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“A peep into Northern Ireland”

In March this year ICPA Board member Judge Fred McElrea visited Northern Ireland to discuss the subject of restorative justice. His visit was arranged by the Future Ways Program of Ulster University, and the Mediation Network of Northern Ireland.

Judge McElrea is a District Court and Youth Court Judge from Auckland, New Zealand with a particular interest in restorative justice. For 10 years New Zealand's Youth Justice system has been based on the family group conference process, applied not at the discretion of police, judges or other “gatekeepers” but as a legislated, mandatory process applying to all young people. Its restorative justice principles of victim involvement and community-based intervention have also been applied on a voluntary basis to some adults.

Judge McElrea's hosts in Northern Ireland had arranged for him to meet a wide range of Government and non-Government agencies, policy makers, practitioners and community groups. It was thought important for Northern Ireland to hear a first-hand account of such a “mainstream” system, because the term “restorative justice” had come to be associated in Northern Ireland with alternative law enforcement by community activist organisations operating in areas where the Royal Ulster Constabulary were not always welcome – and in some cases, where “punishment beatings” or knee capping had been used. Restorative justice does not purport to be a system of law enforcement. Rather it is a consensus-based approach to conflict resolution, a means of involving and building community (even across ethnic and other barriers), and potentially part or all of a decision-making process.

In discussing these elements with the many people in groups that he met, including police, probation and prison representatives Judge McElrea was very

conscious of the unique difficulties besetting that country and did not pretend to be able to offer solutions. Nevertheless he found there, as elsewhere, a genuine interest in considering alternatives to the traditional power based and professionally dominated criminal justice processes, and for his part learned a great deal. For example, while most restorative justice initiatives elsewhere focus on or are triggered by particular acts of offending, the Greater Shankill Alternatives group in Belfast takes a different approach. It selects cases of young people known in the local community to have a long history of offending and community disruption. It then seeks to engage them, their families and the community in addressing that *pattern* of behaviour (rather than any one specific event) and finding a non-violent means of enhancing community safety. Of course this approach requires acceptance by the young person of the substance of the allegations against them and their agreement to any proposed outcome. This is inherent in any consensual approach to conflict resolution.

Northern Ireland is presently blessed with a remarkably low prison population. Its rate of incarceration is currently about 70 per 100,000 of population (about half the New Zealand figure) and is expected to drop to about 50 per 100,000 after the release of all "political" prisoners. Partly these figures may reflect the high level of police (and, until recently, military) activity, in which case they could be expected to rise as the security presence reduces. However they may also be attributed to Northern Ireland's strong, community-based Probation Service led by the energetic Briedge Gadd and having a reputation for good initiatives.

One initiative which Judge McElrea has reported back to his own Department of Corrections is the *Romoan Adult Residential Course*. This combines a community based preparation phase followed by a 12-day intensive residential program and then a follow-up phase in the community. In this and many other respects Northern Ireland's commitment to professionalism in corrections seems to have made a strong impression on this ICPA visitor.