**B(1) Example RJ initial eligibility checklist**

# **Restorative Justice Initial Eligibility Checklist**

|  |  |  |  |
| --- | --- | --- | --- |
| Person who has harmed name: |  | SWIFT Number: |  |
| Person harmed name: |  | Worker Name: |  |
| Index Offence(s): |  |

1. [ ]  Is there an identifiable personal person who has been harmed (this can include a witness who was harmed, or a representative of a company or the community)?

2. [ ]  Does the person who has harmed take responsibility for the harm caused by their offending?[[1]](#footnote-1)

3. [ ]  Does the person who has harmed wish to meet the person harmed and/or a family member or representative?[[2]](#footnote-2)

4. [ ]  Does the person who has harmed have attitudes which could lead to re-victimisation?

5. [ ]  Is the offence domestic or sexual?[[3]](#footnote-3)

6. [ ]  Is there evidence of significant substance use?[[4]](#footnote-4)

7. [ ]  Is there evidence of significant mental health difficulties (that are not being managed or treated and may affect the restorative justice process)?[[5]](#footnote-5)

**If any of questions 4-7 are checked, the person may not be suitable for RJ.**

# **RJ Facilitator**

[ ]  Is the person who has been harmed willing to participate in Restorative Justice, either directly themselves or indirectly?

[ ]  Risk assessments complete

**Suitable: YES [ ]  NO [ ]**

1. In the context of hate crime, the person who has harmed may accept that they have physically or verbally harmed the victim, but not accept that they have underlying prejudiced views – this would not preclude them from RJ. If the offender does not accept responsibility for their offending behaviour then they are not suitable for RJ. This includes partial blaming of the person who has been harmed. [↑](#footnote-ref-1)
2. Where the RJ service can be indirect, rather than a meeting, better to say ‘wish to communicate with the person harmed’ [↑](#footnote-ref-2)
3. If yes, then the person who has harmed is not suitable for RJ at this time. [↑](#footnote-ref-3)
4. If the person who has harmed is using substances to a degree where they are unable to engage in supervision, it is unlikely they are suitable for RJ. [↑](#footnote-ref-4)
5. E.g. unstable psychiatric condition, severe risk of self-harm, diagnosis of psychopathy, or severe personality disorder. Presence of serious mental ill-health may mean the person who has harmed is unsuitable for RJ. [↑](#footnote-ref-5)