



IMPLEMENTING RESTORATIVE JUSTICE IN ITALY: INSIGHTS FROM THE PADUA PILOT EXPERIENCE

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WHAT IS THE RESEARCH ABOUT?

The Cartabia reform (Legislative Decree No. 150/2022) has introduced a comprehensive legal framework for restorative justice in criminal matters in Italy, in line with the international principles. This marks a significant cultural shift that must now be integrated into legal practice. In this context, research was conducted on the pilot initiatives launched by the Centre for Restorative Justice of the Municipality of Padua (managed by the cooperative La Ginestra), which was already active pending the establishment of Centres accredited by the Ministry of Justice. The aim of the research was to monitor the cases handled and identify best practices as well as any critical issues.

THE RESEARCH "STEP BY STEP"

In order to achieve the research objectives, the project was structured around the following methodological phases:

Phase 1: Analysis of scientific literature on restorative justice, and of the principles, objectives, and impact of the Cartabia reform on the criminal justice system.

Phase 2: Mapping the activities of the Municipality of Padua's Centre for Restorative Justice.

Phase 3: Data collection and identification of operational practices for implementing restorative justice programmes.

Phase 4: Quantitative and qualitative analysis of the collected data.

Phase 5: Publication and dissemination of the research project's findings.

Phase 6: Establishment of a local working group comprising various stakeholders operating within the criminal justice system and involved in implementing the reform. The group will be responsible for monitoring and promoting good practices.

RESEARCH OUTCOMES

1. **Best practices:** the research highlighted the best practices followed by the Centre for Restorative Justice of the Municipality of Padua, which deserve to be strengthened and developed. Examples include preliminary interviews with the parties, variety of restorative programmes and reporting formats used to communicate restorative outcomes to judicial authorities.

2. **Critical issues:** the research identified critical issues in the management process for cases referred to the Centre, stemming from conceptual confusion among those implementing the Reform (judges, lawyers, social workers and third sector representatives) regarding restorative justice's objectives and their respective roles and functions. It was revealed that a restorative culture has yet to be widely established among criminal justice system practitioners, necessitating enhanced training and the development of coordinated practices to ensure the effective and principles-aligned provision and use of restorative justice services, in accordance with an inclusive and participatory approach to managing conflict arising from offences.



Focus on gender based-violence: based on the collected data, specific focus has been developed on the management of cases involving gender-based and domestic violence crimes, highlighting further specific issues. In particular, there is a need to strengthen networking and synergy between services offering specific support to parties, to facilitate access to programmes free from external influences and to avoid the risks of secondary victimisation arising from power imbalances and gender inequality.

CONCLUSIONS

In order to prevent the restorative paradigm in the criminal justice system from being undermined in practice and to ensure widespread access to services and the effectiveness of the proposed programmes, the following measures are necessary:

1. **Strengthen training** in restorative justice in accordance with the principles of the Cartabia reform.

2. Develop joint reflection among practitioners on the importance of **supporting the parties until the 'right time'** in the restorative process, strengthening the information phase.

3. Identify **shared operational procedures**, focusing on the specific tasks and roles of practitioners.

4. Draw up **specific guidelines** for certain categories of serious offences or crimes involving vulnerable victims, such as gender-based and domestic violence, which require an integrated approach and adequate training to best manage the relational dynamics and the needs of the parties.

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