



How can governments realise victims' right to information about restorative justice across Europe?

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1. Introduction

[Research demonstrates](#) that restorative justice helps victims recover from crime, seek reparation and gain a level of satisfaction that court processes seldom provide. The [Victims' Rights Directive](#) lists restorative justice among the services about which, where available, victims should receive information on first contact with a competent authority (in most countries, the police). Yet, recent research indicates that few victims receive information in such a way that enables them to make an informed decision as to whether accessing restorative justice is right for them. As we approach a time when EU members will be required to amend their legislation in light of the [revised Victims' Rights Directive](#), and as the EU prepares the next Strategy on Victims' Rights, it is crucial to assess if and how victims are informed about restorative justice, and ensure that this right is consistently and meaningfully realised.

VICINFO is a project which explores different approaches to information provision. It aims to inform EU policies, and to help governments, criminal justice agencies, victim support services and restorative justice services collaborate to improve the procedures through which victims of crime receive information about accessing restorative justice. It involved:

- A request for information to EU justice ministries, a literature review, and interviews with six experts to identify different national approaches and understand the key challenges.
- Interviews with 25 policymakers and practitioners from justice ministries, criminal justice agencies and restorative justice and victim support services in five jurisdictions (Belgium, Catalonia, Denmark, the Netherlands, Northern Ireland) selected based on evidence that their systems helped them overcome some of the identified challenges.
- Three focus groups with ten restorative justice service managers, criminal justice strategy and policy leads, and data protection experts in Ireland to discuss how best to implement the learning in Ireland, where the project was based.
- An analysis of these data, in light of recent and possible future developments in EU policy, to identify recommendations for the EU, and for governments and other relevant bodies.

This briefing starts by using literature to illustrate how interagency collaboration and data governance lie at the heart of this issue. We then propose five questions to guide domestic efforts to establish systems that realise victims' right to information about restorative justice. Finally, we propose three actions that all European countries can take to enhance interagency collaboration and data governance to achieve this goal.

2. The need for new interagency collaborations and data governance frameworks

The existing European research on restorative justice allows us to draw several conclusions:

- Victims of any crime might benefit from participating in restorative justice, as the Council of Europe [Recommendation of 2018 concerning restorative justice](#) recognises.
- Most victims [do not know](#) what restorative justice is or if there is a service they can access in their area.
- Victims would [rather be offered](#) restorative justice and decline to participate, than not be offered the information and the opportunity to decide whether it is right for them.
- Since the 2012 Victims' Rights Directive, many countries [place a disproportionate burden on the police](#) by making them responsible for informing victims about their rights.
- People without restorative justice training [often struggle](#) to provide full information about it, given the variations in what participation can mean and the questions victims have.
- Ideally, [victims would receive information](#) about restorative justice from the professionals who would deliver it. However, restorative justice services usually [cannot contact victims directly](#) to provide this information because of narrow interpretations of GDPR, and often do not have the protocols or collaborations in place which allow or encourage systematic referrals from the police, prosecutors, judges, victim support and others.

These findings indicate that new interagency collaborations and data governance frameworks are needed to ensure that all victims receive the right information about restorative justice at the right time(s), from the right people. The core parties here are justice ministries (who have responsibility for law and policy on victims' rights and on data protection), police and prosecution services (who generally hold the victim's contact details), and the victim support and restorative justice services that provide information and services for victims.

[Nišević and Ivanković \(2025\)](#), following [Victim Support Europe's 2020 report](#), have argued that victims are prevented from accessing services by the assumption that consent is the primary and only legal basis for data processing. They argue that requiring explicit consent before victims' contact details are transferred to support services can cause secondary victimisation by delaying referrals. Given that the GDPR allows for other, equally valid, bases for data processing (including 'legal obligation' and the 'public interest'), they contend that ethical data governance frameworks can be introduced to facilitate effective victim care and support, while protecting privacy.

The need for more interagency collaboration is recognised in the European Commission's [proposed revisions](#) to the Victims' Rights Directive. Specifically, Article 26a asks Member States to implement protocols, designed with public agencies and restorative justice and victim support services, to ensure victims receive information and have their needs assessed, and facilitate data sharing between the organisations responsible for realising victims' rights to information, support and protection. Given that the passage of a revised Directive will require Member States to amend the legislation which transposed the Directive into domestic law, there is a need for research that identifies how states can facilitate collaboration to implement the legislation in practice.

3. Key findings and questions emerging from VICINFO

Through our analysis of the laws, policies and processes in the jurisdictions we explored, we have identified some aspects of their systems relating to interagency collaboration or data governance from which other jurisdictions could learn. Some of the learning relates to the information victims receive initially, and some relates to the process by which victims receive information following a referral to restorative justice, or which enables them to initiate such a referral. For example:

- **Belgium:** restorative justice services drafted written information about restorative justice, which police officers, prosecutors and other professionals provide all victims at all stages

of the criminal justice process. This ensures that all victims receive correct information – written by specialists and inclusive of services’ contact details – several times.

- **Catalonia:** political support and substantial financial investment enabled the restorative justice provider to proactively and systematically engage with justice actors to encourage referrals and establish new referral processes. This is an ongoing pilot in part of Catalonia, which has dramatically increased referrals (see also, [Ferrer, 2025](#)).
- **Denmark:** each policing region has a restorative justice specialist. Their role is to contact victims whose cases are referred to restorative justice by the police, meaning that victims can receive information verbally and from specialists. As police officers or staff, they also have access to the police’s databases and can proactively contact victims to inform them about restorative justice (see also, [Rasmussen, 2020](#)).
- **Northern Ireland:** legislation requires police to transfer victims’ contact details to victim support services automatically, with all victims contacted by specialists shortly after they report an offence to offer information about their rights and the services they can access. Likewise, the prosecution service is legally required to transfer all victims’ contact details to probation to offer information when an offender is sentenced to probation supervision.
- **The Netherlands:** legislation requires police to refer victims automatically to the national victim support organisation, unless victims opt out. As in Northern Ireland, this means all victims (aside from those who opt out) are proactively contacted by a victim support body, which can refer victims to restorative justice (see also, [Victim Support Europe, 2020](#)).

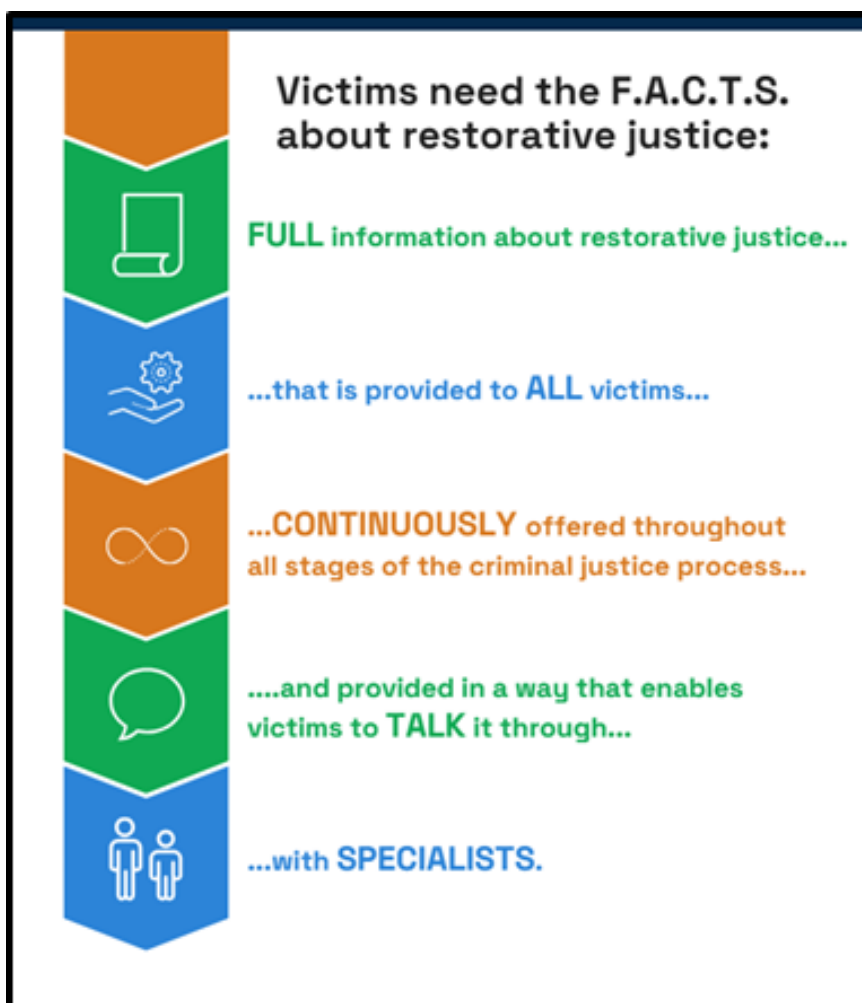
The above represent simplified descriptions of what our interviewees generally described as quite complex, often messy, landscapes of law, policy, and interagency processes and practices. None of the above jurisdictions are immune from challenges, including discretionary referral pathways, resource limitations in restorative justice services and other bodies and the fact that one’s access to restorative justice is contingent on whether the offender is identified, contacted and amenable to a process taking place. In Denmark, there is significant variation in referrals and proactive work between areas; in Northern Ireland, processes are underway to establish adult restorative justice services, but this is not yet complete. Even in jurisdictions with thousands of referrals annually, it seems that restorative justice remains on the periphery of criminal justice. Questions remains as to how interagency collaboration and data governance frameworks can be designed to ensure all victims receive full, unbiased information at a time, and in a way, that they can act on it.

Based on our analysis of the data, we identified five questions which can help us envisage and design a system in which victims’ right to information is realised:

- *What information is provided?* Do all victims receive **full and unbiased** information about restorative justice that sheds light on how it works and ensures that their expectations for the process, outcomes and safeguards align with what the service provides?
- *Who receives information?* Do **all** victims receive information about restorative justice?
- *When do they receive information?* Is the information **continuously** provided to victims – including at first contact, at the point when they could access the service, and at times in the future when they might be ready to access restorative justice?
- *How is information provided?* Can victims **talk** about it directly with someone who would answer all the questions they have about the services that are available?
- *Who provides the information?* Is it provided by **specialists** trained to support victims to understand the full complexity, practicalities and aims of restorative justice?

We argue that realising the right to information requires a system that satisfies the five **F.A.C.T.S.** criteria: **Full** information about restorative justice must be provided for **All** victims, **Continuously** offered throughout all stages of the criminal justice process, and provided in a way which enables victims to **Talk** it through with **Specialists**.

We illustrate this visually in the infographic overleaf:



4. Recommendations for EU institutions and European governments

We propose three actions which EU institutions could include in the Victims' Rights Strategy, and which governments could set in motion. These actions would advance interagency collaboration and inform new data governance frameworks with the aim of realising victims' right to information about restorative justice. This would also enhance collaboration between relevant bodies in ways that can improve the realisation of victims' rights more broadly, while readying EU Member States for compliance with a revised Victims' Rights Directive and future EU policies on victims' rights.

4.1 Action 1: Collaborate to design and provide written information for all victims, at all stages

Restorative justice providers can collaborate to draft a single victim information leaflet. They can then collaborate with organisations including the police, prosecution and victim support services to help them provide this leaflet to all victims, or otherwise use it to help them provide information to victims with whom they interact. This would enable every victim to receive information, written by specialists, at several points in the criminal justice process. The leaflet would have the contact details of the relevant restorative justice providers, allowing victims to make contact. This reflects the system in place in Belgium, and it would represent an improvement on the basic information that (only some) victims receive about restorative justice in most European countries. This would ensure that victims who may not be in a position to engage fully with information about restorative

justice on the reporting of the offence, or who might wish to participate in restorative justice years after the offence, receive the information at a time when they can act on it.

4.3 Action 2: Establish single points of contact for restorative justice in victims' data controllers

In many European countries, referrals to restorative justice generally start when a criminal justice professional identifies a suspect or offender whom they believe could be suitable, and refers their case to a restorative justice service for assessment. Where an offender has an identifiable victim, the service must then contact the victim to offer them the chance to participate.

However, restorative justice providers tend not to receive the victim's contact details with a referral as it is presumed that the victim's contact details cannot be passed to support services without their explicit consent. Restorative justice services must then hope to identify and contact a police officer or another person who holds the victims' contact details and ask them to seek the victim's consent on the service's behalf. This process means that many victims whose cases are referred to restorative justice cannot access services, which may be unable to identify or contact the right professional. The professional might also refuse or omit to speak to the victim or may do so unskillfully, providing biased or incomplete information about restorative justice.

Reflecting the system in place in Denmark, countries could identify a service which holds victims' contact details (e.g., police, prosecution or victim support services), and train specialists to act as single points of contact for restorative justice services. These persons could ensure that their host organisations collaborate efficiently and effectively with restorative justice providers to contact victims when a case is referred to restorative justice, ensuring victims receive information from specialists before deciding whether to allow restorative justice services to contact them. As in Denmark, their access to all victims' contact details would also enable them to contact victims proactively, meaning that more victims receive information from trained specialists, before those who are interested can consent to transfer their contact details to a restorative justice service.

4.3 Action 3: Develop legislation or statutory instruments to support data sharing

Actions 1 and 2 can ensure more victims receive better information about restorative justice, even in a system which requires victims to provide explicit consent before their contact details can be transferred to support services. However, as the Dutch and Northern Irish systems demonstrate, and as [Nišević and Ivanković \(2025\)](#) and [Victim Support Europe \(2020\)](#) have argued, there may be benefits to the introduction of legislation and data governance frameworks which use alternative legal bases for the processing of victims' data (specifically, their contact details) under GDPR.

In the Netherlands and Northern Ireland, legal instruments enable the automatic transfer of victims' contact details to national, 'generic' victim support services immediately following the report of a crime to the police. Northern Ireland's legislation also provides for a similar transfer to probation in cases where victims have the option to sign up to their information services.

In each country, from and to whom victims' contact details would be transferred depends on who holds victims' contact details, what services exist and how well they are resourced. Some countries, like Ireland, lack a 'generic' victim support service, aside from a national (albeit, poorly resourced) helpline. Moreover, while restorative justice can help victims recover from crime, seek answers to questions they cannot get elsewhere and obtain reparations, restorative justice is also a service for, and typically requires the voluntary participation of, the offender. Consequently, the process by which it is offered, organised and delivered is more complicated and contingent than that of other services to which victims have a right to information. For example, making restorative justice universally available would require the introduction of a system through which the service can obtain the offenders' contact details in cases where victims self-refer. It is also important for restorative justice services to guard against secondary victimisation by ensuring that victims who

reach out first understand that victim-offender dialogue is voluntary for the other party, that it can be taken into account by the court, and that other support services are available.

Still, where restorative justice services are available, victims' access to information about how to access those services must form part of ongoing work to realise victims' rights – including through revised data governance frameworks. Legal clarity in relation to proactive referrals, close cooperation with data controllers who have responsibility for informing victims about their rights, and national data sharing agreements underpinned by law can all help restorative justice services minimise the burden on victims to seek this information themselves.

Involving restorative justice services when developing protocols to support coordination on victims' rights, as per [proposed revisions](#) to the Victims' Rights Directive, would be a welcome step. However, as the Council of Europe notes in the 2021 [Venice Declaration](#), restorative justice-specific national action plans are needed to move towards a right to access the service.

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More information about our civil society partner, Restorative Justice Services, can be found [here](#).