



A Community Response to a Community Problem

Alternatives has developed out of a two year action research project, which explored the issue of punishment attacks and the operation of the paramilitary informal justice system in the Greater Shankill area. This research involved extensive consultation with all those involved in the justice systems and youth provision. It identified failings in the formal criminal justice system in addressing anti-social behaviour in the Shankill area. It also highlighted the need for a non-violent alternative to punishment attacks, that would be community-owned and based on the principles of restorative justice.

What is Restorative Justice?

Restorative justice is fundamentally a philosophy which encourages people to take a different approach to crime and its' consequences; in other words, to look at the wider picture. Our present criminal justice system is based on the belief that it must be retributive or vengeful, that punishment equals justice. Crime is seen as a crime against the state. It asks questions like: what laws were broken? Who broke them? How should they be punished? In contrast restorative justice sees crime as a breakdown of human relationships, and focuses on healing and repairing the harm caused by crime. It asks questions like: who was harmed? What were their losses? How do we restore their sense of justice?

What is VORP?

There are different approaches used by restorative justice practitioners. Alternatives concentrates on the VORP method of mediation. VORP stands for Victim Offender Reconciliation Programme. This is where a trained community mediator facilitates a face to face meeting between the victim and offender. This encounter allows the opportunity for community, victim, and offender to determine justice together. The possible benefits for each group includes:

For Victims	• Victims needs are no longer ignored • Victims get the answers to their questions • Victims get to tell their story • Victims get to participate in the settlement
For Offenders	• Offenders face the human cost of their actions • Offenders are given the opportunity to make things right • Offenders get to tell their story • Offenders are encouraged to take responsibility for their actions

For Community

- The community is empowered to solve their own problems
- Community conflict is addressed in a positive way
- Community becomes more accepting of reformed offenders
- Community is able to reduce recidivism

The Aims of Greater Shankill Alternatives are:

- To work towards the eradication of punishment attacks
- To address anti-social behaviour
- To provide support and guidance to youth at risk
- To promote community discussion about the justice system
- To address areas of weakness and failure within the criminal justice system
- To heal relationships within the community, and between the community and statutory agencies.

Services Provided:

- Support for young people
- Counselling
- Mediation
- Community awareness and education
- Opportunities for volunteering
- Drug and alcohol awareness

Alternatives has been developed in co-operation with the following groups and agencies:

- Youth workers
- Young people
- NIACRO (Northern Ireland Ass'n for the Care and Resettlement of Offenders)
- Belfast Education and Library Board (youth service)
- Probation Board
- PSNI (Police Service of Northern Ireland)
- Church leaders
- Community activists
- Local community and voluntary agencies.

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Analysis of need – overview of research.

'Alternatives' is a pilot Restorative Justice programme established in the Greater Shankill area of Belfast. It has been funded and operating since October 1998. The project came about as a result of a two-year action research project by Tom Winstone a local ex prisoner and community worker. This research explored the issue of punishment attacks and the operation of what is called the 'informal' justice system in the Shankill area. The research involved consultation with paramilitary groups, Police, Probation services and local youth groups. It indicated that there was a willingness and a need to find new methods of dealing with justice issues in a non-violent manner. "The basic premise upon which this work rests is that punishment beatings although acceptable to local people in certain circumstances were generally not viewed as appropriate or desirable." (Winstone 1996)

There was recognition that the formal systems of justice failed to address local anti-social behaviour and that both the community and paramilitary groups were dissatisfied with the level of punishment attacks. The police force was viewed as being overly concerned with terrorism and not responding with the same vigour to crimes such as burglaries and vandalism. A culture has arisen in which some of the local community do not even think of contacting the police when they are in trouble but increasingly turn to local paramilitaries to provide immediate punitive justice.

Between 1969 and 1992 1,670 people were victims of punishment shootings; 1061 were Republican and 609 were Loyalist. In recent years there has been an increase in Loyalist punishment activities. In each year from 1990 to 1993 the number of Loyalist shootings exceeded those carried out by Republicans. According to a study by Muncke (1994) there is strong support from local people for the physical punishment of young people, especially young men who break the law in West Belfast. He further states that it was community pressure that persuaded the IRA to resume its programme of punishment attacks after a period of trying to adopt a more sensitive approach to offenders which did not work. From the initial research by Winstone in 1996 the project has progressed to a planned credible programme and has secured funding to be piloted.

The project seeks to address four inter-related problems affecting the local community. The first is the perceived failure of the formal criminal justice system. The second is the breakdown in relationships between the community and the statutory sector. Many of the local statutory organisations are perceived as failing to understand local community issues and not dealing with the problems created by the anti-social behaviour of young people. The scepticism felt by local people to statutory agencies is deeply felt and the Alternatives project sees itself, as an important bridge between the two. The third problem is anti-social behaviour throughout the community. The type of behaviour, which the project will seek to address, involves:

- Theft including car theft
- Breaking and entering ; involving no violence against the person
- Damage to property
- Shoplifting
- Bullying and intimidation
- Noise, graffiti and vandalism
- Arson

Why?  The programme does not intend to become involved in drug dealing offences or in internal disciplinary matters within paramilitary organisations. The focus is very much at the lower end of the offending scale; the type of crimes that people in the community feel the formal justice system takes too long to deal with or deals with ineffectively.

The fourth problem the programme hopes to deal with is the issue of punishment beatings. This informal justice system, though criticised by many observers, has significant community legitimacy in areas such as the Shankill. Through recent local negotiations it is believed that the paramilitaries themselves would like to see effective alternatives in place. The aims of this programme are therefore as follows:

- Aims* 1
- To educate people that a system that relies on violence is counter productive.
 - 2 • To work towards eradicating punishment beatings.
 - 3 • To heal relationships between the community and statutory agencies through a Restorative Justice approach.
 - 4 • To promote debate and discussion about our current justice system and the alternatives that may be available to it.

5 objectives

To fulfil these aims the following objectives have been established:

- ① • To address issues of concern that victims may have.
- ② • To develop and implement a social education programme for young people involved in anti social behaviour.
- ③ • To select and recruit full time and voluntary staff to enable the implementation of the programme.
- ④ • To implement a model of restorative justice.
- ⑤ • To influence paramilitary groups to affirm the effectiveness of the project as an alternative to punishment beatings.

Alternatives have adopted the principles of Restorative Justice to underpin all its practice. The concept of Restorative Justice is relatively new to Northern Ireland but has been operating for many years throughout the world particularly in America. Restorative justice seeks to replace 'retributive justice', which is about the punishment of an offender, with an approach which seeks to heal the injuries caused by crime to everyone involved. Punishment is seen to estrange and isolate offenders from their community and they are therefore more likely to re offend against other community members. (Link 1987, Zang and Messer 1994)

Restorative Justice encourages community involvement in justice processes focusing on restitution and restoration. It sees the key people who must be involved as the victim, the offender and the community in which they both live. It purports that local communities should have ownership and responsibility for the process of justice. Howard Zehr in "Changing Lenses" clarified this, "Justice involves the victim the offender and the community in a search for solutions that promote repair, reconciliation and reassurance."

One of the clear strengths of the Alternatives project is that it is a community led initiative to an identified problem. Restorative Justice is a topical yet fairly new concept in Northern Ireland. It has been referred to in the numerous debates currently raging about the future of policing in a more peaceful society. It is seen by some as an acceptable replacement for our current system, by others as having value in complementing our current structures. Restorative Justice is about healing relationships with victims, perpetrators and the community. One leading author and advocate of Restorative Justice, Harry Mika (1998), views crime as: "Fundamentally a violation of people and interpersonal relationships". He like Zehr sees victims, offenders and the affected communities as "key stakeholders in justice".

Literature on physical punishment suggests it is reasonably effective in decreasing anti social behaviour in the short term but not in the long term. There is also evidence by Welsh (1976) to suggest that physical punishment is ineffective in encouraging prosocial behaviours, producing individuals who are unstable and angry, who in their turn punish the next generation. In a study by Mulholland and Thompson (1994), it was found that paramilitary punishment attacks had a profound effect on young men's mental health. These young men also reported that they did not expect to live long and as they therefore had nothing to lose, they were not going to allow the punishment to alter their behaviour.

Individuals at risk will be referred to the programme by several routes, from the victim, the paramilitaries, via self-referral or from the community. Those referred will be offered the programme as one of a range of choices available to them and no individual will be coerced to join. If the programme is not suitable for an individual the Project Worker, where possible, will try to refer the individual for more appropriate help. Initial meetings with the Development Officer, Project Worker, offender, victim and family members on both sides will clarify the nature of the offence and suitable action to be taken. The offender will be assigned a Project Worker who will assist them to draw up a contract. This contract will detail current issues in the person's life and enable them to set goals for themselves taking account of these issues.

The Project worker will also help them explore 'victim awareness' and how to make amends for the hurt caused. If the victim agrees, contact will be made, using a mediator to discuss the incident and ways of making suitable amends. Time will be spent with the offender exploring their role within the community and with the victim exploring their needs. It will also involve establishing a suitable volunteering placement for the offender to make appropriate restitution within the community. Part of the process will involve a community panel to oversee the area of relationships, bridging the gap between the offender and the community. The panel will discuss the contract with the individual and monitor the fulfilment of the goals set. Once the goals set have been met, the panel will formally acknowledge the participant's success in completing the programme.

This programme does have its difficulties, as a new initiative certain risks will have to be taken. The collective of people involved with the programme enriches what is on offer and ensures that it is a legitimate and principled response to a highly sensitive societal issue. New approaches are necessary in the current climate as we move forward with a new political process. The community must be involved at grassroots level, as it is no longer acceptable for all the decisions to remain with far-removed civil servants and politicians. An obvious strength of the programme is its innovation and willingness to tackle head on what is perceived to be a major social problem in our society.

The Alternatives programme is indeed in its infancy and is attracting much publicity and interest. It is of the utmost importance for its credibility that it is underpinned by clear principles of equality, dignity, peace and democracy. It will be scrutinised by many critical observers both seeking positive and negative outcomes. It is of paramount importance that it achieves credibility within the local community and also within the ranks of the paramilitaries. As Howard Zehr stated: "Restorative Justice is not a grand system imposed by experts but has profound roots in ordinary peoples experiences and needs." To break the ever-increasing cycle of re offending it must make a real difference in the lives of the people embarking on it. It therefore needs to address issues around self-awareness and relationships with others. The focus must be on the offender's social and personal development but without losing sight of the victim's position, as someone hurt, damaged and in need of reparation not 'retribution'.

Bibliography – See Appendix (i)

Chief Constables Annual Report. (1991 , 1992 , 1993) Belfast.

Classen, R . (1996) Restorative Justice 1 ([http: // www . fresno . edu / pacs/ restj 1 . htw](http://www.fresno.edu/pacs/restj1.htm)).

Cohen , L . and Manion, L . (1994) Research Methods in Education, (fourth edition). London . Routledge.

Department of Education for Northern Ireland (1997) Youth Work – A Model for Effective Practice. Bangor.

Elliott , J. (1991) Action Research for Educational Change, Milton Keynes . The Open University.

Fitzduff , M. (1988) Community Conflict Skills : A Handbook for Groupwork. Belfast , Community Relations Council.

Helsinki Watch . (1992) Children in Northern Ireland : Abused by Security Forces and Paramilitaries , New York .

Lederach , J. P . (1995) Preparing for Peace – Conflict Transformation Across Cultures. Syracuse, Syracuse University Press.

Mc Kernan J , Murray D and Robinson , A. (1978 revised 1998) Values Clarification : A Handbook for Teachers – Rational and Strategies , Internal Paper, Coleraine Schools Cultural Studies Project / University of Ulster.

Mennonite Central Committee . (1998) Restorative Justice ([http: //www.mb.ca/mcc/pr/1998/ 12-0411//.html](http://www.mb.ca/mcc/pr/1998/12-0411.html))

Mika , H . (1997) An Overview of Restorative Justice , Paper Presented to the Northern Ireland Criminal Justice Conference .

Montgomery , A. and Smith , A. (1997) Values in Education in Northern Ireland, Belfast. Northern Ireland Council for the Curriculum Examinations and Assessment (CCEA) .

Morrow D , and Wilson , D. (1996) Ways out of Conflict : Resources for Community Relations Work. Belfast, Understanding of Conflict Trust .

Mullholland , B. and Thompson , W .(1994) Paramilitary Punishments and Young People in West Belfast : Psychological Effects and the Implication for Education.The Summer School , Belfast.

Munn , P. and Drever , E .(1995) Using Questionnaires in Small Scale Research : A Teachers Guide , (revised edition) Edinburgh : Scottish Council for Research in Education . (Practitioner Mini Paper 6)

Northern Ireland Office . (1993) Crime and the Community : A Discussion Paper on Criminal Justice in N.I., NIO , Belfast .

Northern Ireland Information Service (1998) Ingram Publishes Papers on Restorative Justice and a Partnership Against Crime.
(<http://www.nio.gov.uk/980319c-nio.htm>)

Taylor , P. J. (1977) Quantitative Methods In Geography , Boston. Houghton Mifflin Company .

Winstone , T. (1996) Report into Finding a Non - Violent Alternative to Punishment Beatings in the Greater Shankill Area. NIACRO , Belfast .

Zehr , H .(1990) Changing Lenses Scotsdale Pennsylvania . Herald Press.