

FROM THE OFFICE OF THE JUSTICE MINISTER

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Clerk to the Committee for Justice
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Our Ref: JCP\25\149
17 June 2025

Dear Kathy,

Justice Bill – Restorative Justice

Thank you for your letter of 5 June 2025 in which you sought a response to questions raised by the Justice Committee on the Restorative Justice provisions in the Justice Bill, which were provided to the Committee as an amendment to the Bill as introduced. The information below addresses the key points that were set out in your letter.

Accreditation timescales

The committee asked for details of how long organisations or individuals will be accredited to deliver restorative justice programmes and whether this will be the same for everyone.

The 2023 Protocol provides that all accredited organisations and individuals must make an application for re-accreditation every three years. This position is also made clear in the new Practice Standards and Accreditation Framework which will be launched later this year, a copy of which will be provided to Committee members once it has been

approved by the Minister. The process for re-accreditation will require evidence of organisational governance and individual competency and experience as outlined in the Framework.

Criminal Justice Inspection Northern Ireland (CJINI) Reviews

The Committee asked whether there would be specific timescales set for Criminal Justice Inspection Northern Ireland (CJINI) reviews. Restorative Justice organisations and independent restorative practitioners accredited under the Protocol will be subject to inspection and review of their working practices by CJINI. These inspections will be undertaken, as appropriate, by CJINI using its statutory functions to inspect aspects of the criminal justice system; the timing and frequency of these inspections is a matter for CJINI to consider as part of its wider programme of work. Aside from CJINI inspections, all service providers will be expected to provide regular monitoring reports on the work undertaken on justice referrals, as well as being subject to scrutiny by the Interim Protocol Lead (IPL) who holds responsibility for assessing their suitability for continued accreditation.

Community Based Restorative Justice

The Committee asked for clarification of how ‘community-based restorative justice’ is defined and how the balance will be struck between community-based organisations/individuals and other non-statutory or statutory bodies in providing restorative justice services.

Community based restorative justice is so named because it began in the local communities as a way of resolving conflicts or disputes in a restorative way before they escalated, often without the need for statutory intervention. The Department recognises the importance of this work that has been undertaken by accredited community based restorative justice groups over the past two decades, but have taken the decision to remove the reference to ‘community based’ restorative justice in the provisions in the Justice Bill. This is because the new Protocol, and therefore the new accreditation process that is covered by the provisions, opens up accreditation to a wider range of

voluntary and community bodies as well as individual practitioners. The terminology in the provisions reflects this change. There is no 'balance to be struck' between different sectors or organisations, because everyone that applies for accreditation, and meets the necessary training and practice standards will be accredited to work with referrals from the criminal justice system.

Probation Board for Northern Ireland (PBNI)

The Committee also asked whether the Probation Board for Northern Ireland (PBNI) will be included as a potential provider under the new provisions and if this could present any potential conflict of interest given their status as a non-departmental public body.

The purpose of the Protocol that sets out the accreditation process is to govern the relationship, and all types of formal engagement, between accredited service providers and the Northern Ireland criminal justice agencies, in particular how restorative justice is delivered in cases referred by justice agencies. The accreditation process does not apply to statutory justice organisations, including PBNI, meaning that there is no conflict of interest. That said, both the Protocol and the new Framework being developed are clear that any staff within justice agencies who are delivering restorative interventions as part of their role must be trained to an appropriate standard, as agreed with the IPL. PBNI are aware of this, and staff are engaged in an ongoing programme of training in advance of the Framework launch to ensure they meet the required standards.

Referral system

The Committee also asked what the referral system is for individuals to undertake restorative work and who can utilise the referral mechanism. Following the launch of the Framework later in the year, applications for accreditation will open. Any individual practitioner or organisation who believe they meet the practice standards and accreditation criteria as set out in the Framework will be able to apply for accreditation – an application form for this purpose is being developed and will be made available and promoted at the same time as the launch of the Framework.

Review of Restorative Justice

In terms of a wider review of restorative justice being undertaken and what that could mean for adults who might be involved in the Adult Restorative Justice Strategy, there are no plans for a wider review of Restorative Justice at present, the existing Strategy is due to run through until 2027 at which point a review will likely take place. The focus is currently on operationalising the new accreditation process as envisaged in the 2023 Protocol.

Restorative Panels

The Committee correspondence asked for ‘details of what the Restorative Panels in the Strategy entail and how they are constituted, including whether they comprise elected representatives’. It is not entirely clear what Panels are being referred to, but we have taken it to mean the Suitability Panel which forms part of the consideration process for individuals that have applied for accreditation. As was the case under the older 2007 Protocol, the new (2023) Protocol advocates for an “advisory expert panel” to assist the IPL in their decision-making on applications for accreditation. Previously these were a three-person panel consisting of representatives from both PBNi and the Youth Justice Agency with restorative justice experience, sitting alongside an independent chair who again would have relevant experience in the justice field.

It is our intention to replicate a similar approach under the new accreditation process, and are currently identifying suitable personnel to sit on this small panel. Given its purpose and the need for restorative justice experience, it is not envisaged that there would be any role for elected representatives. The work of the Panel would be limited, sporadic and time bound; it would only be convened for the purpose of considering accreditation applications and have no further, ongoing role in the work of the restorative justice practitioners once accredited; responsibility for this sits with the IPL and the Department.

Training

FROM THE OFFICE OF THE JUSTICE MINISTER

Finally, the Committee asked about the training that will be provided to restorative justice providers to enable them to gain accreditation or on an ongoing basis once accredited.

The Department has already hosted a range of training courses to help statutory partners prepare for the launch of the new Framework and an increased focus on, and expansion of, restorative justice work. It is hoped that, if appropriate funding and resources are available, future training can be provided for a wider range and number of restorative justice providers to assist them in becoming accredited and maintaining accreditation. This will be kept under review.

I hope that this has provided the Committee with sufficient information to allow them to consider the issues raised.



**DAVID GRAHAM
DALO**



Northern Ireland Assembly Committee for Justice

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5 June 2025

Justice Bill – Restorative Justice

Dear David

At its meeting on 22 May 2025, the Committee for Justice heard legal advice on the Human Rights aspects of the Restorative Justice Amendment to the Justice Bill.

Following the advice, the Committee agreed to ask the Department for the following:

- Details of how long organisations or individuals will be accredited to deliver restorative justice programmes, and whether this will be consistent across all organisations or, if not, what criteria will be used to determine the accreditation period.
- Whether there will be specific timescales set for review by Criminal Justice Inspection Northern Ireland (CJINI), particularly for newly-accredited organisations who may benefit from early and/or regular reviews.
- Clarification of how 'community-based restorative justice' is defined and how the balance will be struck between community-based organisations/individuals and other non-statutory or statutory bodies in providing restorative justice service.
- Clarification of whether the Probation Board will be included as a potential provider under these provisions and if this could this present any potential conflict of interest given their status as a non-departmental public body.
- What is the referral system for individuals to undertake restorative work and who can utilise the referral mechanism?

- Whether there is a wider review of restorative justice planned or being undertaken and what that could mean for adults who might be involved in the Adult Restorative Strategy.
- Details of the what the Restorative Panels in the Strategy entail and how they are constituted, including whether they comprise elected representatives.
- What training is or will be provided to restorative justice providers to enable them to gain accreditation or on an ongoing basis once accredited.

I would appreciate a response by 19 June 2025.

Kathy O'Hanlon

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