Suitability Checklist for Restorative Justice Cases
Approved by RYCNC on: 11-20-2020

Determining whether a case is suitable for a restorative justice process requires an assessment of the risks involved for the parties. Such an assessment includes factors beyond those used in the conventional criminal justice system, which requires programs to use their assessment tool. This is an intuitive process and often requires discussions with other RJ professionals if the situation or the answers to questions feels unusual or uncomfortable. We encourage the use of these questions as a part of the larger process of determining appropriate placement into RJ programs.

Questions that might be asked include:

- Is the program appropriate for youth and/or adults?
- How serious was the harm done?
- Were there aggravating factors involved in the commission of the harm done?
- What is the person who caused the harm's prior record of offending?
- Is the person who caused the harm amenable to participating in the process? (likely to consent to participate?)
- What is the person who caused the harm's mental and emotional state and what is their cognitive ability?
- Have there been any recent threats (or other forms of intimidation)?
- Is the person who caused the harm a part of a criminal organization?
- Is the person who caused the harm related to those most harmed and, if so, how?
- Are those most harmed an individual?
- Are there many harmed and, if so, do they all agree to participate in the process?
- Are those most harmed adults or children?
- Are those most harmed amenable to participate in the process? Do they consent?
- What are the mental state and cognitive abilities of those most harmed?
- Is there an immediate risk of "revictimization" for those most harmed?
- Have other support persons been identified who could be involved in the process to support the person who caused the harm or those most harmed?
- Have either those most harmed and/or the person who caused harm previously participated in a restorative process and, if so, what was the outcome of that process?
- Is the person who caused the harm admitting guilt for the offense (or at least not denying it)?
- Are the facts of the harm done still in dispute?
- Is there any documentation on the losses or damages suffered by those most harmed?