

Restorative Practices – Principles and Practice Standards

Introduction

Instead of dealing with every detail of the principles, standards and best practices in Restorative Justice published from time to time around the globe, the International Institute for Restorative Practices (IIRP) have established 5 basic principles which guide our approach. These five guiding principles, to which IIRP UK also subscribe, are designed to test the validity of published standards and best practices in the delivery of Restorative Justice.

Our position is, that unless there is the real and honest prospect of face-to-face participation (if desired by participants/appropriate), where those most affected get to determine the outcome, this cannot be termed as ‘Restorative Justice’.

We hope these five principles and the guidance below will assist you when considering and interpreting existing standards and best practice as well as those developed in the future:

Guidelines for evaluating restorative justice standards and best practices (International Institute for Restorative Practices -August 2003 – Edited and updated by IIRP UK)

Rather than establish a position on every point raised in the different proposals, IIRP has established a set of guiding principles for evaluating proposed standards and best practice in restorative justice based upon what we know to be most effective. These principles should make it simple to know whether a specific proposal is consistent with our position. Since principles are expressed as ideals, each statement could end with the qualifying phrase “...as much as possible.”

Principle 1. - Participation achieved through cooperation rather than coercion.

Principle 2. - Face-to-face participation of those directly affected.

Principle 3. - Those directly affected determine the outcome.

Principle 4. - Fair process including equal access and informed consent.

Principle 5. - Best practices must be demonstrated through research.

The first four principles define the minimum criteria for a process to be restorative, and these are consistent with the definitions in the UN basic principles (see below). Most quasi-restorative programs are not consistent with these values.

The fifth principle states a preference for research-based practice. This is especially important regarding appropriate qualification of facilitators or accreditation / certification of training. There should not be a one-size fits all approach to best practice. It is likely that what constitutes best practice will be different for each model of restorative justice and the particular context of the crime or wrongdoing.

Standards or Practice Guidelines inconsistent with these principles;

- 1) are not consistent with the UN basic principles, and/or**
- 2) have not been demonstrated by research.**

Consistency with UN basic principles of restorative justice.

These values are consistent with the basic principles of restorative justice adopted by the United Nations, particularly:

1. – “Restorative justice programme” means any programme that uses restorative processes and seeks to achieve restorative outcomes.
2. – “Restorative process” means any process in which the victim and the offender, and where appropriate, any other individuals or community members affected by a crime participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator. Restorative processes may include mediation, conciliation, conferencing and sentencing circles.
3. – “Restorative outcome” means an agreement reached as a result of a restorative process. Restorative outcomes include responses and programmes such as reparation, restitution, and community service, aimed at meeting the individual and collective needs and responsibilities of the parties and achieving the reintegration of the victim and the offender.
4. – “Parties” means the victim, the offender and any other individuals or community members affected by a crime who may be involved in a restorative process.

and

7. – The victim and the offender should be able to withdraw such consent at any time during the process.

The nature of standards and guidelines will be shaped by the different understanding and definition of restorative justice in each country. The specific standards and practices established will likely affect what programmes get government funding and which ones do not.

The IIRP see both dangers and opportunities for our mission and restorative justice more broadly. The opportunity is that good restorative practices could receive official governmental recognition and support and the pseudo-restorative programs could be defined out or at least be seen as not the focus. The dangers are that standards will be defined narrowly with bias toward a particular model or be so broadly defined that everything counts as restorative justice.

IIRP UK has been fully and actively involved (as ‘Real Justice’ at the time with the first two) in the development and review of all the documents within this book. Although, as always, some compromises needed to be made to accommodate everyone’s views, we have been able to endorse all of these principles and standards without we feel abandoning any of our five guiding principles.



Les Davey
Director
IIRP UK