

DÁIL ÉIREANN

AN COMHCHOISTE UM

FEIDHMIÚ CHOMHAONTÚ AOINE AN CHÉASTA

JOINT COMMITTEE ON THE IMPLEMENTATION OF THE GOOD FRIDAY AGREEMENT

Déardaoin, 18 Deireadh Fómhair 2012

Thursday, 18 October 2012

The Joint Committee met at 11.15 a.m.

MEMBERS PRESENT:

Deputy Seán Conlan,	Senator Jim D’Arcy,
Deputy Seán Crowe,	Senator Martin McAleese,
Deputy Frank Feighan,	Senator Mary Moran,
Deputy Martin Ferris,	Senator Mary M. White.
Deputy Michael P. Kitt,	
Deputy Joe O’Reilly,	
Deputy Brendan Smith,	
Deputy Joanna Tuffy,	
Deputy Jack Wall,	

In attendance: Mr. Pat Doherty, MP, and Mr. Conor Murphy, MP, MLA.

DEPUTY JOE MCHUGH IN THE CHAIR.

Restorative Justice Programmes in Northern Ireland: Discussion

Chairman: Members know the drill in terms of switching off their mobile telephones as they cause interference with the electronics.

Apologies have been received from Deputies Regina Doherty and Clare Daly, Senator Maurice Cummins and Mr. Alasdair McDonnell, MP.

I welcome the members of the delegation, Ms Deborah Watters, assistant director of Northern Ireland Alternatives, and Mr. Harry Maguire, acting director of Community Restorative Justice Ireland. Having regard to our preliminary discussion with Senator Martin McAleese, we can use this as an opportunity to offer a range of perspectives. We are delighted the members of the delegation are here today. Ms Deborah Watters has been a restorative justice practitioner for more than 20 years. We are very interested in the programmes she worked on in the United States in 1997 and the learning she brought back from those to her work in Northern Ireland. Her work is very much engaged in a Northern Ireland context but we will also examine her experience in terms of gangland activities in our own cities, as Senator McAleese pointed out at the beginning of the meeting. Ms Deborah Waters is assistant director of Northern Ireland Alternatives, a community-based restorative justice programme operating at a grassroots level in north-west Belfast, east Belfast, south Belfast and Bangor, which works closely with young people involved in crime, anti-social behaviour and gang violence, and she is also an independent member of the Northern Ireland Policing board. She is very welcome.

Mr. Harry Maguire became involved in Community Restorative Justice Ireland in 1998 following his release from prison. Community Restorative Justice Ireland is a government-accredited community-based conflict resolution group, of which Mr. Maguire is currently acting director. Since 2008 he has focused on engagement with the criminal justice system and on building a strong relationship with the PSNI. He is a member of the Restorative Justice Forum Northern Ireland and of the new policing and community safety partnerships. The two witnesses are very welcome and we look forward to hearing their presentations. I understand Mr. Harry Maguire will be the lead speaker and following his presentation I will open the discussion to the floor for observations and questions.

Before I invite the members of the delegation to make their presentations, I would like to advise them that they are protected by absolute privilege in respect of their utterances to this committee. However, if they are directed by the committee to cease making remarks on a particular matter and they continue to do so, they are entitled thereafter only to a qualified privilege in respect of their remarks. They are directed that only comments-evidence in regard to the subject matter of this meeting are to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against a Member of either House of the Oireachtas, a person outside the Houses or an official by name or in such a way as to make him or her identifiable. I invite Mr. Harry Maguire to make his presentation.

Mr. Harry Maguire: I thank the committee and in particular Senator Martin McAleese for inviting us to come here. It is good to be here and to have this opportunity to talk about our practice, which is predominantly, but not solely, northern-centric. I hope we will have a positive discussion on restorative approaches and on what we have been doing in this area.

We have handed out copies of our presentation - the full detail of which we will not go into - which gives a structure to our remarks. First, I will introduce myself. I am a republican

ex-prisoner. I have been involved in the restorative justice project, through the Community Restorative Justice Ireland, CRJI, for nearly 14 years and that has been quite an extensive piece of work. In my other life, I am a parent and a grandparent. I had eight grandchildren in the house last night and we had a family photograph taken. I am also a stakeholder. I live, work and rear my family in the communities we are going to talk about today. Therefore, in terms of qualifications, I am fairly experienced at this. Ms Deborah Watters, can introduce herself and her background to this work.

Ms Deborah Watters: I was going to say “Good afternoon” but it is still morning, although it feels like the afternoon when one has travelled from Belfast. I thank the committee very much for the invitation to speak today. Mr. Harry Maguire will commence the discussion by making a presentation. We were given a brief introduction by the Chairman. I have been involved with the Northern Ireland Alternatives for the past 16 years and helped to set it up. As the members will have heard, I worked in the United States for five years before that. I managed a restorative justice programme in an area south of Chicago and dealt with many gang issues and drug issues and was able to bring some of that learning back to my local environment. Like Mr. Harry Maguire, I am a parent, I am not a grandparent - not yet, and I live and work in north Belfast. Therefore, I also am a key stakeholder in this. I do this work not only because I believe in it but because I want to be part of transform in the Northern Ireland context, namely, part of transforming society into one where we can have equality, true values - old fashioned values, and build new human ways of addressing conflict within our society. I thank the committee for having us here today and I will hand back to Mr. Harry Maguire.

Mr. Harry Maguire: I will start with how the restorative justice concept arose. As with all conflict situations, be it the conflict in the North or the conflict in our personal lives, we are challenged by those. We are challenged in a way which seeks us to form resolutions. As many members will be aware from having lived through it and been part of the vast changes that have been aspects of the process across the island, we had the big political high wire acts in terms of getting the parties around the table, the peace process, mediation and negotiations. There had to be peace-building in some form on the ground. At that stage there were still very fraught relationships across the political and statutory world. The issue also arose of informal policing initiatives being delivered by armed groups. That was our starting point - how we could change what was happening on the ground and make interventions on the issue of punishment violence. When we started out on that journey, we thought it would be the sole focus of restorative justice practice because we were challenging armed groups and saying what was happening was not good enough and needed to change. We were supported by the leadership of these armed groups in doing that work. We were also saying our communities had an experience of policing which, to say the least, had not been positive. We needed to develop a third way, a new way, a much more dynamic way to make the interventions we needed to make. It was about peace-building on the ground, but it was practical and focused. Both projects started in 1998 and up to 2006 we made upwards of 600 interventions. The figures have been fully evaluated. It was a huge piece of work in the context of the peace process and what it meant. We were challenging mind-sets, a key part of being involved in conflict resolution. One of the outcomes was that there was an uptake of our services as we started to do the work which we did not expect or legislate for. We were quickly inundated with a range of community conflicts which were not particular to the North. One could pick a city anywhere in Ireland and I could go through a range of community disputes that would be present. We were inundated with such disputes, ranging from disputes between neighbours to much more serious forms of criminality.

The CRJI group has projects in Belfast, Derry, Newry and Armagh, while Northern Ireland

Alternatives has projects across Belfast city - north, east, south and west - and in Bangor, north County Down. We were initially trained, supported and evaluated by Professor Harry Mika who was based in a university in Michigan. He was a professor of criminology and has written extensively on the use of the restorative justice measures in a global sense and equally in the context of the position in the North.

Our key areas of work involved working to deal with neighbourhood disputes, many of which can escalate, become nasty and extend to various forms of criminality if they are not dealt with early. We work with young people in an educative way. We work within the education system. We try to reintegrate young people who have slipped through back into the school system. We try to engage schools, young people and families on how to maintain the relationship and see it through to the end of the school process. We support victims of crime and anti-social behaviour, a group of people who are very often lost in the bigger scheme of things. We deliver training which we have developed ourselves. It is very much focused within the communities in which we work. It is designed to tackle the issues peculiar to these communities. By training people in the techniques and approaches of restorative justice we build a capacity and mind-set in terms of how we engage and do things. Community empowerment is at the centre of our approach. The problems that occur and the issues that arise are not being transported from another planet; they are part of the lives of the people concerned and a part of their value system. We encourage them to become part of the process in order to resolve issues.

Ours is a government-accredited organisation. I invite Ms Watters to explain the accreditation process to the committee.

Ms Deborah Watters: Some members may know the history Mr. Maguire has outlined of the development of community-based restorative justice projects in Northern Ireland, but, initially, issues arose with government. These issues centred on the fact that we had ex-prisoner and former combatant involvement in the projects, for which we never made any apology. We considered that to use restorative justice practices to transform communities in Northern Ireland, one needed to have ex-prisoners and former combatants at the centre of the process. At an early stage the government placed an embargo on our projects, which meant we were not allowed to receive government funding. We survived because we received private philanthropic funding from the United States through Atlantic Philanthropies. That funding kept us alive for many years while we negotiated our way through a journey with the Northern Ireland Office.

We began the process very much true to our values. We considered that if we were to be true to restorative justice practices, we needed to work at healing broken relationships at all levels. That was the case with the government also. We began on that journey and our work and dialogue with the PSNI. We also began dialogue with the Youth Justice Agency, the probation service, the Department of Justice and others. Very soon our practice began to shine through because, as Mr. Maguire said, the number of cases with which we were dealing and the level of interventions were centred on issues the government could not solve. It could not solve the problem of punishment attacks or the issue of summary justice in Northern Ireland, but with a cohesive, co-ordinated community response through the projects we were able to make a difference.

Recommendation No. 168 of the criminal justice review in Northern Ireland was on the development of community-based restorative justice projects. In 2005 – Mr. Maguire can correct me on the dates if I am wrong – both Community Restorative Justice Ireland, CRJI, and Northern Ireland Alternatives, NIA, became government-accredited projects. That meant we were able to be partners within the criminal justice system. We were able to receive referrals,

not only from the public prosecution service but also from the probation service and the police force, the PSNI. We were also able to receive government funding. We have come from being agencies which were outside of the system and subject to an embargo to being part of the formal criminal justice system. I sit on the Northern Ireland Policing Board, while Mr. Maguire sits on the strategic tier of the Belfast policing and community safety partnership. We have, therefore, come a long way. The key to this and the message we want to get across is that it is very important to keep communities at the heart of community safety and community resolution initiatives, as communities need to have a voice. Our projects put victims, young people and parents at the centre of resolving local issues. As government-accredited bodies, we are now at the table with all of the other statutory agencies and able to bring that community voice to the centre of how they do business.

Mr. Harry Maguire: To clarify the dates, CRJI received accreditation slightly later than NIA because of political relationships and circumstances in the negotiations on policing affecting the Nationalist or republican community. We gained accreditation a couple of years later in 2007, but it had nothing to do with a lack of will.

Ms Watters has outlined the need to have the community centrally involved in dealing with the issues that affect communities. We engage with our current partners on protocol work, which is to do with accreditation and Government protocol, how we deal with reports of crime to my offices, and how that is engaged with by the police and then the Public Prosecution Service, PPS. At that stage it has the potential to come back into the community based restorative justice schemes as community disposals. There are further developments in that process. We are talking to the police and other partners in the criminal justice system about how we can change that and make it a much more accessible system. We are talking about entering into another pilot scheme with them. We are also looking at how we can bring these approaches into the Prison Service not only for the prisoners but for everyone in the Prison Service to create better relationships and develop much more productive ways of working with people with a view to breaking the cycle, particularly around young people.

We have healthy relationships with the Department for Social Development, which is one of our major funders, and that is an ongoing process. We engage with a set of housing providers from the Northern Ireland Housing Executive through to the private sector. We have projects with Belfast Trust or social services, as we call them in the North. They are based around young people, vulnerable families and supporting families with issues. We are funded and have partnership projects with Belfast City Council. From a Northern Ireland Alternatives perspective that is around Street by Street and developing that type of youth initiative.

In terms of community restorative justice, CRJ, we deal with Traveller issues of which the council is very supportive. Also in terms of CRJ we have been working with Louth County Council which is looking at marginalised communities, with a particular focus on people who have come to our country who have not been able to engage with the community or the statutory sector.

We work closely with the probation service in the North. That is a project which threw up many questions around the Northern Ireland Prison Service such as whether we are reintegrating offenders back into the community. From a community perspective many of the issues we have to deal with are not the issues that result in people going to prison. They are a different set of circumstances which need resolution. We are both members of the Restorative Justice Forum. We have held an inaugural meeting on an all-island basis to look at the possibility of having an all-island conference to examine the restorative practices taking place throughout this

island because they are happening throughout the island.

In terms of the future, we want to work with each other on a cross-community basis. We want to see a coming together in terms of the restorative principles, values and practice. We see that coming together as being part of the wider project.

This opportunity to open up a dialogue and engagement with the committee is welcome. In the not too distant future I will be doing some training in a school not too far from here in the Liberties. I spoke at a recent event in the South organised by a community development association.

Developing joint projects both on a cross-community basis but also on an all-island basis is something to which we would be open because the issues facing working class communities, although not solely working class communities, across this island be it in Cork, Limerick, Galway, Derry or Belfast, are the same issues. One of the standard questions we asked when we set out on this journey and went into the sometimes smoky rooms in Belfast - at that stage people could still smoke indoors - to talk with communities and armed groups which were feeling the brunt of crime, criminality and anti-social welfare behaviour, as members are aware from their own experience, was about the causes and drivers of crime. We got the same answer on the Shankill Road and on the Falls Road. I got the same answer when I asked that question in Cork. The answer was unemployment, poverty, social deprivation and generations of young people who went through an education system and came out the other end not being able to read or write. It was ill-health, a breakdown in family structures and a breakdown of some of the institutions of the State in terms of value systems that drove much of the activity we encountered at the sharp end.

In a Northern sense the next question we had to ask in those smoky rooms was whether it was possible to shoot poverty, and the answer was "No". A much more normal term to use when we are still asking those questions is whether it is possible to put poverty, unemployment or educational under-achievement in prison, and it is not possible. As a society that is what we have tried to do. We need to understand that and examine how we can reverse that and grapple with some of the issues on a strategic level, how we can start to change our society, and how we can change the cultures predominant within this sphere.

One of the aspects that jumped out at me when we started to engage in the education field by delivering these programmes and projects within a school context was that dealing with the school disciplinary system was similar to dealing with the criminal justice system because as a society we look at the rules, the rules that have been broken, who has broken them, and the way we sanction those who have broken the rules. Those are the three aspects of this issue as we see it. From a restorative practice point of view we look at what has happened, who has been harmed by what has happened, and how we can repair that harm. That is a completely different way of looking at the issue and is one which taps into all of these causes and drivers. As a society, that is what we need to engage with. I will hand over to Ms Deborah Watters who will close the presentation.

Ms Deborah Watters: Mr. Maguire has outlined some of the work his organisation does but I will discuss some of the benefits of the work we do because that is important. One of the benefits of the intensive work we do with young people is that it is cost effective. In the Northern Ireland context - I cannot comment on the situation here but the members will know the figures - it costs approximately £80,000 a year to incarcerate a young person. To take a young person through our restorative process which examines the hurt and harm they have caused to

their victims, their community and themselves and to make things right for the hurt and harm they have caused, a 12 month programme costs approximately £2,500. If we compare those figures, the recidivism rate for young people coming out of prison is 50% or 60% within the first 12 months. Our recidivism rates currently are 8% or 9%. Whether one buys into the principles of restorative justice or not one must buy into the fact that this process works, not only locally or regionally but also internationally. It is more cost effective and it keeps not only young people but adults out of a criminal justice system which further damages them because in our prisons in Northern Ireland people do not learn to do things differently; they learn more of the same.

In terms of advantages, it is cost effective, it helps to change behaviour and therefore helps to decrease the number of victims in our communities. It also helps to build a sense of community and empowers people to solve their own problems. We have a culture where people are used to things being imposed on them. They are used to solutions being handed to them and they have no ownership over them. This reverses that tendency in that we are saying to ordinary people within communities that they can take power into their own hands and that they can be part of a peace-building project with them at the centre and in respect of which they come up with the solutions. That is why it is about transforming communities.

On behalf of Mr. Maguire and myself, I thank the members for the time they allowed us to talk about our projects. I hope we can enter productive dialogue in which we can hear the members' thoughts on these issues and share some more of our thoughts and practices. I believe that restorative practices, put at the heart not only of our criminal justice system but also our education and health care systems, comprise the way to address real social problems and issues.

Chairman: I thank the delegates for their refreshing and positive outlook and new approaches.

Deputy Michael P. Kitt: I apologise as I must leave to chair the Dáil in approximately ten minutes.

The delegation is very welcome. I was very interested in what it said, especially on similarities in other parts of the country. Reference was made to unemployment, social deprivation and many other issues. Many Oireachtas Members are involved in the policing committees around the country. In Galway, which I represent, I have found the open forum to be beneficial. Policing committees are always discussing issues but sometimes nobody knows what they are doing. Do the delegates have fora at which they let people know what they are doing and at which they can receive feedback?

Different challenges face young people in cities, towns and rural areas. Will the delegates expand on that? How do they get feedback from the community about which they spoke so well?

Deputy Joe O'Reilly: I thank the Chairman for the opportunity to welcome the two delegates. As with Deputy Michael Kitt, I must also leave, albeit for a different reason. I arranged an appointment a long time ago and, unfortunately, I cannot stay. I will not hear the delegates' responses but I will read them in the Official Report.

Ms Watters' last remarks ring true for me in that the principle of restorative justice ought to be the correct way in which people recognise that they have harmed somebody and must assume responsibility. That is now part of the discipline programme in primary schools and, I hope, secondary schools. There is an effort to achieve what has been outlined in the education

system. If people recognise they owe a debt to somebody as a consequence of their actions and if they assume responsibility therefor, it has a beneficial effect. This is why there is no recidivism to the same degree. Everything Ms Watters said is correct.

How do the delegates stand on the mandatory reporting dimension? It must be tricky. If in the process of the delegates' work they discover criminality, be it sex abuse or other crimes, how do they proceed? How do they maintain a relationship with the youngsters and the courts, bearing in mind that 600 people have used the service to date?

I recently came across an organisation called Extern. It has a residence at Lavey in Cavan which is close to where Deputy Smith and I have offices and work. It seems to do considerable work by way of intervening before young adults get into trouble. Do the delegates' work closely with that organisation? Is there a conflict between the two operations or are they mutually complementary? How does the relationship work? I was very impressed by Extern and what it does. I was brought to its premises because I have a relative who works for it. That is how I got to know the organisation. I was very impressed by its work.

Deputy Michael Kitt's comment on policing boards and open discussion was interesting. He referred to the differences between rural and urban areas. I will be interested in the answer to his question.

This is a very worthwhile exercise. The approach outlined is correct because if one can internalise what one has done, work through it and offer a means of restoration to the victim, one will not do what one has done again.

Mr. Pat Doherty, MP: I thank the witnesses for their powerful presentation. Having been elected in the North, I believe people in the South have two perceptions of restorative justice and alternatives. One is that the organisations are not really part of the system and that they are outside it. The second is that there is a Six-county experience which perhaps has no relevance to the South. The delegates' presentations dealt with both of these points. Could they elaborate a little on this matter? The two perceptions are significant and hard to get rid of. They tend not to allow the delegates' powerful work to move forward into other areas.

Deputy Martin Ferris: I thank the witnesses for their presentations. I commend Community Restorative Justice Ireland on its outstanding work over the years, and particularly on the great service it provides to communities. It helps to empower communities, and it helps the victims in addition to dealing with the perpetrators in a manner that is humane and caring. It offers the latter an opportunity to realise the injustice they have inflicted on their own community.

In the Twenty-six counties, we have a policing board system. I sit on the policing-board in my area. If I have a criticism of it, it is that it is not community orientated and operates outside the communities. Gardaí and others make presentations but the system does not deal with what is actually happening within communities.

Mr. Maguire outlined a number of reasons for the social problems that exist, including unemployment, poverty and family break-ups. He suggested how they might be dealt with. He has approached the matter with an understanding of the causes in communities and of the way the system deals with people who step outside the norm within those communities, through punishment and so forth. Mr. Maguire outlined that the latter approach was not achieving anything because there is no intervention to help young re-offenders in the way the witnesses' intervene in their respective areas.

The programmes seem to be very urban in orientation. I can understand that because this pertains to the accumulation of poverty within communities in working class areas. Consequently, it is orientated towards urban areas such as those mentioned by Mr. Maguire like Derry, Newry, the greater Belfast area and so forth. Have the delegates made interventions outside these areas into rural communities and so forth? Mr. Maguire has mentioned that he has made presentations in the South. Again, I assume they were in urban, as opposed to rural, areas. There is no difference because there is poverty in both rural and urban communities. I note the latter have a tendency to be better organised because there is a cumulative effect and it also helps to deal with the problem in a more community-based way. What advice do the delegates have for those members who are on policing boards and work within communities? I represent a constituency in which there is a great deal of social deprivation, as well as the associated consequences of such deprivation. Most of the kids I know who end up in prison come from poor working class areas and so forth. While there must be a link with education and so on, it must go further than this. It also must deal with the underlying causes which Mr. Maguire named and that reverts to poverty and unemployment. Do the delegates have suggestions as to how members, as political representatives, can continue to try to help to deal with these emerging problems?

I again thank the delegates for their fantastic presentations.

Chairman: The final contribution in this section will be made by Deputy Frank Feighan, after which we will hand over to Mr. Maguire and Ms Watters.

Deputy Frank Feighan: I thank Mr. Maguire and Ms Watters who are both welcome.

I note this has been a highly eventful week. Last Friday saw the first meeting of the North-South Inter-Parliamentary Association in Leinster House, at which MLAs, Deputies and Senators from all sides met here for the first time since the foundation of the State. Last Monday I attended a dinner in City Hall with the DUP Lord Mayor on one side and a UUP councillor on another, with many others. This would not happen were it not for the good work done both politically and by the delegates on the ground. While we come from different communities in many ways, we must recognise the work being done and how far people have come in recent years. I wish to highlight one or two issues.

The delegates must face huge problems with a lot of young people and communities who want to go back to the past, as in certain communities violence was glamorised and those engaged in it were perceived to be held in high esteem. Is this still a huge issue and how do the delegates address it? Second, the joint committee has been highly active in visiting many areas. In so doing I have noticed the great number of groups such as those of the delegates which are doing excellent work and sprang from a need. However, is accreditation or streamlining among such groups now required? Third, funding is always an issue. For example, I am trying to secure funding for a family resource centre which is doing a huge amount of work in providing counselling. Effectively, it is taking up the slack from the HSE or the health board. It is not a question of the latter not having the resources, but it does not respond in the same way. It is almost impossible to secure a minimal amount of funding for the group in question because the structures are in place. This obviously presents a huge challenge. We need more of it. I congratulate and thank the delegates for the work that has been done.

Mr. Harry Maguire: There have been many questions with a lot of content. I will deal with some of them and, again, Ms Watters can give a view, as she always does so well.

On feedback from communities, we live in communities and feedback sometimes is given on the street corner or while going to the shop. It happens as people come into our offices and because we hold community-based meetings. We structure ourselves in such a way that we have multi-agency meetings which take place in communities and at which we have present all of the relevant statutory stakeholders and residents associations. We also are open and public about our work. From a community justice perspective, when the decision was first taken to engage with the police on an official basis - I acknowledge we had engaged on some particular cases beforehand - one decision we took was that a police officer who came to our office in uniform would be more than welcome. We would not be telling him or her what way and how he or she should dress. In fact, we were quite happy to see police officers come in uniform because that was a statement within our community to that what we were doing was right. It was a statement that we would engage and would do so in a public manner. Again, this was about community consultation and communication.

The rural and urban question always comes up. It is for rural and urban communities to decide in what shape or how such processes are embedded in their own communities. This is about engagement, training and so on. In a sense, the areas in which we work are city-based, but this is because where much of the crime and other antisocial behaviour occurs. However, we also work in Newry and south Armagh, as well as in stretches and swathes of north Armagh and into Armagh city and so on. However, we have a project that operates in the rural end of the constituency. I note Mr. Conor Murphy, MP, MLA, is present and he probably has experience of that project which is both urban and rural. While we have been asked by rural communities and other urban communities to develop projects in their communities or to come and help, we lack the resources to do so. I have made presentations in Galway, Sligo, Kerry, Cork, Limerick and Dublin, to name a few venues in a Southern context. However, Community Restorative Justice Ireland, CRJI, does not have the resources to put in place the people and processes required. I hope from this type of engagement and dialogue we can start to talk about this.

Mandatory reporting is an issue and will continue to be so for the next few years until we can get to a situation where, in a Northern sense, there is some discretion in and around the issue of policing. I refer to how we actually engage with young people who have broken the law, particularly in some low level offences. The question is whether they need to be included in the system. While there are political questions associated with this in terms of police accountability, from a restorative prospective, I suggest such discretion is needed and that a debate and discussion in this regard are required. We are upfront about how we deal with people. We tell them that if they report crime, that is, if they make us aware of a crime and give us anything we need, we have a mandatory, statutory obligation to report it to the police. This leads me to a question regarding perceptions. While it would have been a perception that we were not part of the system, we have turned a corner in that regard. We are now are very much perceived to be part of the criminal justice family or the statutory world. Uniquely, however, we have also retained our community status and while this always will be a challenge, we have been able to do so. In this context, we are designated as community-based restorative justice groups, of which we are proud. I acknowledge it has been Northern-centric, but that is because the dynamics of the conflict forced people into looking at new ways. We are open to engaging with people across the island in developing such practices and approaches.

Legislators are a major factor, a point raised by Deputy Martin Ferris. We need legislation and need to be able to state, within the society in which we operate, that this is part of the system and can be resourced as part of it. For instance, we sat through a presentation delivered by a guy called Mr. Brian Steele, the point person for the Scottish Executive which has legislated for re-

storative justice practices to be piloted within a number of schools in Scotland. Those involved seek to develop this approach within the Scottish education system. Although the respective projects are at least five years ahead of the Scottish experience, we will lose this very quickly because we have not been legislated for and this system will not be resourced. However, both projects have been heavily involved in the education sector. We hear the saying “game changers”. We think restorative practices being embedded within the education sector from a very early age would be a game changer for society across the island. It is the way to go and if we can keep that in mind it would be a positive outcome today.

There are always people who want to go back to the past. I am sure if one walks through Dublin today one will see someone with a Teddy-Boy haircut. They might even have a pair of dark glasses in their pocket and will be dressed like a Teddy Boy because they liked the 1950s and have stayed there. That is part of society. Part of leadership in society is to demonstrate that it is better to be in the present, the here and now, and that we are going to make the future even better. That responsibility is on all of us.

Speaking from a republican perspective, I do not see too many young people wanting to go back to the past. I was at a dissident parade quite recently and it featured people aged 30 something upwards. It was largely people in their 50s who are not going to take anybody anywhere.

There is definitely a sign of contentment there and I do not think they are really going to go back to the past. I see young people moving beyond all of this. I am originally from north Belfast so I am quite regularly over in that end of town, which takes me through the interface areas. I can see young boys and girls starting to meet again at the interfaces, having the type of normal conversations that one would want ordinary young people to be engaged in. I have great faith in where our youth will take us if we give them the right context and motivation. I will allow Ms Watters to make her own comments on these questions.

The allocation of funding is an issue, which is why talking to this committee is so useful. The committee can make an impact on where that funding goes. Ms Watters will provide the figures on what it costs to keep a person in prison. Let us change that. We talk about moving from a punitive to a restorative paradigm. In other words, we must change how we look at these things. Let us start to embrace that change, but we need to do it together. We will find that it will free up funding, thus allowing us to reallocate funding. If we start to do what we need to do in the education system, it will create high achievers rather than under-achievers. It will also diminish the burn-out rate for teachers so they will become less stressed and more productive. The world will then be our oyster. They employ these employment practices in the private sector.

When we went into schools first they had codes of conduct and disciplinary procedures. We have encouraged them to develop relationship procedures because if we have strong relationships it is the key to freeing up resources. Rather than spending time fighting each other, we will spend time collaborating with each other. I know that is not a very good word in Ireland sometimes, but collaboration is the key. If we get people working together and building the relationships we need to build, it frees up a lot of the resources we have spoken about. It will allow us to deliver so much.

Ms Deborah Watters: I agree with everything that Mr. Maguire has said. I will start at the end and work backwards. As regards Deputy Feighan’s question about returning to the past, from a Protestant and working-class loyalist perspective I feel there is a danger of that, especially with young people. Let me tell the committee a story concerning the very first young person

I worked with in 1996 when Northern Ireland Alternatives opened its door to the first referral. We were talking about his aspirations and dreams and he said: “Debbie, do you know what I want to be? I want to be an ex-prisoner.” It really took me aback. I said: “Albert, son, you know to be an ex-prisoner you have to have done something you maybe didn’t want to do, and you have to have been in prison.” For him, however, being an ex-political prisoner was about the power, status, sense of identity and comradeship that came with it within communities.

Working-class Protestant communities have not had the ability or structures to filter young people, or ex-prisoners and combatants, into a political party. That has not happened in Protestantism. The working class Protestant parties like the PUP and others were not successful. Middle Unionist parties like the DUP and UUP do not adequately represent our voice. Within Protestantism there is a real danger that while people will not want to go back to the past, young people will get caught up in gangs, criminality and other activities that are harmful for them. We need to work hard to guard against that.

Protestantism is at a whole different stage to where Nationalist or republican communities are. I am not saying that is right or wrong, but I am saying it is different. We need to realise there are differences and we need to address them in different ways. Restorative practices have a lot to offer in terms of helping young people to build a sense of confidence and skills, in addition to taking them beyond wanting to be involved in criminality and conflict, standing at interfaces throwing stones and bottles, and being in conflict with the police. We need to move beyond that and give our young people aspirations and dreams. As leaders, we need to hand that down to them. As someone who works in working-class Protestant communities, we really need to address that issue.

As regards streamlining and funding, I will be quite controversial and say that a lot of funding has been handed out in Northern Ireland but not all of it to the right places. Not all of it has been used wisely. We need to have safeguards and mechanisms in place to ensure that the limited funding put in is used wisely so that we are getting the best out of that money. Restorative programmes offer that. One of the reasons we do so is that it is not all about the money. Northern Ireland Alternatives currently has 300 volunteers. Mr. Maguire’s organisation probably has the same amount. People do this work free of charge because they want to transform their communities. Restorative programmes need to build on that culture of volunteerism and citizenship. That is how we will move things forward.

Mr. Pat Doherty, MP, commented on sitting outside the system. For many years I was proud that we sat outside the system because I felt that was why people came to us. People used us because we were not part of the state system. We had to be there for the first ten years of our life cycle. We are now in a very different place. I like the way Mr. Maguire has described us. We are part of the wider criminal justice family but we are still independent and community-based. Our creative tension is that if we lose our community ethos we will have lost our community. Therefore, we are encouraging our government and the Assembly, as they give us funding, not to pull us away from our community roots. If they do so, we will lose young people who offend, victims knocking on our doors, and parties who come to us. We would become another statutory organisation but we need more grassroots organisations. Our attention is on how we can take government money yet retain our community ethos. We would welcome the committee’s thoughts on that because it will be a struggle for us on the way forward.

In terms of us being accredited by Government and entering into a protocol with our Government, the staff within Northern Ireland Alternatives resisted that move. We had to provide some leadership and say, “This is the way to go”. They resisted that move because they said,

“Debbie, we are going to sell out. We are going to lose our soul. We are going to be made like any other statutory agency.” We need to keep the following high on the agenda - work with communities, puts safeguards in place to ensure that the work is done well and there is quality assurance, but remain part of the community.

The only other matter on which I will comment is terms of early intervention. Deputy O’Reilly mentioned about Extern and early intervention. If we have learned anything it is that the earlier we intervene the more we keep out of the criminal justice system and the more we keep out of the prisons. I was speaking to a police officer from Scotland a few weeks ago in terms of early intervention. He made a presentation at the policing board. He told us at the policing board that he was going to speak at a breast-feeding conference in London and when we asked why he was doing that, he replied, “That is early intervention.” It needs to go right back to that stage where people begin to understand that how they treat a child in the womb, at nursery and at primary schools, and those experiences, are what make the difference. More restorative resources and interventions at that end are what make a real impact on our society. In answer to Deputy O’Reilly’s question, we work with agencies like Extern. We work with NIACRO, the Government sector, statutory sector, voluntary sector and community sector. Our approach is to bring them all together in a holistic family where we are addressing all of these issues collectively.

Chairman: The final round of contributors will be led by Mr. Conor Murphy, MP, followed by Senator Martin McAleese.

Mr. Conor Murphy, MP, MLA: I thank the Chairman. Ms Watters made an important point about the positioning of this type of approach in terms of justice. The point about the necessity to keep that linkage with the community and not simply become another statutory agency is well made. I am very much aware of this. I have a local project, the CRJ project in Newry and Armagh, which has worked effectively, in both a rural and urban setting, and has provided excellent results.

I will be brief because quite a number of areas have been covered. One aspect that always struck me as remarkable, particularly about CRJ, and that I am sure is the same with alternatives, is the progression from initial hostility for policing to a reluctant engagement to a sense I get, if not broadly across the PSNI then certainly among key players, of an acknowledgement and acceptance of the benefits of restorative justice processes, not only to the community but to the police service itself. One gets much more of a sense that people have had their eyes opened and are now embracing involving police personnel in training programmes and the like. Some within the PSNI now understand it. I am not sure how widespread that is but I certainly get that sense.

I wonder about the engagement across the Border in Dundalk’s project and other engagements in the South. Is that something that is on the agenda of the Garda Síochána as well, that people not simply see this as some project that goes on in the community but as a resource for policing which improves how they engage with the community but takes off their plate many matters that tie up necessary policing resources for other areas? The PSNI is starting to understand that. I wonder is there the same sense about policing on this side of the Border.

Mr. Harry Maguire: I suppose-----

Chairman: I will take a group of questions.

Senator Martin McAleese: I welcome Mr. Maguire and Ms Watters and thank them for two impressive presentations.

They referred to their background. I want to emphasise both their backgrounds, on the one hand a republican one and on the other a loyalist one. It is a significant statement of where we are at in the peace process that they are working so closely together. I note that they have an ambition to grow together a little more over time. I wish them well as they try to fulfil the ambition of merging into one organisation for restorative justice practices in Northern Ireland. With that will come much more kudos in terms of increased leverage and access to funding, etc. In much the same way as Deputy Feighan mentioned the dinner on Friday night last in Belfast and the most recent gathering here of Members of the Assembly and of both Houses of the Oireachtas, we are seeing events that were inconceivable up until fairly recently, and that is a significant statement.

What is the role, if any, of the restorative justice concept in encouraging the private sector to invest in hard-to-reach communities or communities most affected by the Troubles and sectarian and paramilitary conflict and activity? The issues that the private sector would be concerned about are those that are well known to all of us - blackmail, extortion and safety of personnel. Ultimately, the investment to which I refer will bring jobs and self-esteem which are important as communities transform and become part of the future.

Ms Watters alluded to the role of ex-combatants in Northern Ireland Alternatives' practices. To what extent have they bought into and supported what Northern Ireland Alternatives has been doing? Are they actively engaged in the workings of the practices, particularly across interfaces? If that were to be the case, we are looking at persons, organisations and structures that were placed outside the criminal justice process now being associated with accredited elements of the criminal justice process, which the restorative justice concept is.

Chairman: Deputy Jack Wall will be followed by Deputy Seán Crowe.

Deputy Jack Wall: I welcome Mr. Maguire and Ms Watters. Their presentation was wonderful. They have given a positive and constructive message that there was 600 cases dealt with.

I suppose the word "alternative" can be used down here as well. The only way we can do away with misuse of drugs and the drugs scene is to provide an alternative. If we reduce demand by providing the alternative, then we will make progress.

In their case, obviously, there is a different story. On the 600 cases, Mr. Maguire stated one may get a follow-up at the street corner, with someone in the local stores or something else, but is there a constructive follow-up in the community reflecting his work and moving it on to the next stage?

I would agree with Senator McAleese on our process. There are joint policing committees which are statutory bodies. When youngsters look in they see all these people and, suddenly, they feel they are not wanted. It is not community oriented. It is a worry in that regard. If we are to provide alternatives, we must do it with a community-constructed approach. We must use everything available to us. One of my big bugbears is that some of the sporting organisations cherry-pick in communities. They go in and pick out two or three good footballers, camogie players, hurlers, hockey players or whatever, and they leave the rest behind. That is a huge problem. If we are going to do this we must use every alternative we can identify. Have

alternatives been pursued in the areas where problems with anti-social behaviour arise? Have organisations attempted to emulate the wonderful work done elsewhere? It is not only about sport but also about recreation and drama.

I weep sometimes when I pass schools with big gyms and other facilities which are locked every Friday evening until the following Monday morning. It is a disgrace that taxpayers have paid money for these facilities when they are not being used by our communities during prime family times at weekends.

It is great to discuss a wider sphere of Ireland in terms of cross-Border co-operation. Are State agencies and other organisations responding positively to the witnesses' proposals? What is the next step if we are to be successful? We have to ensure the key is not turned in the lock of the school on Friday evening. Problem areas, whether in cities, towns or villages, must be able to access these facilities.

Deputy Seán Crowe: This discussion has been useful. Earlier this week a report was issued on St. Patrick's Institution which outlined many of the problems that arise in the prisons in Ireland, including intimidation, locking up prisoners for 23 hours per day for their own safety, rapes and other awful things. That is occurring across the board and all of us are aware of young people who went into jail healthy but came out as drug addicts or with AIDS. The system is not working at present but, if we were asked whether we want more prison spaces, we would say "Yes" because there is a demand in the community for them.

I am glad Deputy Wall mentioned the drugs problem. This is not a new dynamic of conflict in many areas of Dublin and around the country. It is a lucky town or village that does not have a problem with drugs but one of the huge problems that has now arisen for communities in Dublin is intimidation and drug related deaths. Everyone from grandparents to those involved are being intimidated and people are looking for answers. It is not possible to reason with someone who is drugged out of his or her brain. I know of cocaine houses in my community. People are afraid to work or bring their children to school because their houses could be burgled. Many communities want these individuals to be locked up and put away. We can tell people that it is not cost effective or that their sons and daughters may end up taking this route but they are constantly looking for alternatives to this conundrum. Community based restorative justice programmes may be cost effective and tick all the boxes and gardaí admit that the current system is not working but at the end of the day we are being forced down this road. We are seeing alternatives along the route but the momentum of our journey is carrying us onwards. None of us want to go down the route of prisons but it satisfies a hunger in many communities and it is a brave a politician who will stand up to argue that Johnny should be dealt with through a juvenile liaison initiative rather than be imprisoned.

I have been involved in campaigns on joy riding. We tried one initiative called "cop on" and another group called "we have a dream" was established in Ballyfermot. The aim was to offer alternatives by helping young people achieve their dreams. Somebody might only have a dream to watch Manchester United play. Those kids never thought they would achieve their dreams during their lifetimes. The community rallied to show it was prepared to meet them halfway if they made an effort. It is difficult, however, to get the resources and various players into place. It wears people out if the resources and supports are not made available. Somebody needs to pull together the various strings and organisations. That is the big challenge. Somebody must have a big idea that can work and can be sold to the community. We have tried different initiatives to deal with the drug problem, such as the Concerned Parents against Drugs campaign. Many of them did not work but they empowered communities and brought people

together. Negative issues arose in some cases because people approached the problem wrongly or did not work it out properly but at least they tried. The problem with drugs is that they frighten people back into their homes and break down community spirit. That makes it very difficult to organise. The witnesses are lucky in that they are not at that stage but it is coming down the track. As a society, we need to look for those alternatives.

Chairman: Members will agree that the witnesses are opening people's minds. Our final contributor is Senator Jim D'Arcy, who is going to mention County Louth.

Senator Jim D'Arcy: I am going to mention County Louth. I was impressed by the witnesses' engagement with the committee. As regards community restorative justice and its link with crime and punishment, if somebody commits a low level crime he or she is generally punished or sanctioned. This retributive or utilitarian justice wipes the slate clean and the criminal justice system no longer pursues him or her. The witnesses help people to restore self-esteem. Where does that leave the crime that an individual may have committed in terms of the statutory justice system?

As a former chairman of Louth County Council and Dundalk Town Council, I am also interested in learning more about what the witnesses are doing with Louth County Council.

Mr. Harry Maguire: Members asked a number of questions. I will start with the points raised by Deputy Crowe because they encapsulate the major challenge. Everything described by Deputy Crowe could be transported across the western world. One could take it from New York to Paris to Berlin to Manchester and to Cork because that is what is happening. As part of that conundrum, if one was a businessperson looking at how the criminal justice system has performed in all these areas, one would say "Let's get rid of the criminal justice system" because it has not performed at all. It has not tackled crime or dealt with attitudes and behaviour. In fact, things have got worse year in and year out.

A number of years ago we spoke about building a superprison in this end of the country. I know why this is still on the agenda with the financial situation. They have been building superprisons for years in the US and it is not working. The prison population has broken through the 2 million mark - this is nearly one third of the population of Ireland. California is nearly bankrupt and is looking at criminal justice and responses to it because it is not a very cost-effective system. What we do have is a very vested system - a system of interests and a very strong system that will protect itself rather than the citizens about which Deputy Crowe spoke. That is a major conundrum.

How do we turn those situations around? We do so by empowering communities. Concerned Parents against Drugs was a good project but there were problems associated with it. It involved probably just one constituency and did not interact with the statutory world. In the ten years since the beginning of Concerned Parents against Drugs up to the 1990s, the damage was done. If one visits the Monto district or inner-city Dublin, one sees how a catastrophe has happened in terms of drugs and the legacy it has left behind. This is why we are so strong on building those types of statutory relationships to try and prevent much of that happening.

How do we turn those communities around? We do this by embedding the type of value processes, systems and approaches we are talking about. However, it is also about law and order agendas and using the criminal justice system to really tackle some of the issues discussed by Deputy Crowe. Let us go for the jugular and follow the money instead of carrying out a drugs raid in Tallaght or Ballymun and chasing the €10 dealer. We constantly tell the police in

Northern Ireland that they should stop looking for drugs and go looking for the money. Let us change the role models which young people on these estates are seeing. Let us turn that around.

Ms Watters spoke about aspirations and dreams so let us start and give these young people in these estates the potential to dream. One of the greatest orators and public speakers was the civil rights activist Martin Luther King. He used the term "I have a dream." The reason he did so was because everybody has dreams. We can all identify with that and like everybody else across the planet, we can revisit our dreams each night, change them and turn them into reality. He was speaking to the layperson. We also need to identify that as a key way of communicating in the communities Deputy Crowe is talking about because far too often, we do justice at or on those communities without engaging, empowering or including them. That all needs to end and we need to turn that around. If there is a drugs killing in Dublin or Belfast, the first thing the Garda or PSNI will do is make an appeal to the community and then involvement suddenly stops. We need to change the engagement, culture and society.

We were talking about this on the way down on the train. Many of us here would have a very similar upbringing in terms of our value systems, which are fed and driven from the Christian faith, be it Protestant or Catholic - I suppose there are many more faiths on the island of Ireland today - but all delivering the same value systems. That is no longer the case in the estates about which Deputy Crowe is speaking. The value systems are not coming from the church. They are coming from MTV and Playstation games and many of them are negative values. We need to re-introduce a value system to society. We are not saying this has to happen but we are suggesting restorative values are a way of doing that. It is a platform or vehicle by which one can transport these values to societies so that there is a sense of looking after one's neighbour so that the community does not become one of the closed door.

At some community meetings in Andersonstown, I am told that the dogs in the street know who the drug dealers are. I reply that, unfortunately, dogs cannot talk so they need to tell me or the police who they are. There is no point in saying that we have a drug problem if we know it is in No. 3 and that is what we need to start doing. We need to out drugs lords and drug dealers but, at the same time, deal with the consequences of it. In north and west Belfast, which has the highest suicide rate in western Europe, people constantly talk to me about the massive drug problem we have. We have 32 chemists at each end of the constituency so that is 64 chemists in north and west Belfast. That is a hard drug problem. Prescription drugs are being pumped out. That is something we could deal with very quickly.

The private sector should have a key interest in investing in communities and these approaches. This is because it would be productive in terms of the citizens we develop. My brother works in the GAA world and he tells me that he constantly works with young people who are not going to make it on to the senior team but if they are good citizens and individuals in the community, the club has done its job. The private sector needs to help us create that and play a role in it.

In terms of blackmail, extortion and gang activities, there is definitely a role for the private sector in terms of investment. We also need to see leadership from people in terms of dealing with these things. A number of dissident groups in Belfast have become involved in that activity and we are encouraging people to stand up to them. We advise our children from the age of three, four or five up to their early teens to stand up to bullies and that is what we are talking about here. We are talking about standing up to the bullies but doing it in a way that is positive for society. It is not about vigilantism, hanging, shooting and flogging. It is about changing lives and understanding that it is not a lifestyle choice for young people who get caught up in

this world. It is sometimes the context and environment in which they have grown up.

In the areas where we operate, we have led on police engagement, to return the point made by Mr. Conor Murphy, MP. We have been very upfront about it because we know that is a key relationship and a game changer. One cannot shy away from it. As someone in our organisation once said “You can’t be half pregnant.” One either does or does not do it but we chose to do it and be fully pregnant. I think there is a child on the way because it has been productive.

Ms Deborah Watters: He has really taken the analogy and run with it.

Mr. Harry Maguire: It is being productive because the police now engage with us on a two-way basis. When we first began doing it, it was like talking into the ether. There is now a two-way relationship which Ms Watters can confirm. Does it need to happen in the South? Absolutely. In the constituency of Mr. Murphy, we did a training project with local volunteers and practitioners. We also asked for the police and the Garda in Dundalk to supply a number of people. Unfortunately, the Garda either did not or could not see the value of it but the PSNI supplied a number of people for the project, which took place in Bessbrook. This was a groundbreaking project, particularly given the history of Mr. Murphy’s constituency. It was very productive for the participants and an eye-opener for some of them. There are lessons to be learned across the island in terms of how we engage. Speaking as a former combatant, having combatants involved in this type of work was absolutely crucial. One was going into communities in which people knew and understood one’s history. The combatants are able to tell the communities that they have walked the walk and talked and talk, and that people need to change what they are doing. We cannot point the finger at the criminal justice system and say something is its fault. Many of the issues being grappled with in our communities were our fault and of our making. They were being fed and underpinned by a value system that we created and developed.

To change this situation, one needs to be inclusive. A core value of restorative practice and its principles is inclusiveness. Once one starts to exclude, one starts down the road to failure. Involving as many people as possible is key, but the criminal justice system must also be expected to deliver on issues. For example, I met the police recently concerning the issue of serious crime. Community Restorative Justice Ireland, CRJI, has been responsible for millions of pounds worth of drugs being found. We have shared information with the police concerning criminals who are working across the island. When we asked the PSNI about its island drug strategy, we were told it did not have one. How can one police drugs in Ireland with an imaginary border? The criminals are smarter than us, as they do not see borders, Catholic communities, republican communities or Protestant communities. They see markets, potential and money-making schemes. We are struggling with the Border, geographical spheres, high-level relationships, etc. Meanwhile, criminals are building relationships. A major drugs seizure in the North saw a north Dublin criminal, a north County Down criminal and a guy from west Belfast arrested. It was a cross-community, cross-Ireland venture. We need to understand that these people are ahead of us. Only through this type of dialogue can we get to grips with that fact. North-South engagement needs to flow. Projects like ours can achieve that.

In terms of Dundalk, we are working with marginalised communities, for example, the Polish and Nigerian communities, and trying to include them in the wider community sphere and introduce them to the statutory world. Many of the communities in question have formed pockets and live in bubbles. We are trying to break down the barriers and build awareness in the settled or host community. The marginalised communities’ pockets are not big worlds. It is not that they do not want others to enter. Rather, it is a question of not understanding the place,

the cultures or the ways. Let us get communication flowing and start opening up avenues of dialogue instead of simply seeing people on the other side. This is the main focus of that element of our work.

The 600 cases related to punishments. We dealt with 1,700 cases last year. I am sure that Northern Ireland Alternatives did likewise. While we focused on the 600, we were also dealing with a raft of other issues. Some of those cases saw very productive follow-up. Among others, including Professor Harry Mika, we engaged with statutory agencies on these cases.

The next step in policing with the community must focus on how to get better at what we do, how to maintain engagement and how to resource the community end. If we do not keep the community at the heart of this work, we will revert to the old *status quo*. It is a question of taking positives from negatives. The conflict in the North was negative. All conflict is negative, but out of it can come the opportunity for change. It can be transformative. The conflict helped us do that. A key element of the Patten report was policing with the community. This should be at the heart of all of our experiences of the criminal justice system. It should not do things to people, but with them. It is a question of being a part of the process and the system. If we can start to build this concept into our way of thinking, we will create a more holistic way of dealing with matters.

Ms Deborah Watters: Mr. Maguire has answered the questions well, but I will make a few additional comments. Deputy Crowe has summarised the issue for us, in that we do not want to be on this conveyor belt. It is not working for us, but we do not know how to get off of it. We need to analyse the issue further. I agree, in that many of those who are victims or have been on the receiving end of criminal activity initially want people to be locked away. However, they also want their own needs to be taken care of, for example, restitution, their voices to be heard, the knowledge that it will not happen again and to feel safe in their houses at night. Merely locking criminals up will not offer a response to this range of needs.

With the help of people like us, legislators need to consider how to get off this conveyor belt. As Mr. Maguire mentioned, the US has the highest incarceration rate in the world and is the world's most violent nation. Punishment is not equal to change. Locking people up does not address the root causes to which we referred, namely, social disadvantage, poverty, education, etc. We need to get beneath the surface and begin to address these issues. We can do this by involving everyone in the solution. It would have been disingenuous if restorative justice in Northern Ireland had left prisoners, ex-prisoners and former combatants out of the equation. For a real solution, everyone must have a voice. This may include people who we do not like or agree with, but that is fine. An essential ingredient in our success is having people like Mr. Maguire at the centre of what we do. We need that voice. We need to have people who have been on that transformative journey to design the programmes.

Mr. Murphy asked about the Garda. It is doing some restorative work. We have worked with it. The issue is that this work has been piecemeal. It is not co-ordinated or strategic enough. As members may know, there is a community-based restorative justice programme in Tallaght that is doing good work. We have worked in Ballymun and with the St. Andrew's Resource Centre in the city centre. However, co-ordination and a strategy are necessary. The work needs to be underpinned by legislation and Government resources. Some good piecemeal work is being done across the island, but it needs to have more of a strategic focus.

Senator D'Arcy asked about the criminal justice system and a protocol for sharing information. The North has a protocol whereby, if we become aware of criminal activity, we are

legally obliged to pass that information on to the police. As Mr. Maguire mentioned, that can sometimes be a constraint to building relationships with communities. We need to reach the point of restorative justice programmes having some discretion as regards low-level anti-social behaviour and criminal activity.

Members may not agree with my analysis of the situation, but we only need to lock up the most serious offenders. I do not know how matters stand in the South, but 50% of the North's prison population is composed of fine defaulters. This is costing us £80,000 per year, which is not the way forward. We need to revamp our system and the criminal justice system.

Reference was made to partnerships. Our agencies probably have the most partners involved with them. People are stating that we are making a difference and that they want to be part of what we are doing. However, it is difficult to encourage partner agencies to bring resources to the table. They may wish to come on board but we may, perhaps, not always see the colour of their money. We need to move beyond the point where people are just partners to the stage where they are equal partners who bring resources with them.

That is all I wish to say. Mr. Maguire has covered the issues very well. The committee has given us a great deal of its time and we greatly appreciate the opportunity to engage in this discussion with it.

Chairman: I thank Ms Watters and Mr. Maguire. This has been a good meeting. Our guests had a story to tell and they told it well. They have also opened up the minds of many of the members present. In the world in which we live, it is sometimes very much a case of reacting and engaging in fire-fighting exercises. As a result, we do not get the space to consider matters. However, our guests have given us that space this morning. Their contributions and those of members have been of value. I thank Ms Watters and Mr. Maguire for both their contributions and for making us think about the issues raised.

Before we go into private session, I wish to make one comment. This is an implementation body and on occasion it does not actually take account of that which it is implementing. Senator McAleese correctly pointed out that last Friday's inaugural meeting of the North-South Inter-Parliamentary Association was a historic occasion. Establishment of the association was one of the outstanding elements of the Good Friday Agreement. This committee is an implementation body in respect of the Agreement and we should take stock of that. Furthermore, the contributions and participation at this meeting has been significant. A total of 16 members were present for the meeting and ten made contributions. It is worth noting that there is an enthusiasm to drive the agenda set out by our guests at community level, whether it be in respect of outstanding issues such as the bill of rights, the Irish language or other issues relating to the Good Friday Agreement. The job of this committee is to drive such matters forward.

I acknowledge the contributions made by our guests and I thank members for theirs. I also thank Ms Watters and Mr. Maguire for providing up-front and honest perspectives and for highlighting the challenges that exist for this committee.

The joint committee went into private session at 1.05 p.m. and adjourned at 1.25 p.m. *sine die*.

