## 

***Restoring Relationships, Redressing Harm***

**DEVELOPMENT OF**

**AN ADULT RESTORATIVE JUSTICE STRATEGY FOR**

**NORTHERN IRELAND**

***CONSULTATION RESPONSE TEMPLATE***

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**Introduction & Purpose**

* 1. The Department of Justice is seeking your views on a proposed Adult Restorative Justice Strategy for Northern Ireland.
  2. The consultation document has been developed in partnership with colleagues from the Public Prosecution Service for Northern Ireland, the Police Service of Northern Ireland, the Probation Board for Northern Ireland, the Northern Ireland Prison Service, Victim Support NI, Community Restorative Justice Ireland and Northern Ireland Alternatives. Information on each of the organisations represented can be found in the Strategy consultation document.
  3. The document aims to set out why and how the Department could develop a comprehensive strategic approach to the use of restorative practices in all aspects and at all stages of the criminal justice system. At the heart of the work is our desire to:
* place victims front and centre;
* develop appropriate structures and opportunities to allow victims to be involved, whether directly or indirectly, in the justice system and in decisions which affect them;
* engage and challenge offenders to understand the effects of their actions on victims and the wider community; and
* improve outcomes for all those affected by offending behaviour, whether victims, offenders, families or communities.
  1. The purpose of this consultation is to invite views on each section of the document, and on our approach to Restorative Justice generally. If you have not already viewed a copy of the consultation document, it is available electronically from:

<https://www.justice-ni.gov.uk/consultations/development-adult-restorative-justice-strategy-ni>

**Consultation Information**

**Duration**

* 1. The consultation will run for 12 weeks. This extended period for consultation consideration reflects the current unique circumstances resulting from the COVID-19 pandemic. The closing date is **Friday 11 September 2020.**

**How to respond**

* 1. Consultation questions are posed at various sections of the document. You are asked to respond using this template, and should include your name and contact address details in the spaces provided.
  2. For queries and responses to the consultation, please contact:

Reducing Offending Policy Unit

Room 308

Dundonald House

Stormont

BELFAST

BT4 3SU

E-mail: [RJ.Strategy@justice-ni.x.gsi.gov.uk](mailto:RJ.Strategy@justice-ni.x.gsi.gov.uk)

Telephone: 028 90 524745

* 1. Any comments, queries or concerns about the way in which the consultation process has been conducted should be sent to the following address:

The Equality Officer

Room 3.4

Castle Buildings

Stormont Estate

Belfast

BT4 3SG

E-mail: [equalityandstaffsupportservices@justice-ni.x.gsi.gov.uk](mailto:equalityandstaffsupportservices@justice-ni.x.gsi.gov.uk)

**Alternative Formats**

* 1. An electronic version of this document is available to view and download from the DOJ website ([www.justice-ni.gov.uk](http://www.justice-ni.gov.uk) ). Hard copies will be posted on request.
  2. Copies in other formats, including Braille, large print, etc may be made available on request. Please contact us if you need copies in an alternative format or a language other than English, and we will do our best to assist you.

**Privacy, Confidentiality and Access to Consultation Responses**

* 1. For this consultation, we may publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove all email addresses and telephone numbers from these responses, but apart from this we may publish them in full. For more information about what we do with personal data, please see our consultation privacy notice at [**Annex A.**](#AnnexA)
  2. Your response, and all other responses to this consultation, may also be disclosed on request in accordance with the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR). However all disclosures will be in line with the requirements of the Data Protection Act 2018 (DPA) and the General Data Protection Regulation (GDPR) (EU) 2016/679.
  3. If you want the information that you provide to be treated as confidential, it would be helpful if you could explain to us why you regard the information you have provided as confidential, so that this may be considered if the Department should receive a request for the information under the FOIA or EIR.

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| **SECTION 1: ABOUT YOU** | |
| I am responding as...  [ ] An individual / member of the Public  [ ] On behalf of an organisation  [ ] Other.........................................................(*Please specify*)  *(Please tick one option only, or delete those which do not apply )* | |
| Please enter your details below: | |
| Name: |  |
| Job Title: (*if applicable*) |  |
| Organisation: (*if applicable*) |  |
| Address: |  |
| Postcode: |  |
| Email Address: |  |

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| **SECTION 2: INTRODUCTION OF A DRAFT STRATEGY** |
| Question 1:  Do you agree that a Restorative Justice approach should be introduced for those adults who offend, to build on the work that has already been undertaken, particularly in the youth and community sectors?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| **SECTION 3: VISION, PRINCIPLES ETC.** |
| Question 2:  Do you agree with the vision, aims, purpose and principles as set out in the consultation document?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| **SECTION 4: THE CURRENT POSITION** |
| Question 3:  Do you agree that there should be a review of the Government Protocol?  [ ] Yes  [ ] No  If so, what particular aspects do you feel should be changed and why? Please provide more detail below**.** |
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| **SECTION 5: EVIDENCE AND RESEARCH** |
| **In the section ‘Evidence and Research’, we have included a range of information and links to empirical evidence which aims to demonstrate the effectiveness of a restorative approach.**  Question 4:  Are you aware of any further evidence or research which should be taken into account?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| Question 5:  Please identify any further benefits that should be referenced. |
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| **SECTION 6: STRATEGIC OBJECTIVES** |
| **The consultation document lists a number of objectives which an Adult Restorative Justice Strategy would aspire to achieve.**  Question 6:  Are these strategic objectives appropriate?  [ ] Yes  [ ] No  Are there any others that should be considered? Please provide more detail below**.** |
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| Question 7:  When measuring success, what should we focus on?  Please provide more detail below**.** |
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| **SECTION 7: WHERE DO WE WANT TO GET TO** |
| **This section of the consultation document examines the current end-to-end justice system and considers the potential for introducing restorative justice at each stage of the process.**  Question 8:  What role should the criminal justice system play, if any, in early intervention/prevention?  Please provide more detail below**.** |
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| Question 9:  Other than those set out in this section of the consultation document, are there other examples where justice partners could apply a restorative justice approach for those on the cusp of the criminal justice system?  [ ] Yes  [ ] No  Please provide more detail below. |
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| **Diversion: Consider the current diversionary processes and the proposals in the consultation document for the greater use of restorative approaches as part of these processes.**  Question 10:  Do you agree with these proposals and the potential benefits that the inclusion of restorative justice can bring to the diversionary process?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| Question 11:  Other than those discussed in this section of the consultation document, are there any different/additional restorative approaches which are not already included?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| **Community sentences: The consultation document makes proposals for the greater use of restorative justice as a component of court ordered community sentences.**  Question 12:  Do you agree with the inclusion of restorative justice processes in formal court sanctions?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| Question 13:  Other than those discussed in this section, are there any different/additional restorative approaches you feel could be effectively incorporated into court ordered community sentences?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| **Custody and Reintegration: The consultation document examines the issue of custodial sentences and reintegration in the community, and identifies potential opportunities for restorative justice to play a part in the process.**  Question 14:  Do you agree that aspects of restorative justice can be successfully incorporated into custodial sentences?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| Question 15:  Do you agree that there is potential for the use of reparative programmes to be used as part of the Conditional Early Release Scheme?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| Question 16:  Are there other opportunities for restorative justice to be used with individuals in custody which have not been explored in this section?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| **Promoting Rehabilitation and Desistance: The consultation document examines how restorative practice could contribute to more effective rehabilitation.**  Question 17:  Other than those discussed, are there further opportunities to manage and rehabilitate those who have served a custodial sentence through restorative or reparative practices?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| **SECTION 8: FUNDING FOR RESTORATIVE APPROACHES** |
| **This section sets out the current funding arrangements and issues to be considered if long-term funding is to be established.**  Question 18:  Should funding arrangements be changed to support the delivery of an Adult Restorative Justice Strategy, and if so, how?  Please provide more detail below**.** |
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| Question 19:  Please share your views on how these arrangements link to the wider aspects of a potential Centre of Restorative Excellence?  Please provide more detail below**.** |
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| **SECTION 9: OUTCOMES AND ACTIONS** |
| **This section seeks views on what should be the priorities for action which the Department and its partners should aim to deliver over the timeframe of the Strategy.**  Question 20:  In general terms, do you think that the key areas for action have been captured?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| Question 21:  Do you feel that there are some actions which should be prioritised as more important or urgent than others?  [ ] Yes  [ ] No  If so, please use the table below to number in priority order, with the highest priority #1. |
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| |  |  |  | | --- | --- | --- | | **Proposed Action** | **Please Rank**  **1 – highest** | **Please identify who should**  **be involved** | | Promote restorative justice practices to aid greater understanding, acceptance and engagement. |  |  | | Review of 2007 Protocol with a view to enabling greater numbers of referrals to Community Based Restorative Justice schemes. |  |  | | Develop operational practice guidance for criminal justice organisations to maximise opportunities for the use of restorative approaches. |  |  | | Consider the introduction of a diversionary adult restorative justice model for low level offending. |  |  | | Engage with the Gillen Implementation Team and key stakeholders in the delivery of Restorative Justice recommendations. |  |  | | Introduce and include restorative and/or reparative actions into pre-sentence reports. |  |  | | Integrate restorative practice into community and custodial sentences, and licence conditions. |  |  | | Maximise options for community reparative work through partnerships with the voluntary, community and social economy sector. |  |  | | Provide access and support to those victims of crime who wish to engage in restorative justice. |  |  | | Consider the need for, and scope of, legislative change to establish restorative interventions in the statutory criminal justice sector. |  |  | | Ensure links are made/maintained with the work on delivering a Centre of Restorative Excellence and wider restorative practices in non-justice settings. |  |  | | Assist with the work towards the establishment of long-term funding arrangements for the delivery of restorative practices in Northern Ireland. |  |  | |

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| Question 22:  Are there any priority actions which do not appear in the consultation document?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| |  |  |  | | --- | --- | --- | | **Any additional actions you would like to propose** | **Rank** | **Who should be involved** | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |  |  |  | |

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| Question 23:  Are there any significant organisations or individuals in the justice arena that could play an important role in the implementation of these actions who have not been mentioned in the consultation document?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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| **SECTION 9: EQUALITY AND HUMAN RIGHTS IMPACT** |
| **Section 75 of the Northern Ireland Act 1998 requires Departments to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without. Departments are also required to have regard to the desirability of promoting good relations between persons of a different religious belief, political opinion or racial group.**  Question 24:  What are your views on the potential equality impact of a proposed Adult Restorative Justice Strategy?  Please provide detail below  *(If you consider there will be an adverse impact on certain groups, please give details and comment on what you think should be done to alleviate this impact)* |
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| Question 25:  Is there an opportunity to better promote equality of opportunity or good relations?  [ ] Yes  [ ] No  If so, how? Please provide more detail below**.** |
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| **SECTION 10: CONCLUSION** |
| Question 26:  In conclusion, are there any further comments you would like to make which you have not yet had the opportunity to provide?  [ ] Yes  [ ] No  Please provide more detail below**.** |
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Thank you for taking the time to respond to this consultation. We look forward to receiving your comments by **5pm on Friday 11 September 2020**.

When all responses have been received and an analysis of views has been completed, we will notify you when the findings of our consultation are available.

Reducing Offending Policy Unit

Department of Justice

22 June 2020

**ANNEX A**

**Privacy Notice – Consultations (DoJ)**

Data Controller Name: Department of Justice (DoJ)

Address: Castle Buildings, Stormont, BELFAST, BT4 3SG

Email: [RJ.Strategy@justice-ni.x.gsi.gov.uk](mailto:RJ.Strategy@justice-ni.x.gsi.gov.uk)

Telephone: 028 9052 4745

Data Protection Officer Name: DoJ Data Protection Officer

Telephone: 028 9037 8617

Email: [DataProtectionOfficer@justice-ni.x.gsi.gov.uk](mailto:DataProtectionOfficer@justice-ni.x.gsi.gov.uk)

Being transparent and providing accessible information to individuals about how we may use personal data is a key element of the [Data Protection Act (DPA)](http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted) and the [EU General Data Protection Regulation](https://gdpr-info.eu/art-6-gdpr/) (GDPR). The Department of Justice (DoJ) is committed to building trust and confidence in our ability to process your personal information and protect your privacy.

**Purpose for processing**

We will process personal data provided in response to consultations for the purpose of informing the development of our policy, guidance, or other regulatory work in the subject area of the request for views. We will publish a summary of the consultation responses and, in some cases, the responses themselves but these will not contain any personal data. We will not publish the names or contact details of respondents, but will include the names of organisations responding.

If you have indicated that you would be interested in contributing to further Department work on the subject matter covered by the consultation, then we might process your contact details to get in touch with you.

**Lawful basis for processing**

The lawful basis we are relying on to process your personal data is Article 6(1)(e) of the GDPR, which allows us to process personal data when this is necessary for the performance of our public tasks in our capacity as a Government Department.

We will only process any special category personal data you provide, which reveals racial or ethnic origin, political opinions, religious belief, health or sexual life/orientation when it is necessary for reasons of substantial public interest under Article 9(2)(g) of the GDPR, in the exercise of the function of the department, and to monitor equality.

**How will your information be used and shared**

We process the information internally for the above stated purpose. We don't intend to share your personal data with any third party. Any specific requests from a third party for us to share your personal data with them will be dealt with in accordance the provisions of the data protection laws.

**How long will we keep your information?**

We will retain consultation response information until our work on the subject matter of the consultation is complete, and in line with the Department’s approved Retention and Disposal Schedule [DoJ Retention & Disposal Schedule](https://www.justice-ni.gov.uk/sites/default/files/publications/doj/retention-and-disposal-schedule-final-signed-copy.pdf) .

**What are your rights?**

* You have the right to obtain confirmation that your data is being [processed, and access to your personal data](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/)
* You are entitled to have personal data [rectified if it is inaccurate or incomplete](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-rectification/)
* You have a right to have personal data [erased and to prevent processing](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-erasure/), in specific circumstances
* You have the right [to ‘block’ or suppress processing](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-restrict-processing/) of personal data, in specific circumstances
* You have the right to [data portability](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-data-portability/), in specific circumstances
* You have the right to[object to the processing](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-object/)**,** in specific circumstances
* You have rights in relation to[automated decision making and profiling](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/rights-related-to-automated-decision-making-including-profiling/).

**How to complain if you are not happy with how we process your personal information**

If you wish to request access, object or raise a complaint about how we have handled your data, you can contact our Data Protection Officer using the details above.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner at:

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

[casework@ico.org.uk](mailto:casework@ico.org.uk)