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26 March 2013

Dear Mr. Wright MP:

**RE: Restorative service standards & Quality mark framework**

Thank you again for launching our EC funded programme [“Restorative Justice in Europe: Safeguarding Victims & Empowering Professionals” \(RJE\)](#). I am writing in relation to the above consultation launched by the Restorative Justice Council as part of your department’s Restorative Justice Action Plan. Given our established relationship as a “critical friend”, we chose to communicate directly with you.

As discussed with your officials, the RJE aims to create an evidence-base for constructing a user-led framework for the development of standards, training material, protocols and safeguards for restorative justice at a UK and EU levels. In order to help with the implementation of the EC Victims’ Directive, the EU has awarded our UK-based charity with funding to lead on this programme for two years. At the December 2012 launch, you also heard from our [EU partners](#) (Germany, Greece, Bulgaria and the Netherlands) about how they are planning to contribute to RJE. The programme is also supported by a number of [other countries](#) and associated partners. The EU is also funding a second pan European consortium run by the German based Schleswig-Holstein Association. This focuses on the production of standards and quality controls for the application of restorative justice post sentencing and in accordance with the Victims’ Directive.

The first phase of RJE is almost completed and all literature-based reviews are available from the free educational platform RJ4All [www.rj4all.info](http://www.rj4all.info) This included a review of the UK based 2011 Best Practice Guidance. We are about to enter into the fieldwork stage which will work directly with victims and practitioners to create the evidence base for the intended material.

Given your government’s interest in promoting restorative justice practice that is evidence-based, safe and consistent with the needs and realities of victims, we strongly recommend that the opportunity to hear from victims and these two programmes is taken. Therefore, we believe that proceeding with the proposed standards at this stage is premature.

Having spoken to a number of practitioners, we identified a few other issues which we bring to your attention:

- The consultation came to our attention on 08/03/2013 with a deadline of 28.03.2013. This timeline is in breach of the Compact, the agreement between government and voluntary and community sector organisations. We ask that more time is given for proper and open consultation that is supported through events and face to face opportunities. We also noted that even before the consultation was complete, the Restorative Justice Council proceeded with an advertisement of positions for the role of auditors. This role is still being consulted on.
- We believe that there are legal breaches of representation and regulation as well as transparency and competition. This relate to the same body acting both as a

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membership, independent charity and also as a regulator and auditor. For these, I refer you to our letter [dated 28.10.2012](#).

- The process that was adopted for the selection of the members that formed both the expert group that drafted the proposed standards as well as your Restorative Justice Implementation Board was neither advertised nor explained. This raised issues of transparency, bias and competition. In order to restore confidence in your department's plans, it is important that these are addressed.
- Given the emphasis of the Victims' Directive to protect victims in the application of restorative justice as well as the need to listen to their voices, we are concerned that the adopted methodology that led to the proposed standards did not include victims. IARS has a charitable mission to give everyone a chance to forge a safer, fairer and more inclusive society through community led solutions. Therefore, I urge you to reconsider your community engagement methodologies. Trust in the ability of the individual affected by crime to find the best solution for it must be restored.

As a membership and independent organisation, we are required to share this communication with our members, service users and stakeholders. I look forward to hearing from you.

Yours sincerely,

Professor Dr. Theo Gavrielides  
Founder & Director, IARS

**CC: Lord McNally, Lord Falconer, Atul Sharda, Rebecca Newby, RJC, Victim Support, European Union, RJE partners and associate partners, the Restorative Justice Research Network, RJ4All members.**