in training and development activities and developed a prospectus setting out their courses.
- 3.20 CRJI was registered as an accredited centre with the Open College Network to deliver their accredited Level 2 Introduction to Restorative Justice and Level 2 Restorative Practice, Exploring Conflict Resolution, Choices and Consequences.
- 3.21 CRJI's training had been benchmarked by the DoJ as being on par with courses provided by Ulster University. This training was provided to staff, volunteers, school children, Police Officers, community workers, statutory agency staff and all those with an interest in restorative practices.
- 3.22 In addition to the training staff received through the STARS Project, if staff, volunteers or CRJI identified other training that would assist them in carrying out their work, this training was sourced. This was also CRJ Ltd's practice.
- 3.23 CRJ Newry/Armagh were not part of the STARS Project but they sourced training for staff through Newry, Mourne and Down District Council, the Northern Ireland Council for Voluntary Action, ASCERT and others.
- 3.24 Some non-accredited training was provided by CRJI. Staff explained that non-accredited trainers and training were sometimes necessary to secure the involvement of some members of the community. Accredited training had set content whereas unaccredited courses could be adapted to suit the specific learning needs of the individuals. CRJI advised that they always ensured that

funders were made aware when non-accredited training was being provided, particularly if this deviated from what had originally been planned and obtained consent from the funder before proceeding.

Qualified independent contact for advice on human rights

- 3.25 CRJI, CRJ Ltd and CRJ Newry/Armagh had a qualified independent contact for advice on human rights and they had terms of reference setting out the duties and responsibilities of the human rights adviser.

Complaints

- 3.26 All three organisations were governed by the same complaints policies. There were proper arrangements in place for handling complaints from service users and grievances from staff both internally and externally. These policies were updated on the advice of a HR consultant following lessons learned from an internal grievance procedure (see paragraph 2.25).
- 3.27 There were notices on office walls in the organisations advising of the complaints procedure and leaflets were available to service users explaining how to make a complaint.
- 3.28 CRJI and CRJ Ltd had appointed people externally to deal with complaints. CRJ Newry/Armagh were currently trying to fill this position as the previous role holder was no longer available but were using the same external complaints person as CRJI in the interim. The Schemes had developed terms of reference setting out duties and responsibilities of the Independent Complaints and Grievance Officer and they had been selected on the basis of their curriculum vitae, which evidenced their experience and qualifications to fulfil the role.

Records and information

- 3.29 The 2007 Protocol required that:
- proper records were kept to include all offenders and victims brought to their attention regarding criminal and anti-social behaviour, how they have been dealt with including those who do not participate;
 - records were held securely in compliance with GDPR; and
 - staff had regard to the Freedom of Information Act 2000 regarding disclosure of information and secure storage.
- 3.30 Inspectors asked to review all cases across the Schemes that were closed during the week 17-21 October 2022. A total of 12 cases were closed during this time period. All case records detailed the name, addresses and contact number of clients. If the referral came from the Police Service, Social Services or other services this was noted. The records detailed the reason for the referral, pertinent background information, the support offered by the staff and volunteers, any communications with or referrals made to statutory or other organisations and the outcomes.

- 3.31 All records were held securely in compliance with GDPR. Physical records were secured through a combination of locked doors, safes, password protected boxes containing keys for secure cabinets and password protected doors. Online, case records were encrypted and could only be accessed with a password.
- 3.32 Of the 12 cases reviewed by Inspectors, the Schemes were fully compliant with their obligation to get written consent from participants for staff to share relevant information with Third Parties. There was only one minor instance of non-compliance. It related to a telephone referral where a client wished CRJI to arrange a meeting with the Police Service for her to make a statement of complaint regarding an assault and intimidation. She also asked them to speak with the Northern Ireland Housing Executive (NIHE) on her behalf as she was homeless. While it could be implied that consent had been given to share her information with Third Parties when she asked CRJI to speak on her behalf, as a matter of good practice, her consent should have been sought and her permission noted on the file.

Responsibilities to service users

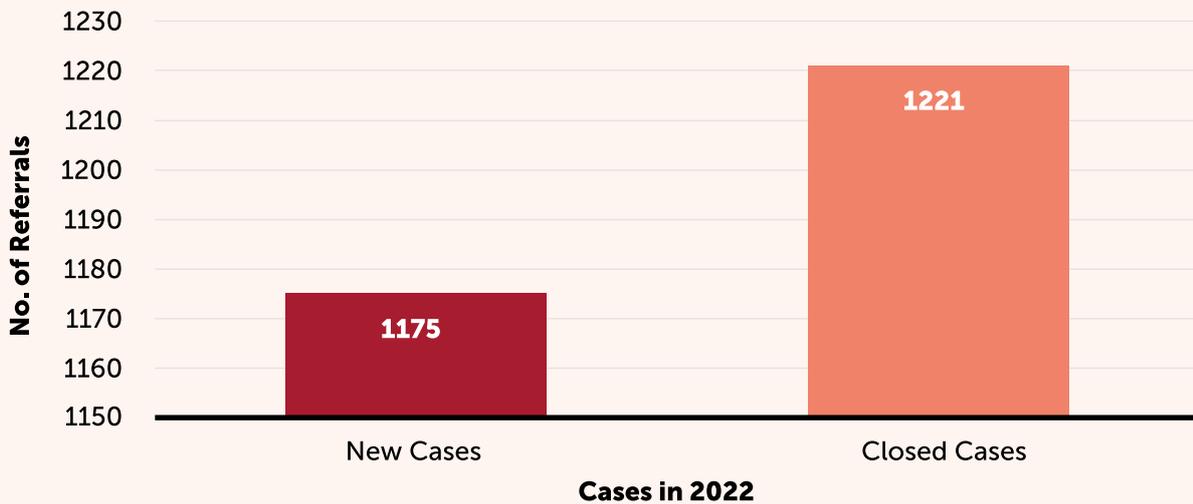
- 3.33 The 2007 Protocol required that offenders and victims were given the necessary personal support in the restorative justice process by one or more appropriate people.
- 3.34 It was practice in all the Schemes that staff and volunteers would work in pairs for mediation. After gaining consent from the participants, CRJI practitioners met with each party separately to assess the situation and identify the issues to be addressed. Where appropriate, practitioners prepared the parties and worked towards bringing them together for direct dialogue. In certain instances, for the safety of the parties, indirect conferencing was used, where the practitioner acted as a go-between for the parties.
- 3.35 In addition to offering to support participants through mediation, the case file reviews evidenced the following personal support provided to clients by staff and volunteers:
- listening to clients concerns;
 - following-up with telephone calls to enquire if they needed further support;
 - signposting them to services and organisations best placed to help them and providing them with contact information for those services;
 - speaking to the Police Service, NIHE and other organisations on their behalf;
 - facilitating victims making a statement of complaint to police; and
 - going to a police station with victims to make statement.

Work carried out by the Schemes

3.36 With so few cases having been referred under the Protocol, the Schemes focused on community work with a restorative ethos. This work covered issues such as bonfires, suicide awareness, threats and expulsions, neighbour disputes, antisocial behaviour, handing in of controlled drugs, and education programmes. In doing this type of preventative work, they worked in partnership with the Police Service, other criminal justice agencies and other statutory bodies. A lot of the projects they delivered were not funded by criminal justice organisations but their work cut across the criminal justice system.

3.37 The total numbers of new cases and closed cases for 2022 are set out in Chart 3.

Chart 3: Total numbers of cases closed and new cases received by the Schemes in 2022.



Source: CRJI & CRJ Ltd.

3.38 The Schemes, predominantly CRJI, delivered the following services:
STARS Project: CRJI led the STARS Project which was also delivered by Northern Ireland Alternatives. This programme was funded by The Executive Office and managed by Co-operation Ireland. CRJI and CRJ Ltd offered a bespoke training and mentoring programme to participants within these local communities, with the goal of encouraging the wider use and application of restorative practices across a range of community and voluntary settings with the help of restorative practices supervisory support.

3.39 **Aspire Project:** Aspire was a PBNI-led project that worked with marginalised young men aged between 16 and 30, who were at risk of becoming involved or further involved in criminality, supporting them to resist negative influences. NIACRO led on the delivery of this service and funded CRJI who offered CBRJ approaches.

- 3.40 **Community Resolution Notices (CRNs):** A CRN is an informal non-statutory disposal used for dealing with less serious crime and anti-social behaviour where the offender accepts responsibility. The views of the victim, if appropriate, are taken into account in reaching an informal agreement between the parties which can involve restorative justice techniques. The decision to offer a CRN was a matter for police. In 2021, 21 CRNs were referred to the Schemes however in 2022 this reduced to six. Inspectors were advised that a review of current guidance around CRNs was ongoing.
- 3.41 **Mediation and Community Support Project:** Funded through the NIHE and the Police Service, CRJI were contracted to provide mediation services and community support. The majority of cases referred to CRJI related to anti-social behaviour and other referrals related to hate crime, threat, intimidation, harassment and community concerns.
- 3.42 **Travellers Project:** This project used a multi-agency approach to deal with issues faced by members of the Travelling Community. Funded by the Belfast Health and Social Care Trust (BHSCT), CRJI worked in partnership with the Public Health Agency, Health and Social Care Board, Travellers Health and Wellbeing Forum and others. CRJI used restorative justice approaches to address ongoing conflict and the issues that contributed to that conflict. This work involved home visits, site visits, support at court, Social Services support and signposting to specialist services. CRJI had become the main point of contact for the Police Service regarding matters relating to the Travelling Community from co-ordinating the service of summonses to facilitating meetings between the Police Officers/Police Service and the Travelling Community. From January-December 2022, 189 new cases were referred to the Schemes under this project and 138 cases were closed.
- 3.43 **Outer West Belfast Family Support Hub (the Hub):** CRJI is the lead body for the Outer West Belfast Family Support Hub. The Hub had a list of core and associate members including Child and Adolescent Mental Health Service, Gateway Teams¹¹, the Education Authority, Education Welfare Officers and others. Meetings were held monthly and CRJI co-ordinated, processed and signposted all referrals for service. The Hub was funded by the BHSCT.
- 3.44 **Family Support and Youth Mentoring:** CRJI was funded by the BHSCT to provide mentoring and home visiting to Tier-2¹² families. CRJI tailored the mentoring programme times, days and duration of sessions to meet the young person's needs. Home visiting programmes were delivered to families over a period of eight-12 weeks depending on the family's need.

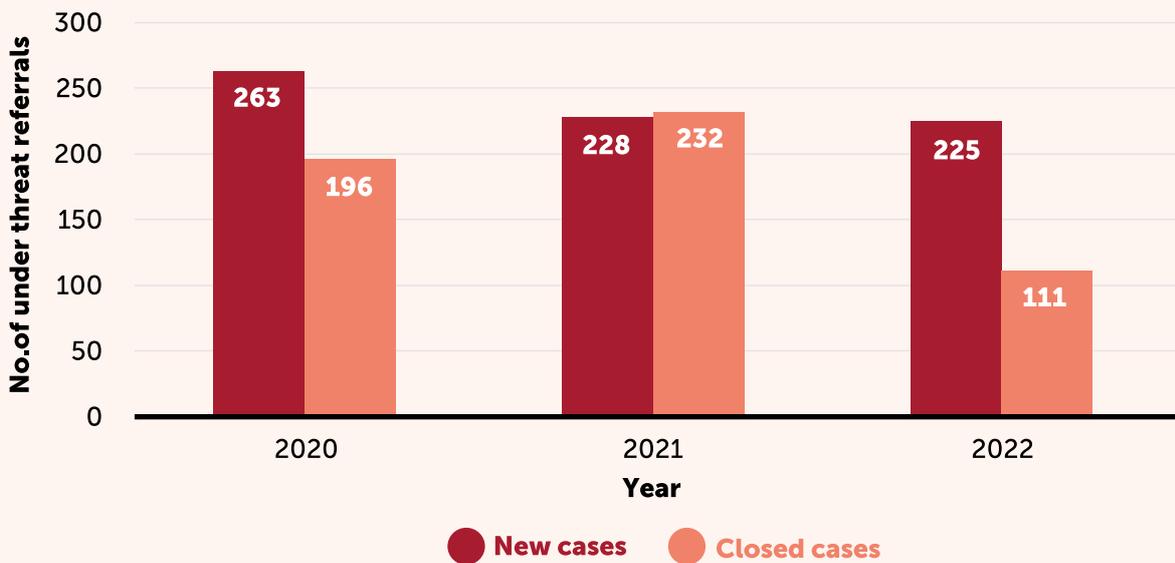
11 Gateway is a Social Work service for children and families.

12 Tier 2 - Targeted services for individuals and families beginning to experience - or at risk of - difficulties, for example programmes and harm reduction interventions.

3.45 **Under Threats Pilot:** This pilot project, funded by Belfast City Council was part of a multi-agency approach to reduce risk and address issues faced by individuals placed at risk of threat by paramilitary groups. The Threat Management Team in CRJI notified the Police Service when their offices received a threat against the life of a member of the community so that the Police Service could take the appropriate action. CRJI also carried out risk assessments to verify the source and legitimacy of threats which involved CRJI staff working evenings, nights and weekends. Inspectors were told there was also an element of personal risk associated with this work.

3.46 The original purpose of the pilot was to tackle paramilitary attacks on children and young people in West Belfast. The project then evolved so that all threats were being dealt with. The pilot area then expanded to include North Belfast. Police Officers spoken to as part of this Review advised that the project was now paused because of concerns around information sharing but Inspectors were advised by a Police Officer that this was not relevant to CRJI. The number of under threat referrals received and closed by CRJI from 2020-2022 are set out in Chart 4.

Chart 4: Total number of new and closed under threat referrals for CRJI for 2020-22



Source: CRJI

3.47 **Social Environment Programme - Crime:** CRJI was the lead body with the DfC for the Social Environment Programme and held a 'Robust' rating¹³ with the DfC. CRJIs work achieved the targeted outcomes namely:

- a reduction in overall recorded crime rate;
- a reduction in violent crime rate;

13 The process for assessing Community Organisations was set out in the 2015 Financial Systems and Controls Assessment of Voluntary and Community Organisations (FSCA) policy. This policy was for Northern Ireland Departments, Executive Agencies, Non Departmental Public Bodies and other Arms Length Bodies. The decision to award CRJI a 'Robust' rating was reached after careful consideration of its internal systems of financial control and its most recent financial transaction and project reporting history.

- a reduction in burglary crime rate;
- a reduction in theft crime rate;
- increased community pride; and
- a reduction in anti-social behaviour.

3.48 CRJI were able to evidence their outputs with statistics showing the number of:

- people receiving advice on crime;
- community safety initiatives implemented;
- people participating/attending community safety initiatives;
- crime prevention initiatives implemented;
- young people benefiting from youth inclusion/diversionary projects;
- victims supported;
- homes with increased security; and
- neighbourhood wardens supported.

3.49 **Policing and Community Safety Partnerships (PCSPs):** Funded by the DoJ, PCSPs were made up of members from a wide range of roles and backgrounds, local elected Councillors, Police Officers and a range of statutory agencies to improve policing and community safety issues across each of the local council areas. CRJ Ltd received an offer of funding to help victims of domestic violence however this funding was suspended by the DoJ in July 2022.

3.50 **Communities in Transition (CIT) Community Safety Projects:** CRJI were funded by The Executive Office, with whom they held a 'robust' rating, to design and deliver Community Safety and Policing projects that addressed the needs and issues facing communities in the Lurgan/Craigavon and North Belfast CIT areas. To deliver these projects CRJI:

- chaired the Community Safety Engagement Forums;
- developed the strategy and action plans for the projects;
- helped build the capacity of community safety mentors;
- developed and delivered bespoke training focusing on particular areas of concern in the community including violence against women, drug abuse and anti-social behaviour;
- created and developed a workshop around community safety for Community Safety Engagement Forum members to support their continual professional development; and
- created of a knife crime event.

3.51 **CIT Health and Wellbeing Programme:** CRJI was part of the West Belfast Health and Wellbeing Consortium and they joined with organisations to co-design and co-produce a co-ordinated programme to meet individual needs. They offered long-term holistic mentoring to address individuals' social, emotional and physical health and wellbeing needs. CRJI's work was focused in the Colin Urban Village area.

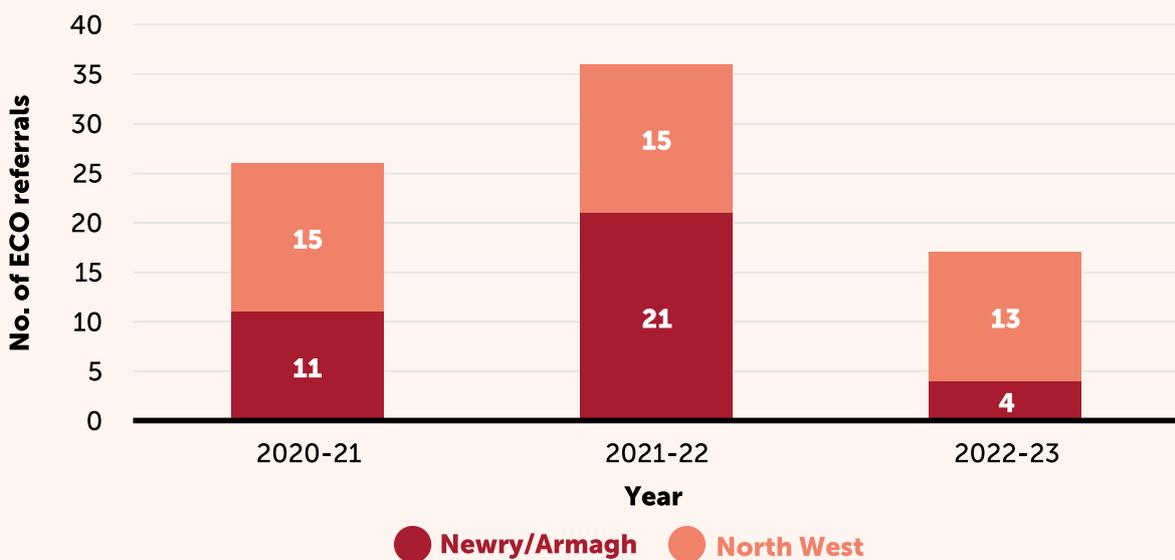
This project was funded by The Executive Office and to deliver the programme CRJI:

- consulted, scoped and refined the programme and the referral process;
- promoted awareness of local services and hosted events;
- engaged organisations, recruited volunteers and trained volunteers;
- managed and implemented the programme;
- recruited participants and developed personal support plans;
- shaped interventions and deployed a holistic support package; and
- monitored and provided ongoing support.

3.52 Urban Villages: This was an initiative designed and funded by The Executive Office. It aimed to foster positive community identities; to build community capacity; and to improve the physical environment in the five designated Urban Village areas. CRJI supported a shared community-led gardening initiative (Páirc an Glas) which supported residents to grow their own vegetables, plants, and transformed an area into a usable green space.

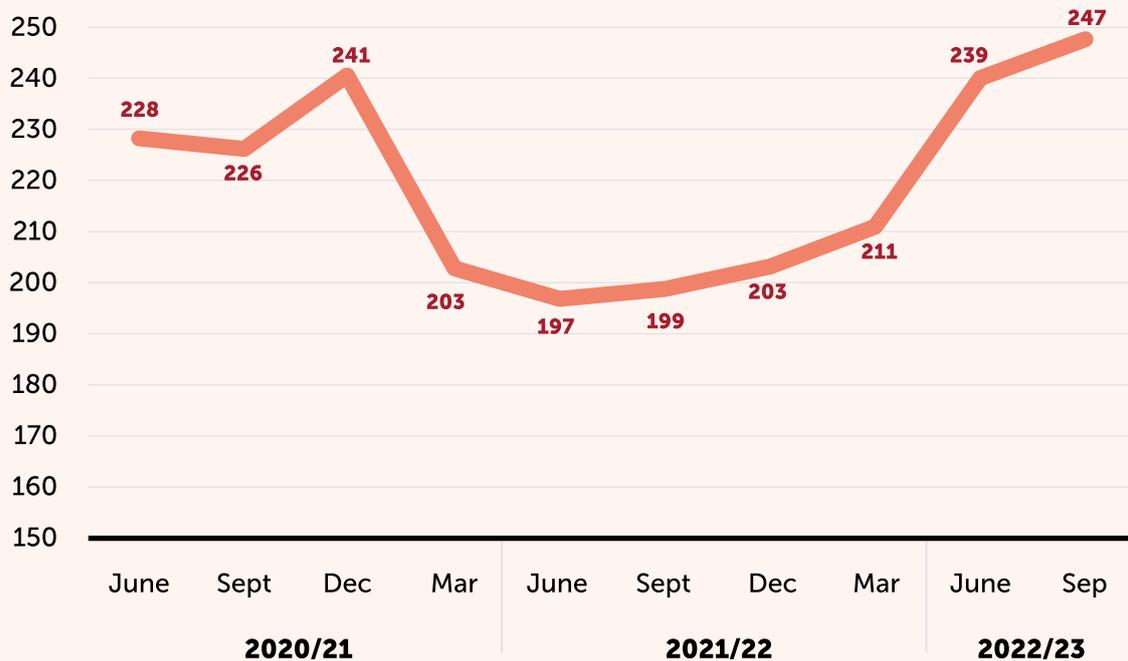
3.53 ECOs: CRJI was funded by the PBNI to provide a restorative intervention element for individuals under an ECO. The funding agreement for 2022-23 required the CRJI to engage with 50-60 people subject to ECOs referred by the PBNI and it was envisaged that the referrals would be split evenly between Newry/Armagh and the North West. Chart 5 shows that there were 17 ECO referrals for 2022-23, a reduction of 19 from the previous year. However, there was a steady increase in Court ordered ECOs during this time period as shown in Chart 6.

Chart 5: ECO referrals from PBNI from 2020-21-2022-23



Source: The PBNI

Chart 6: The total Court ordered ECOs from 2020-21-2022-23



Source: The PBNI

- 3.54 The PBNI advised that the reduction in referrals, despite the increase in Court ordered ECOs, could be due to an increase in the number ECOs relating to domestic violence offences which could not be referred to CRJI or because cases were more complex and the PBNI were taking longer to refer cases because so much preparatory work was required with clients before they were referred on. There was also, however, a confidence issue in light of the issues which resulted in CRJI self-reporting and funding being suspended by the PBNI.
- 3.55 The PBNI advised Inspectors that feedback from service users regarding CRJI was overall very positive. Service users sometimes found it easier to open up to CRJI because they were not a statutory body. Some service users had continued with CRJI after the ECO work had been completed to get support with benefits and housing. One service user became a CRJI volunteer. Inspectors were also told by the PBNI that CRJI was good at accommodating those who were working “CRJ has been very flexible and offered very good wellbeing support”.
- 3.56 However, there were issues around communication, information sharing and reporting between CRJI and the PBNI.

- 3.57 The PBNI advised Inspectors that they required more detail from CRJI around how the service user was presenting at appointments so that they could be responsive if there were concerns. They also advised that they would like more detail around the work that was being carried out by CRJI. The monitoring section of the funding agreement states that *'If more detailed quarterly information is required, this can be agreed between the provider and the PBNI project manager'*. The PBNI project manager had spoken with CRJI but they were not clear that they had spoken with the correct person regarding this.
- 3.58 Under the Service Level Agreement, CRJI was required to provide the PBNI with quarterly reports on project performance within one month of the end of the relevant quarter. The PBNI advised that they were continually having to 'chase' these reports.
- 3.59 CRJI had also raised issues with Inspectors around the failure of the PBNI to provide the required information when initial referrals were made to CRJI. Also, CRJI did not always know who the Probation Officer was in a case and it was sometimes difficult to obtain this information or to know who to communicate with.

OPERATIONAL RECOMMENDATION 4

Inspectors recommend that within one month of publication of this report Community Restorative Justice Ireland and the Probation Board for Northern Ireland should identify the appropriate parties within each organisation and schedule regular meetings so that expectations are clearly defined and understood.

- 3.60 CRJI Central Office was responsible for administering incoming grants. All funding received was used to support the programmes and projects outlined previously. These grants supported salaries, running costs, programmes and project costs and training within CRJI Offices: Central Office, Andersonstown, Falls, Colin Area, New Lodge, Ardoyne and South and East Belfast. Table 1 sets out CRJI funding for 2022-23. The funding from the DoJ and the PBNI was indicative funding for the 2022-23 financial year as the DoJ and half the PBNI funding had not yet been released, pending the outcome of this report. As CRJI were the lead for the STARS project, CRJI Central Office received all the funding for processing and allocation. Half of the STARS project funding listed in Table 1 was allocated to Northern Ireland Alternatives.

Table 1: CRJI funding for 2022-23

Project	Funder	Amount (£)
Core Funding	DoJ	69,000
ECOs	PBNI	40,000
STARS*	The Executive Office	1,419,997.31
Social Environment Programme-Crime	DfC	201,335.86
Communities in Transition Community Safety Project North Belfast	The Executive Office	82,000
Aspire	NIACRO	80,000
Communities in Transition Community Safety Project Lurgan	The Executive Office	77,000
Mediation and Community Support (West)	NIHE/Police Service	60,000
Under threats	Belfast City Council	45,000
Outer West Belfast Family Support Hub	BHSCT	40,000
Travellers Project	BHSCT	28,000
Family Support and Mentoring	BHSCT	26,500
Communities in Transition Health and Well-being	The Executive Office	18,500
Mediation and Community Support (South and East)	NIHE/Police Service	15,000
Urban Villages	The Executive Office	6,550

Source: CRJI

* Half of STARS funding was allocated to Northern Ireland Alternatives

Working with the Police Service

- 3.61 The crime prevention and anti-social behaviour diversionary work carried out by the Schemes averted the escalation of low-level disputes which kept people out of the criminal justice system and freed up police resources to deal with more serious criminality.
- 3.62 The Schemes were actively involved in numerous inter-agency working groups with the Police Service and other agencies. Some of the groups and the role of the Schemes in each group are set out in Table 2.

Table 2: Scheme representation on inter-agency working groups

Community Working Group	Role of the Schemes
Upper Andersonstown Community Forum	Chair
Community Policing Priorities Meeting	Attend
Crumlin-Ardoyne Neighbourhood Renewal	Attend
Ardoyne Youth Enterprises	On Board of Directors
Upper North Belfast Inter-Agency Meeting	Chair and manage
Client Intimidation Meeting	Attend
West Belfast Partnership Board Drug Lobby Group	Attend
Safer Streets Project	Attend
Community Empowerment Partnership	Attend
North Belfast Community Safety Engagement Forum	Chair
North Lurgan and Drumgask Community Safety Engagement Forum	Chair
CRJ Safer Stronger Communities Project Newry	Chair and manage
Newry Neighbourhood Renewal Partnership	Founding member
Community Safety Forum Derry/Londonderry	Chair
Colin Community Safety Forum	Just stood down as Chair after 15 years
On Street Community Youth	Chair
Community Crisis Intervention Service	Steering Group member
Galliagh Residents' Association	Chair
Local Growth Partnership	Interim Chair
Outer North Neighbourhood Partnership	Board Member
Greater Shantallow Area Partnership	Officer/Board Member
Outer North Community Safety Forum	Chair
Triax Community Safety Forum	Chair
Triax Community Safety Team	Chair
Outer West Community Safety Forum	Chair
Gasyard Wall Feile	Chair
Gasyard Development Trust	Chair
Sean Dolan GAA	Chair

Sources: CRJI, CRJ Newry/Armagh and CRJ Ltd

3.63 Inspectors were told that when some of the working groups formed a number of years ago, CRJI staff attended the meetings with Police Officers at great risk to their own safety and that of their families. Gradually, strong working relationships developed between the Police Officers representing the Police Service and the Schemes.

- 3.64 Inspectors were told by Police Officers in a number of Districts that they valued CRJI's input regarding community issues and police used this to inform decision making regarding engagement and resources. One Police Officer said they were "... *definitely viewed as a friendly partner*".
- 3.65 The Police Service advised that they had regular meetings with the Schemes, both formal and informal and that there were regular phone calls and enquiries both ways. The Police Service had provided training to CRJ Ltd around human trafficking and CRJI had trained Police Officers in restorative practices. Inspectors were told by police that "...*the commonality with both organisations is that they want to ensure the welfare of the community is good.*"
- 3.66 Inspectors heard many examples of the effective working relationship that had developed between the Police Service and the Schemes. However, it was evident that those good relationships were due, largely, to the people involved and the fact that some of the parties had been working together for many years.
- 3.67 CRJI did not have an effective succession plan. The Under Threats Pilot lead in CRJI had spent many years establishing relationships both with the Police Service and within the community to enable them to perform this role. Another staff member had commenced helping with this work but an effective succession plan needed to be put in place so that relationships could be developed and skills transferred.
- 3.68 Similarly, the Travellers Project lead had invested a lot of time establishing relationships with the Traveller families and had become the point of contact for the Police Service regarding any queries around the Travelling Community. To avoid loss of established relationships, knowledge and skills CRJI needed to plan for the future. As an area for improvement **Community Restorative Justice Ireland should incorporate succession planning into their strategic objectives so that there is a transfer of skills, resources and networks to maintain the continuity of effective services.**

PROGRESS AGAINST PREVIOUS CJI RECOMMENDATIONS

They will re-present themselves publicly to emphasise that they are a service to all sections of the community equally and would welcome volunteers and committee members from all parts of the community (CJI pre-inspection report 2007).

- 3.69 Since 2019 CRJI had been delivering the Local Initiative for Networks Connections and Support (LINCS) projects in partnership with Northern Ireland Alternatives. The project aimed to foster inclusion between Catholic, Protestant, ethnic minorities and newcomer communities. The LINCS projects created a Trans Group which allowed the individuals to explore themselves and their identity, a Syrian Women's Group and Syrian Men's Group which gave individuals a space to come and engage with other Syrian women and men, to explore their culture and create awareness among others in the community.

3.70 The STARS mentors and participants took part in Good Relations Week in September 2022 which shone a light on local communities taking action to build a stronger shared society and a more sustainable future.

3.71 The Schemes attended Community Information Days to emphasise they served all sections of the community and they met with minority groups such as the East Timor community in Lurgan to discuss future partnership working to keep the community safe. CRJI worked collaboratively with a range of organisations including the migrant centre, and recently translated CRJI information into eight different languages, completed drop-in clinics specifically aimed at supporting black and ethnic minority residents and delivered specific training to such targeted audiences.

3.72 CRJI helped all sections of the community in the Under Threats pilot.

3.73 With regards volunteers, a member of the Travelling Community had recently become a mentor. There was a mix of backgrounds among staff, albeit one community was still heavily represented.

3.74 CRJI had recently carried out a recruitment exercise for new Board members and emphasised that they would particularly welcome applications from women and black and ethnic minorities. They had had expressions of interest from all parts of the community. Inspectors were told the outcome of this Review was awaited before this would be progressed and appointments made.

3.75 There was still further work to be done to encourage volunteers and Committee members from all parts of the community (see paragraph 2.32) and the Schemes should make every effort to do this.

They continue to move in the direction of distancing themselves from activities not supported by the PSNI [Police Service] that could be interpreted as 'alternative policing' (CJI pre-inspection report 2007).

3.76 Police Officers spoken to as part of fieldwork for this Review were very positive about the work of the Schemes and viewed them very much as a friendly partner. It was apparent to Inspectors that the Schemes had tried to promote safety and support vulnerability and encouraged the community to report crime directly to police. One Chief Inspector told Inspectors that *"They (CRJI) are very much a key strategic partner in the justice system."*

They strengthen their ability (especially the North West schemes) to keep clear and explicit case records, which can be used as the basis for future inspection (CJI pre-inspection report 2007); and

We would recommend that all case notes should record the full name and address of the client, and their age in the case of a child or a senior citizen (CJI inspection report 2008).

3.77 The case records were detailed setting out the name, address and contact number of clients. The fact that a client was a child was recorded. They recorded the source of the referral, whether it was resolved and whether it involved direct or indirect mediation. There was a brief description of the case, the steps that were taken to resolve the dispute, including referrals to other agencies or organisations and the outcome of the case.

3.78 Some internal policies required more detailed information on case report forms but Inspectors did not consider that this level of detail was always necessary and depended on the complexity of a case. As an area for improvement **Community Restorative Justice Ireland should review their policies around the level of information required on case report forms so that the amount of detail recorded is proportionate to the complexity of the case.**

They should introduce proper procedures for recording and investigating complaints and publicise the availability of an independent external complaint mechanism if complainants are still dissatisfied (CJI pre-inspection report 2007).

3.79 The Schemes were fully compliant with this recommendation (see paragraph 3.26).

The forms which are used to record cases referred to the police need to be redesigned to make them suitable for transmission to the police. This would include a section for the scheme to say whether it was asking for the client to be referred back to them if the Public Prosecution Service for Northern Ireland (PPS) agreed it was a case suitable for restorative resolution (CJI inspection report 2008).

3.80 CRJI had an A1 referral form which they transmitted to the Police Service. There was a section titled 'referral details' in which CRJI set out whether it was asking for the client to be referred back to them under the Protocol. CRJI had also designed a form for Police Officers to complete when referring Protocol cases, CRNs or other matters to CRJI. However, this form was not used by police who instead referred cases by e-mail or telephone call (see Operational recommendation 5, paragraph 3.84).

Both the schemes and the Police Service need to develop a wider range of working level contacts with one another (CJI inspection report 2008).

3.81 Senior Police Officers in some of the Districts had established good working relationships with CRJI and, with an eye to the future, they had delegated their Inspectors, Sergeants and Constables to have direct contact with members of CRJI at different levels so that there was continuity of working relationships if they were no longer there. This approach however was not adopted in all Districts and was a bigger issue for some projects more than others such as the *Under Threats* Pilot.

3.82 From the policing point of view Inspectors hoped that the implementation of Strategic Recommendation 2 (see paragraph 2.46) would assist with developing a wider range of working level contacts.

3.83 For CRJI, succession planning (see paragraph 3.67) was essential in enabling this to happen.

There needs to be a procedure agreed with the police whereby if someone is referred to the police by a scheme that fact is recorded, so that there can be feedback to the scheme as to whether the person in question did in fact report to the police (if they agreed to do so), and what happened as a result (CJI inspection report 2008).

3.84 No progress had been made regarding this recommendation as Police Officers spoken to during fieldwork informed Inspectors that they were not aware of any formal way of recording referrals from CBRJ schemes to the Police Service. CBRJ schemes were being assessed on their level of engagement with and the reporting of crimes to the Police Service, yet there was no way to feedback to CBRJ or measure their level of engagement with statistics because there was no facility available to Police Officers to record this information.

OPERATIONAL RECOMMENDATION 5

Inspectors recommend that within one month of publication of this report the Police Service of Northern Ireland should remind all Police Officers of their obligation to complete the referral form when referring cases to community-based restorative justice schemes.

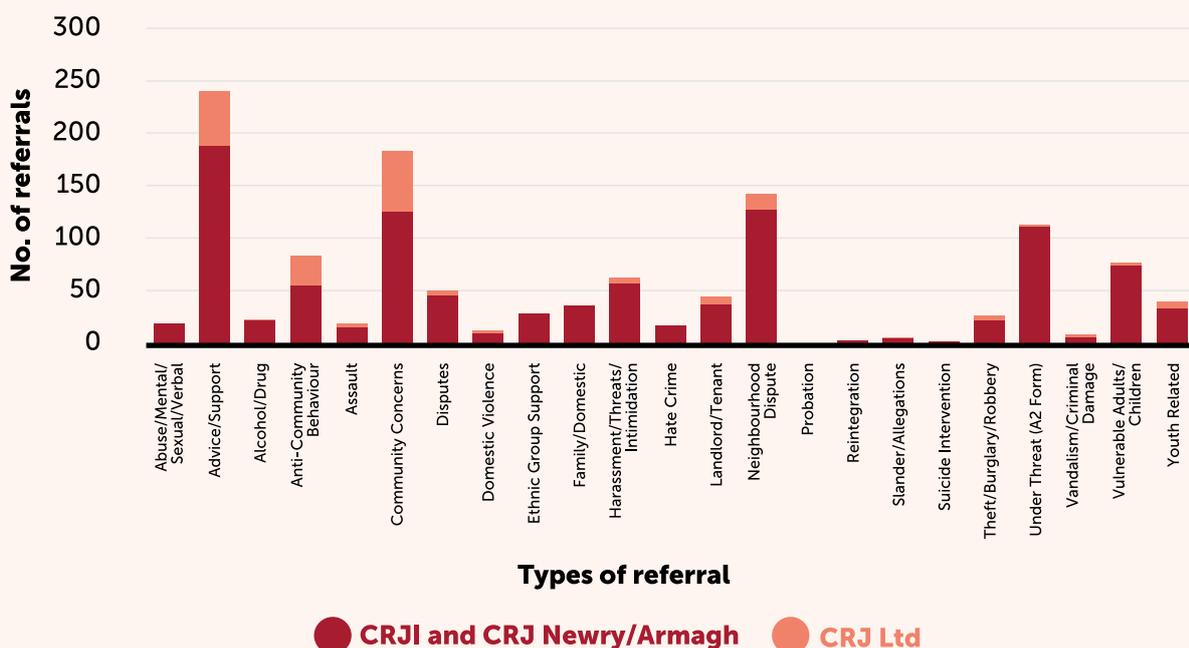
OPERATIONAL RECOMMENDATION 6

Inspectors recommend that within three months of publication of this report the Police Service of Northern Ireland should develop a system to record referrals from community-based restorative justice schemes to enable feedback to the Schemes as to whether the person reported to police.

CHAPTER 4: OUTCOMES

- 4.1 This chapter sets out the service provided by the Schemes and the benefits to the community. It identifies the positive outcomes resulting from the improvements in governance and compliance with the Protocol. Delivery against Outcome 7 of the *Draft Programme for Government* (see paragraph 2.38), is outlined as is the positive impact of their work on paramilitary activity. This chapter concludes with the Schemes contribution to policy.
- 4.2 Inspectors were told that there was a perception held by some people that the Schemes were politically affiliated. Inspectors found that the Schemes priorities were to focus on improving outcomes for the community through addressing the systemic socio-economic issues in communities where paramilitaries operated including housing, exclusion and marginalisation, drug and alcohol issues and difficulties accessing employment. One Police Officer told Inspectors *“From the outset CRJI have been very honest about what they do. They know what their responsibilities are. They have honesty of intention and their objectives are all good.”*
- 4.3 Chart 7 shows the different types and numbers of referrals dealt with by the Schemes in 2022.

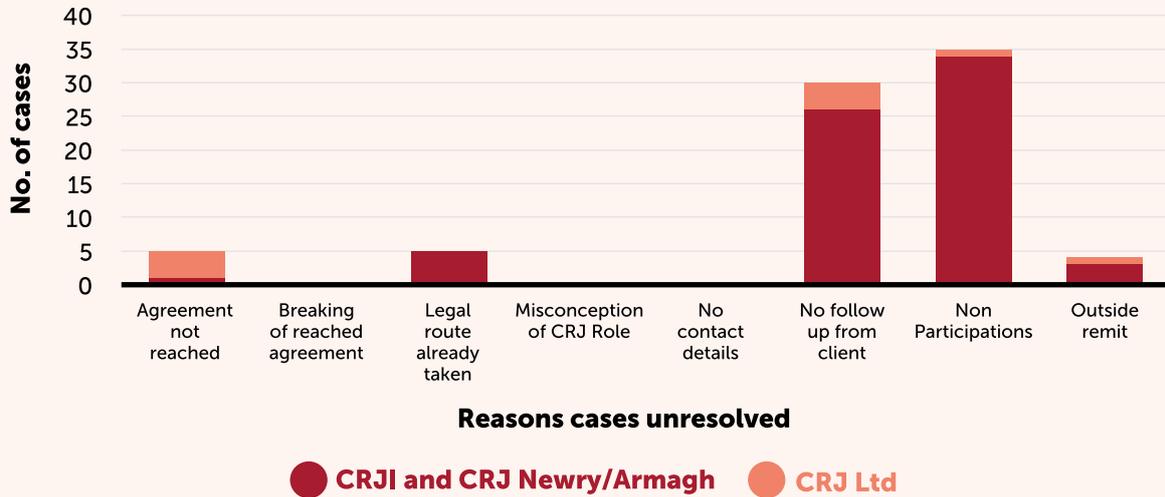
Chart 7: Types and number of referrals to CRJI, CRJ Newry/Armagh and CRJ Ltd in 2022



Sources: CRJI and CRJ Ltd

4.4 Of the 1,221 cases closed in 2022, 94% were resolved. For the 79 cases that were unresolved the reasons are set out in Chart 8.

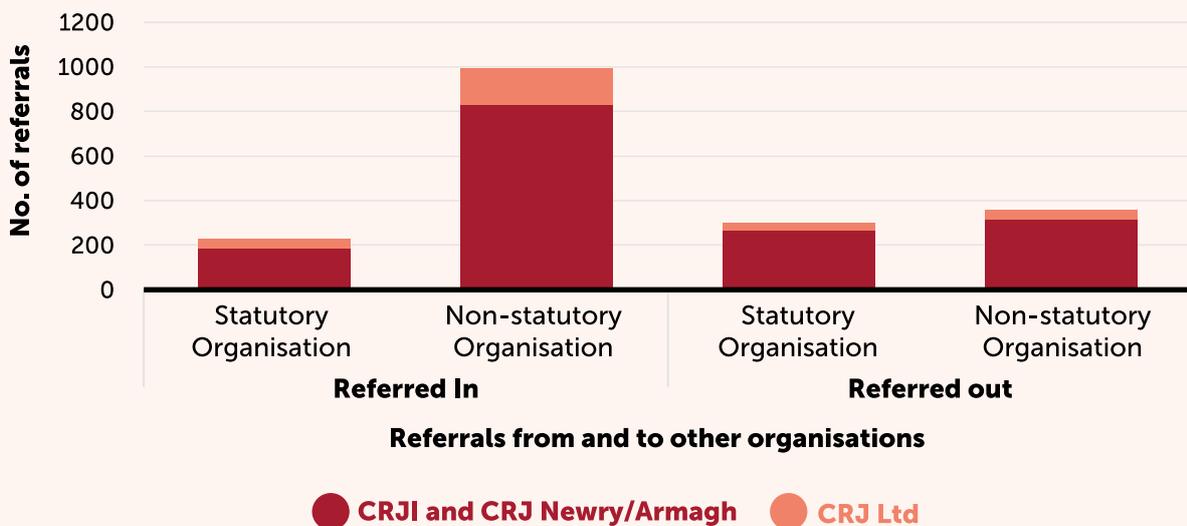
Chart 8: Reasons for unresolved cases for all Schemes in 2022



Sources: CRJI and CRJ Ltd

4.5 The Schemes had established trusted working relationships with statutory and non-statutory partners to ensure that client's needs were being met and that they were being referred to the correct services, with the requisite expertise, to address their needs. Chart 9 shows the referrals in and out of the Schemes during 2022.

Chart 9: Referrals into the Schemes and out of the Schemes during 2022



Sources: PPS and PSNI

- 4.6 The service provided by staff and volunteers was monitored internally through staff supervision, review meetings and personal development plans. Individual funders also had their own performance objectives against which they measured the Schemes service delivery.
- 4.7 The Schemes had feedback forms that were made available to service users however, Inspectors were told that not many had been completed. Inspectors enquired as to whether they had case studies to demonstrate the work that they had done and the outcomes for the service user, but there were none available. Staff explained that given the sensitivities involved in the more complex cases where they provided support, they hadn't wanted to risk upsetting the service user by asking if they would consent to their case being used as a case study. There was also the fact that staff and volunteers were not comfortable with promoting their successes.
- 4.8 Inspectors understood the reservations of staff and volunteers but given how difficult it was to measure outcomes, case studies would enable the schemes to demonstrate good practice, identify areas of learning and improve the service being provided to the community. As an area for improvement **Community Restorative Justice Ireland, Community Restorative Justice Newry/Armagh and CRJ Ltd. should begin compiling case studies.** They should also encourage service users to complete the feedback forms.
- 4.9 The quality of the service provided by the Schemes was in part evidenced by the fact that statutory and non-statutory services continued to refer cases to CRJI each year and provided funding for the various projects.
- 4.10 A number of the Schemes staff and volunteers informed Inspectors that they began volunteering with the Schemes after they had received support from them. They had been so impressed with the work that the Schemes did around restorative justice that they wanted to give back what had been given to them.
- 4.11 The PBNl advised Inspectors that clients who had worked with the Schemes on ECOs had continued to work with them even when their ECO had come to an end and one client had become a volunteer with CRJI.
- 4.12 A member of the Travelling Community who had been supported by CRJI had become a volunteer mentor.
- 4.13 The efforts made by the Schemes to emphasise that they were a service to all sections of the community equally resulted in an increase in ethnic minority groups seeking support from 15 new cases in 2021 to 28 in 2022.

- 4.14 The Schemes provided a service to the community that was not provided by any other group or organisation. For those involved with statutory services, they were able to provide ongoing support after the Court-ordered work was completed. It was reported by both the PBNJ and CRJI that service users had been more willing to engage with CRJI and opened up to them more readily because they were not a statutory organisation. The communities also relied on the Schemes to deal with things that didn't meet the level for statutory intervention. The Schemes also supported members of the community when they entered the criminal justice system. A Police Officer advised Inspectors that CRJI's *"ability to interact with residents appears to be very effective"*.
- 4.15 The Schemes gave the community a voice and represented their views and concerns at inter-agency meetings. One Police Officer said: *"What CRJI have brought is the public facing voice of community safety groups."* Staff also spoke of the bridge building they did within the community with the police and told Inspectors that they facilitated many mediations between community and the Police Service.
- 4.16 Inspectors were told by Police Officers that CRJI had enhanced community safety and in hard times, CRJI had been the advocates supporting policing. They advised that if they were going into an area of the community to deal with something, they would speak with CRJI to try to mitigate tensions.
- Improvements in governance**
- 4.17 CRJI had begun streamlining operations and reviewing internal procedures when they identified the financial irregularities. CRJI took a number of actions in response. They:
- updated and developed new policies including a detailed financial policy with the assistance of qualified people;
 - employed a new Treasurer;
 - introduced a computerised double entry bookkeeping accounts system;
 - employed an external HR company to handle payroll and review their complaints procedures and identify areas for improvement;
 - identified skills gaps in the Board of Directors and recruited to fill those gaps; and
 - upskilled the Board of Directors and updated their governance arrangements.
- 4.18 There were still areas for improvement such as developing an anti-fraud policy and reviewing their criteria around appointment of an external auditor. However, having overhauled their practice and procedures and ensured sufficient oversight by the Board of Directors, they now had a level of governance and professional practice that had been lacking.

Compliance with the Protocol

- 4.19 Inspectors were assured that the PPS could refer Protocol cases and the Police Service could refer CRNs and other matters to the Schemes with confidence.
- 4.20 The Schemes had been mostly compliant with the Protocol with very minor improvements suggested for two matters.
- 4.21 There had been significant progress made against the previous recommendations, the only recommendation outstanding being the further work required by both the Schemes and the Police Service to develop a wider range of working level contacts with one another.
- 4.22 One of the reasons given to Inspectors for Prosecutors' reluctance to refer cases to CBRJ schemes was that they had no assurance that the staff and volunteers in the Schemes had the necessary training and skills to do restorative work.
- 4.23 Staff and volunteers in the Schemes who worked with the community were trained in restorative practice before working directly with service users and some had gone on to obtain university degrees around restorative practice. There was also a period of shadowing experienced practitioners before supporting the community directly. Most staff had received further qualifications/training in courses including mediation, working with victims, survivors and witnesses and early interventions work. Mandatory training was delivered to staff and volunteers each year for safeguarding, GDPR, human rights and equality and diversity.
- 4.24 CRJI's training was accredited by the Council for the Curriculum, Examinations and Assessment, the Office of Qualifications and Examinations Regulation and the Open College Network. CRJI's training had also been benchmarked by the DoJ as being on par with the Ulster University courses.
- 4.25 Inspectors were impressed by staff and their dedication to the work they did. Their passion for restorative work was evident and for most it was more a vocation than a job with most having worked in restorative justice for many years. This combined with the quality of training provided to staff and volunteers, assured Inspectors that they did have the necessary restorative justice skills and experience.

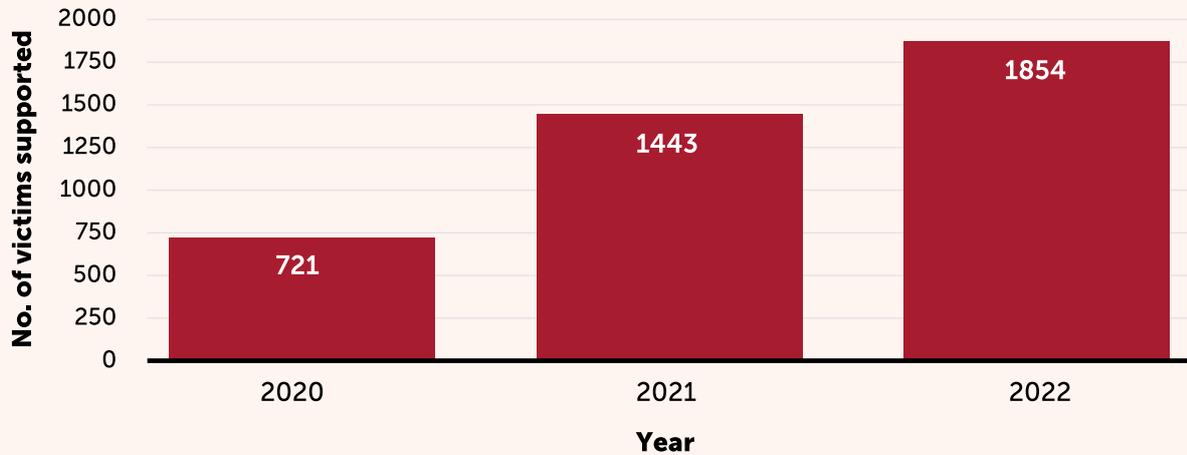
Outcome 7 of the Draft Programme for Government "We have a safe community where we respect the law and each other".

- 4.26 This Outcome included aiming to keep communities safe and reduce crime, make the justice system more effective, and reduce reoffending.
- 4.27 The Schemes had developed good and effective working relationships with the Police Service which viewed them as their 'strategic partner'. Police Officers told Inspectors "*It's (CRJI's) massively important to the overall delivery of policing. Unfortunately, there is no way to measure how valuable it is or what is achieved.*"

- 4.28 The Schemes had also helped develop constructive relationships between the police and the community, encouraging community support for the rule of law. Over the years, the Schemes had encouraged victims to report crime to the police, had facilitated victims making a statement of complaint to police in their offices and had gone to the police stations with victims to support them in making a complaint. Police Officers and the Schemes told Inspectors that due to the work that the Schemes had done to promote the community contacting the Police Service, more people were now reporting crimes directly.
- 4.29 Working with clients on ECOs and through the Aspire project, CRJI had supported the effective rehabilitation of offenders. Continued funding by the PBNI and NIACRO was a testament to their work as was the positive feedback from service users.
- 4.30 The preventative work carried out by the Schemes could not be underestimated. For behaviour that didn't meet the threshold for criminality such as anti-social behaviour, the Schemes worked with service users to help them recognise what they had done and the impact it had on others, take responsibility and try to make up for the harm their behaviour had caused. A systematic review of the evidence on the effectiveness of restorative justice was published by the Campbell Collaboration in 2013¹⁴. It concluded that restorative justice both reduced reoffending and improved victim satisfaction.
- 4.31 It was reported that allowing victims the opportunity to have a safe and facilitated dialogue with the person who harmed them made them feel empowered and invested in the process. Victims' needs were acknowledged and considered, which gave them a voice in an often-impersonal system.
- 4.32 The number of victims of crime and anti-social behaviour supported by the Schemes increased steadily from 2020-2022 as shown in Chart 10.

14 Campbell Collaboration, *Face-to-face Restorative Justice Conferences are cost-effective in reducing reoffending and increasing victim satisfaction, 2017* available at: https://www.campbellcollaboration.org/media/k2/attachments/0145_CJCG_Strang_Restorative_justice_PLS_EN.pdf.

Chart 10: Number of victims supported by CRJI from 2020-2022



Sources: CRJI and CRJ Ltd.

Paramilitary activity

4.33 In their fourth Report dated 7 December 2021¹⁵, the Independent Reporting Commission stated that, on evidence received to date, restorative justice made an important contribution to tackling paramilitarism within local communities.

4.34 The Schemes, together with statutory and non-statutory partners, supported people and communities who were vulnerable to paramilitary influence and harm through addressing the systemic socio-economic issues in communities where paramilitaries operated. The Independent Reporting Commissions published their Fifth Report in 2022¹⁶ and included Police Service data that showed 2021-22 recorded the lowest number of bombings and shootings attributed to paramilitary groups by the Police Service since 2013-14.

Contribution to policy

4.35 CRJI used the experience and knowledge they had gained from working restoratively within the community for 25 years to inform the development of restorative policy.

4.36 CRJI were actively involved in the DoJ's *Development of an Adult Restorative Justice Strategy*¹⁷ and were on the DoJ Working Group for the implementation of the action plan on the strategy.

4.37 CRJI were members of the DoJ Working Group for the development of a new Centre of Restorative Excellence for restorative justice.

15 *Independent Reporting Commission 4th Report, December 2021*, available at: [HC 916 – Independent Reporting Commission Fourth Report December 2021 \(ircommission.org\)](#)

16 *Independent Reporting Commission 5th Report, December 2022*, available at: [Independent Reporting Commission Fifth Report December 2022 – HC 893 \(ircommission.org\)](#)

17 *DoJ, Development of Adult Restorative Justice Strategy*, available at: [Adult RJ Strategy - Summary of Consultation Responses \(justice-ni.gov.uk\)](#)

APPENDIX 1: METHODOLOGY

SCOPING MEETINGS

Inspectors met with the Chief Executive and Senior Management Team of CRJI and the DoJ to determine the scope of the Review.

DESKTOP RESEARCH AND DOCUMENTARY REVIEW

Research literature and guidance were reviewed in relation to CBRJ. This was used to inform the development of terms of reference for the Review and fieldwork planning. A review was also completed of external and internal documentation relating to CRJI provided to CJI by the DoJ and CRJI. This was used during fieldwork planning and analysis.

Sampling Methodology

Inspectors were provided with statistics for all cases that were closed during 2022. No information regarding the cases was provided. Inspectors selected, at random, the week of 17-21 October 2022 and asked the Schemes to provide all closed cases for that week for case review. In total, across the six CRJI offices, CRJ Newry/Armagh and CRJ Ltd, 12 cases were closed that week and the breakdown was as follows:

Scheme	Cases
Colin	4
Ardoyne	3
Falls	3
South & East Belfast	1
CRJ Ltd	1
Total	12

Fieldwork

During fieldwork, Inspectors visited the following offices:

CRJI Belfast

- Colin;
- Andersonstown;
- New Lodge;

- Ardoyne;
- Falls; and
- South and East.

CRJI Newry/Armagh

CRJ Ltd Derry

One-to-one interviews and focus groups with the schemes, were completed. The bulk took place with the Schemes and to a lesser degree the Police Service, the PBNi and the PPS. Inspectors met with representatives from the DoJ, the Charities Commission for Northern Ireland and the Northern Ireland Human Rights Commission and were grateful for the information provided by each. Inspectors also met with a Councillor from the Social Democratic and Labour Party who was a serving member of the Outer North Community Safety Forum. Representatives from the following areas in each agency were interviewed:

CRJI

- Chair of Board of Directors;
- Member of Board of Directors x 2;
- Treasurer;
- Chief Executive Officer;
- Senior Operational Manager;
- Programme Manager;
- Finance Officer;
- Office Co-ordinators x 5;
- ECO Project Worker;
- Aspire Project Worker x 2;
- Mediation and Community Support Project Worker x2;
- Community Safety Officer x 2;
- Travellers' Project Worker;
- Under Threats Project Staff;
- Administration Staff; and
- Volunteer Practitioners x 2.

CRJ Newry/Armagh

- Management Committee members x 2;
- Manager;
- Finance and Administration Officer; and
- Volunteer Practitioner x 2.

CRJ Ltd

- Manager;
- Restorative Training Manager;
- CRJ Co-ordinator x 3; and

- Volunteers x 2.

Police Service

- Assistant Chief Constable; and
- Chief Inspector x 5.

PBNI

- Assistant Director x 2;
- ECO Team Manager;
- ECO Probation Officer x 2; and
- Probation Support Officer x 2.

PPS

- Senior Assistant Director;
- Public Prosecutor; and
- Deputy Principal.

Interviews and focus groups were also undertaken with stakeholder organisations;

- The Charity Commission for Northern Ireland; and
- Northern Ireland Human Rights Commission.

APPENDIX 2: TERMS OF REFERENCE

A REVIEW OF COMMUNITY RESTORATIVE JUSTICE IRELAND AND ITS ACCREDITED SCHEMES

TERMS OF REFERENCE

Introduction

On 26 October 2022 the then Minister of Justice (the Minister), exercising her powers under Section 47(4) of the Justice (Northern Ireland) Act 2002¹⁸, requested Criminal Justice Inspection Northern Ireland (CJI) to undertake a Review of Community Restorative Justice Ireland (CRJI) and its accredited schemes. CJI have the power to inspect a community-based restorative justice scheme under Section 43 (5) of the Justice and Security (Northern Ireland) Act 2007¹⁹.

CRJI was founded in 1998 and its mission statement is that it *'aspires to build a tolerant, responsive, and inclusive community by providing restorative justice services to local areas.'* The organisation has grown to include six locations throughout Belfast and offices in Derry/Londonderry and Newry. In 2008, CRJI was accredited by the Northern Ireland Office, making it one of two restorative justice organisations to receive this distinction. The organisation is a charitable organisation recognised by His Majesty's Revenue and Customs and registered with the Charity Commission for Northern Ireland.

Context

The Criminal Justice Review (2000) found that *'Community-based restorative justice (CBRJ) schemes can have a role to play in dealing with the types of low-level crime that most commonly concern local communities.'* The 2007 Justice and Security (Northern Ireland) Act²⁰ established the legislative basis for community-based restorative justice schemes.

A Protocol²¹ for CBRJ Schemes was also published by the Northern Ireland Office in 2007. Any organisation or scheme wishing to apply for accreditation had to first ensure that they complied with the Protocol. This Protocol applied to all cases where schemes dealt with or sought to deal with criminal offences.

18 UK Government, *Justice (Northern Ireland) Act 2002 S. 47 (4)* available at [Justice \(Northern Ireland\) Act 2002 \(legislation.gov.uk\)](#)

19 UK Government, *Justice and Security (Northern Ireland) Act 2002 S.43 (4)* available at [Justice and Security \(Northern Ireland\) Act 2002 \(legislation.gov.uk\)](#)

20 UK Government, *Justice and Security (Northern Ireland) Act 2007* available at [Justice and Security \(Northern Ireland\) Act 2007 \(legislation.gov.uk\)](#)

21 Northern Ireland Office, *2007 Protocol for Community-Based Restorative Justice Schemes, February 2007* available at [Microsoft Word - Finalised CBRJ Protocol as published on 5 February 2007.DOC \(ulster.ac.uk\)](#)

Accreditation was a two-stage process. CJI were involved in the first stage, carrying out a pre-accreditation inspection of the CBRJ scheme and providing a written report to the Minister of Justice for consideration. Stage Two involved a Suitability Panel confirming the suitability of individuals nominated to work in those CBRJ Schemes.

Between 2007 and 2016 CJI undertook eight pre-accreditation inspections of CBRJ schemes in Northern Ireland, five of which were CRJI schemes, and published the resulting reports on its website.

In 2016 the accreditation process for CBRJ Schemes was paused by the then Minister.

On 3 June 2020 the then Minister advised that she would be restarting the accreditation process in order to increase CBRJ capacity.

In March 2022, the then Minister commissioned an independent Review of the 2007 Protocol. The Protocol had been in place for more than 14 years and a clear view emerged through the Adult Restorative Justice Strategy *Restoring Relationships, Redressing Harm 2022-27*²² consultation process that the Protocol needed an extensive review. It was intended that the Department of Justice (DoJ) would draft a new Protocol for the operation of the schemes in line with the Review's findings.

At the time of the then Minister's request, the 2007 Protocol was the governing document and will be used to assess the practice of CRJI and its accredited schemes.

Aims of the Inspection

The broad aims of the Inspection are to:

- examine governance information, policies and other relevant documentation to determine compliance with the Protocol and assess the quality of practice;
- examine documentation and information in relation to work that has been undertaken in partnership with criminal justice agencies;
- examine the policy and procedures around the monitoring of expenditure of public funds;
- assess progress, including in relation to achieving previous recommendations where appropriate; and
- any other matters arising during the inspection if considered appropriate by CJI may be included.

22 DoJ, *Adult Restorative Justice Strategy for Northern Ireland, March 2022* available at [Adult restorative justice strategy for Northern Ireland \(justice-ni.gov.uk\)](https://www.justice-ni.gov.uk/adult-restorative-justice-strategy-for-northern-ireland)

Matters outside the scope of this inspection

The following matters fall outside the scope of this inspection and will not form part of this Review:

- the ongoing Industrial Tribunal case and the allegations specific to it; and
- financial investigation or audit.

Methodology

The Review will be based on the CJI Inspection Framework, the three main elements of the inspection framework are:

- Strategy and governance;
- Delivery; and
- Outcomes.

The 2007 Protocol sets out what is required from schemes to fulfil their obligations and, as stated above, this will be used to assess compliance by CRJI and its accredited schemes.

The Review will be conducted by the Deputy Chief Inspector and a CJI Inspector.

CJI is cognisant of the current operational models of inspected organisations and this will inform fieldwork for this review (see below) and may impact timing.

Design and Planning

Preliminary research

Preliminary discussions and a preliminary review of information has taken place to inform the drafting of the terms of reference.

Benchmarking, research and data collection

Collection of benchmarking information and data and review of inspection and research reports will be undertaken.

Contact with agencies

Terms of reference will be shared with CRJI, the Probation Board for Northern Ireland (PBNI), the Police Service of Northern Ireland (PSNI/Police Service), the Public Prosecution Service (PPS), the Youth Justice Agency (YJA), Northern Ireland Human Rights Commission (NIHRC), the Charity Commission for Northern Ireland and the DoJ. Liaison officers from the organisations should be nominated for the purposes of the Review.

Policies and procedures, management information, minutes of meetings and related documentation from the organisations will be requested and examined.

Stakeholder consultation

The following stakeholder organisations will be consulted:

- the PBNI;
- the PSNI/Police Service;
- the PPS;
- the YJA;
- the NIHRC;
- the Charity Commission for Northern Ireland; and
- the DoJ.

Other stakeholders may be consulted as required.

Self-assessment

CRJI will be asked to undertake a self-assessment, which will be reviewed by CJI prior to the commencement of fieldwork.

Development of fieldwork plan

The fieldwork plan will include:

- Off-site fieldwork at CJI to examine documentation provided by CRJI;
- On-site fieldwork at each CRJI premise to meet staff, make observations and review records; and
- meetings with staff in the PBNI, the PSNI/Police Service, the PPS, the YJA the NIHRC and the Charity Commission for Northern Ireland involved with CRJI and its accredited schemes.

Initial feedback to agency

On conclusion of the fieldwork the evidence will be collated, triangulated and analysed and emerging findings will be developed. CJI will then present the findings to CRJI and the DoJ.

Drafting of report

Following completion of the fieldwork and analysis of data a draft report will be shared with the relevant bodies including CRJI, the PBNI, PSNI/Police Service, PPS, YJA and the DoJ and any other relevant stakeholders for factual accuracy check. The Chief Inspector will invite the CRJI, or other organisations where appropriate, to complete an action plan within two weeks to address the recommendations and if the plan has been agreed and is available, it will be published at the same time/alongside the final Review report. The Review report will be shared, under embargo, in advance of the publication date with relevant bodies.

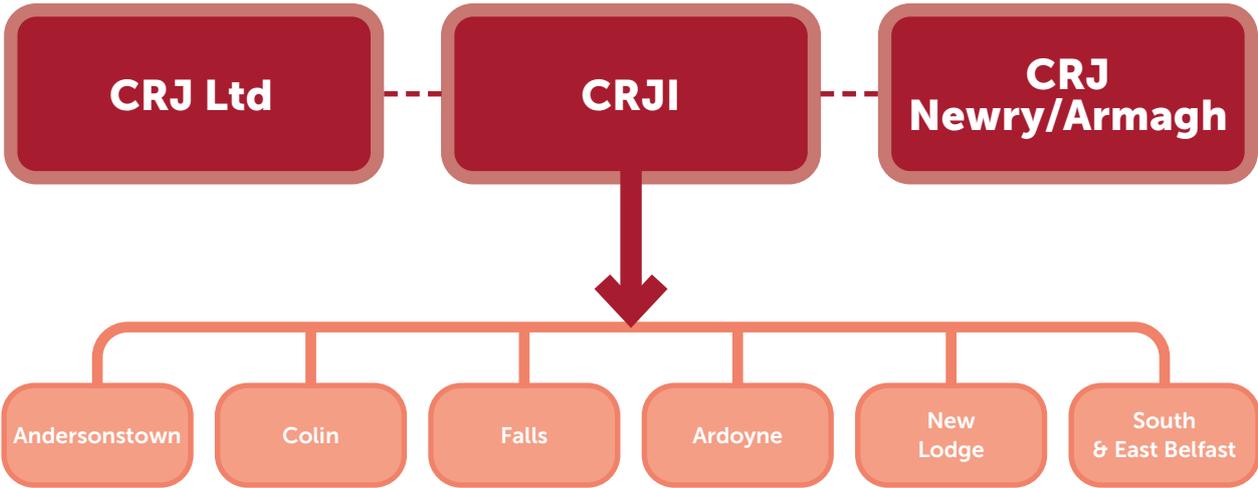
Publication and Closure

A report will be sent to the Minister, or the Permanent Secretary in the absence of a Minister, for permission to publish. When permission is received the report will be finalised for publication. A press release will be drafted and shared with CRJI the PBNI, PSNI/Police Service, PPS, YJA, NIHRC, the Charity Commission for Northern Ireland and the DoJ prior to publication and release. A publication date will be agreed and the report will be issued.

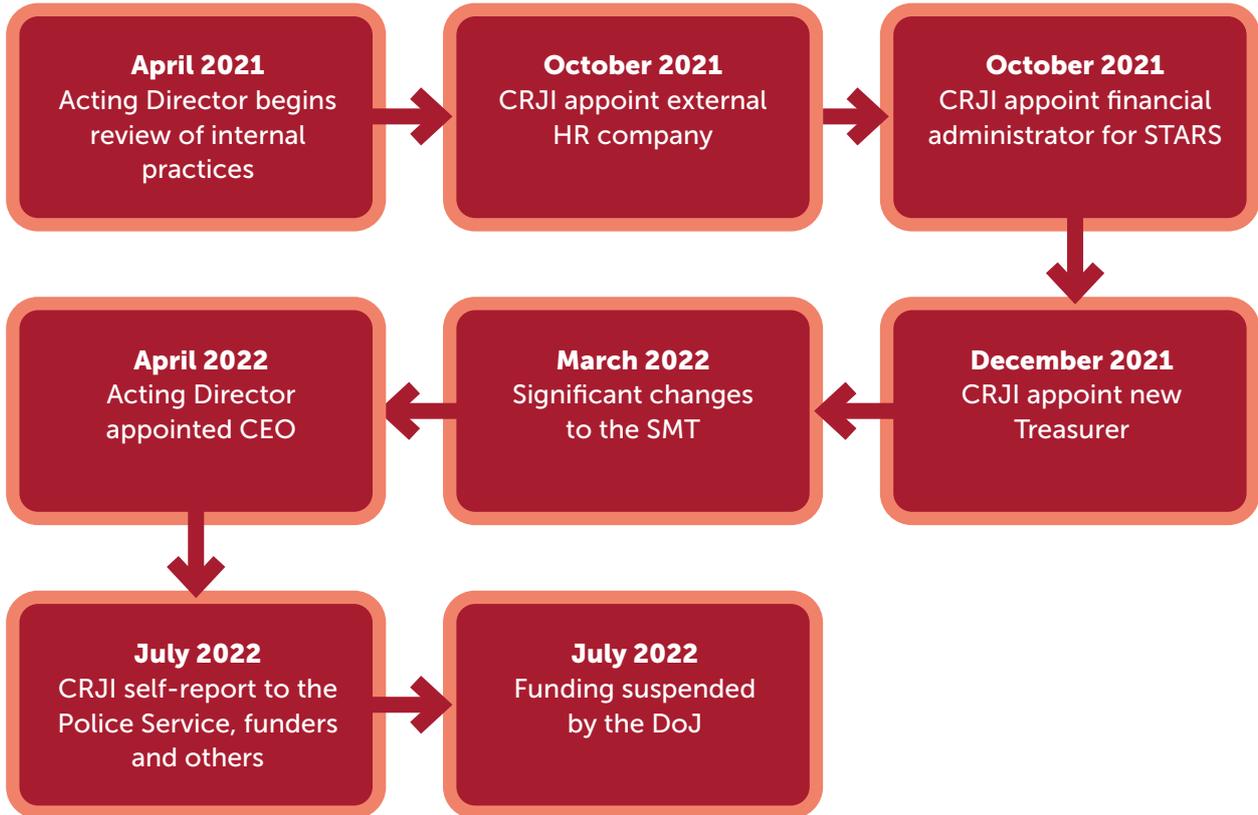
Indicative Timetable	
Scoping, research and self-assessment	November and December 2022
Fieldwork	January 2022
Draft report to CRJI and other appropriate organisations for factual accuracy	February/March 2023
Publication (subject to permission to publish)	Spring 2023

The above timetable may be impacted by factors outside CJI's control. Organisations will be kept advised of any significant changes to the indicative timetable.

APPENDIX 3: ORGANISATIONAL RELATIONSHIPS BETWEEN CRJI, CRJ LTD AND CRJ NEWRY/ARMAGH



APPENDIX 4: TIMELINE OF EVENTS IN CRJI FROM APRIL 2021 UNTIL JULY 2022



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Block 1, Knockview Buildings
Belfast BT4 3SJ

www.cjini.org