



Restorative Justice: What do we know from international research evidence?

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Plan for today:

- Victims and RJ post-sentence in the context of evidence about RJ generally
- Different kinds of evidence:
 - Rigorous experiments on face-to-face RJ
 - Non-experimental findings on face-to-face RJ
 - Research on other kinds of RJ
- Evidence on long-term effects of face-to-face RJ on victims
- What does the evidence conclude?
- The way forward – some reflections

What do victims want from the justice system?

- Whenever victims are asked, remarkable consistency in what they say:
 - Opportunity for participation in the resolution of their case
 - More information
 - Fair and respectful treatment
 - Material restitution
 - Emotional restoration, especially apologies
- Bottom line: face-to-face RJ can deliver all of these better than formal conventional justice can

How do we know RJ can do better than CJ (conventional justice)?

- 10 rigorous experiments carried out in Australia, the US and the UK on face-to-face RJ
- Many surveys and other assessments of face-to-face RJ programmes – (before/after studies)
- Evaluations of other kinds of RJ – victim-offender mediation, family group conferences etc

Different kinds of evidence:

- 1) Rigorous experiments:
 - 10 randomised controlled trials (the 'gold standard') with victims
 - 2 Australian studies, 1 US study, 7 UK studies
 - RJ both as diversion from conventional justice (CJ) and in addition to CJ
 - Juvenile and adult offenders
 - Violent crimes and property crime, from relatively trivial to extremely serious
- 2) Before/after studies, for example -
 - Victim-Offender Mediation in US and Europe
 - Family Group Conferencing evaluations in New Zealand
 - Canberra (RISE)
- 3) Evaluations of other kinds of RJ (e.g. 'shuttle' mediation)

What can we conclude from all the evidence?

- when victims consent to meet their offender in a face-to-face conference they are highly likely to be satisfied with their experience provided that
 - 1) the RJ meeting happens as promised and
 - 2) the offender complies with the undertakings they made during the conference.

Furthermore, available evidence shows that these victims are far more satisfied than their counterparts whose cases are dealt with by CJ

But how do RJ victims differ from CJ victims?

- Important to know how victims feel after RJ but
- Even more important to know whether they feel better after RJ than usual treatment
- What victim effects are really caused by RJ?
- Our experiments can answer that question

So, today mainly evidence from 10 RCT Victim studies:

- Canberra juvenile personal property (diversion)
- Canberra youth violence (diversion)
- Indianapolis youth property and minor violence (diversion)
- London serious adult burglary (additional)
- London adult robbery (additional)
- N'umbria juvenile property and violence (additional)
- N'umbria adult Magistrates' court property (additional)
- N'umbria adult Magistrates' court violence (additional)
- Thames Valley adult violence (probation/community supervision) (additional)
- Thames Valley adult violence prison (additional)

What did we learn from RCTs comparing face-to-face RJ with CJ?

- Material restoration
- Emotional restoration
 - Emotional reactions generally
 - Apologies
 - Sense of fairness
 - Post-traumatic stress
 - Desire for retaliation
- Satisfaction/Dissatisfaction

- And ten years later how do victims feel about their justice experience?

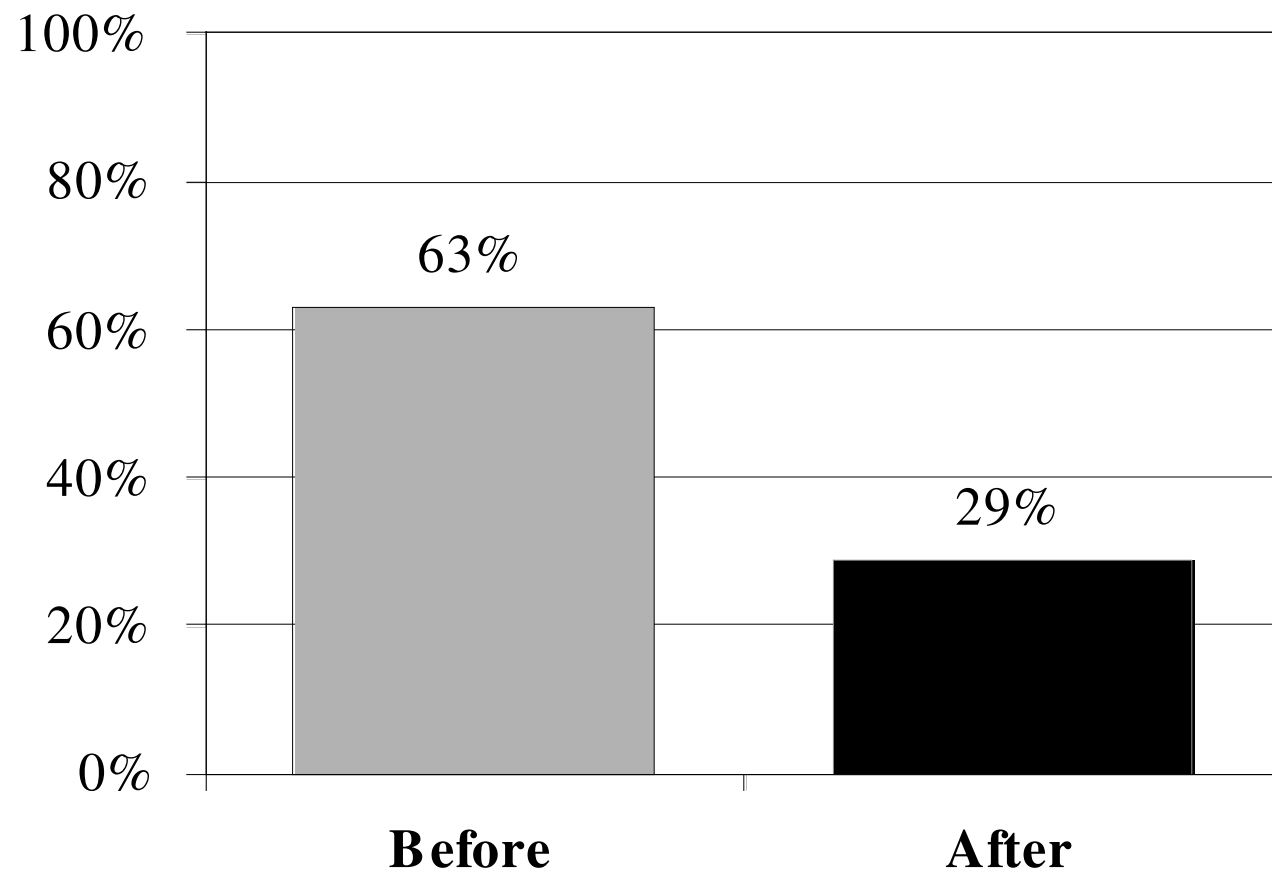
Material restoration

- Canberra – one third of victims wanted this. About 15% of both groups received money; some RJ victims got other forms of material restoration – work, donations to charity etc
- UK – many began RJ conference by saying they wanted this but almost none wanted it at the end.
- In both sites, rarely of primary importance (similar findings in other research studies).

Emotional restoration

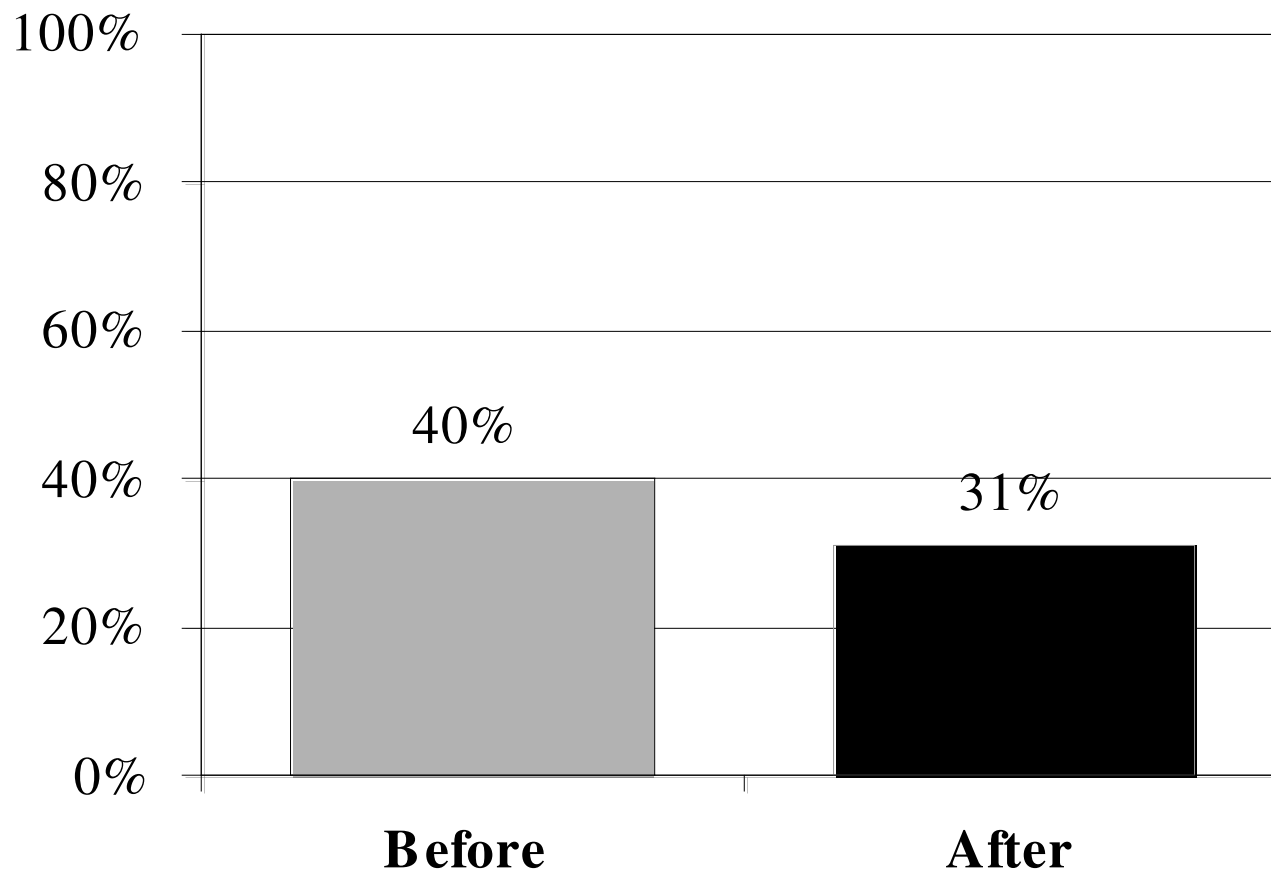
- 1) Emotional reactions:
 - Less anger
 - Less anxiety
 - Less fear
 - More sympathy (for offenders as victims) – empathy
 - More repair of harm and sense of closure

Anger towards offender before and after RJ conference



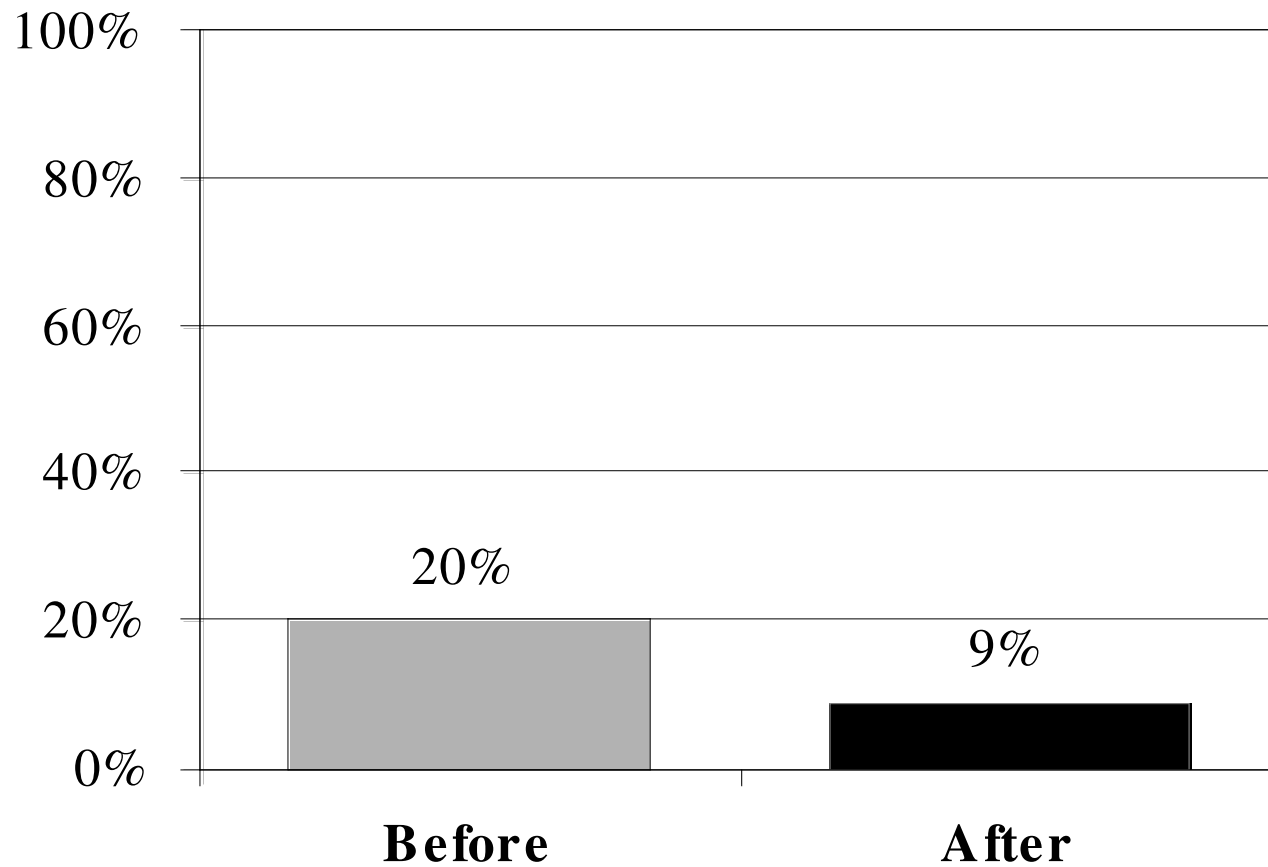
$t = 5.875$, $df = 81$, $p \leq .000$; Cohen's $d = .790$

Effect of RJ conference on anxiety



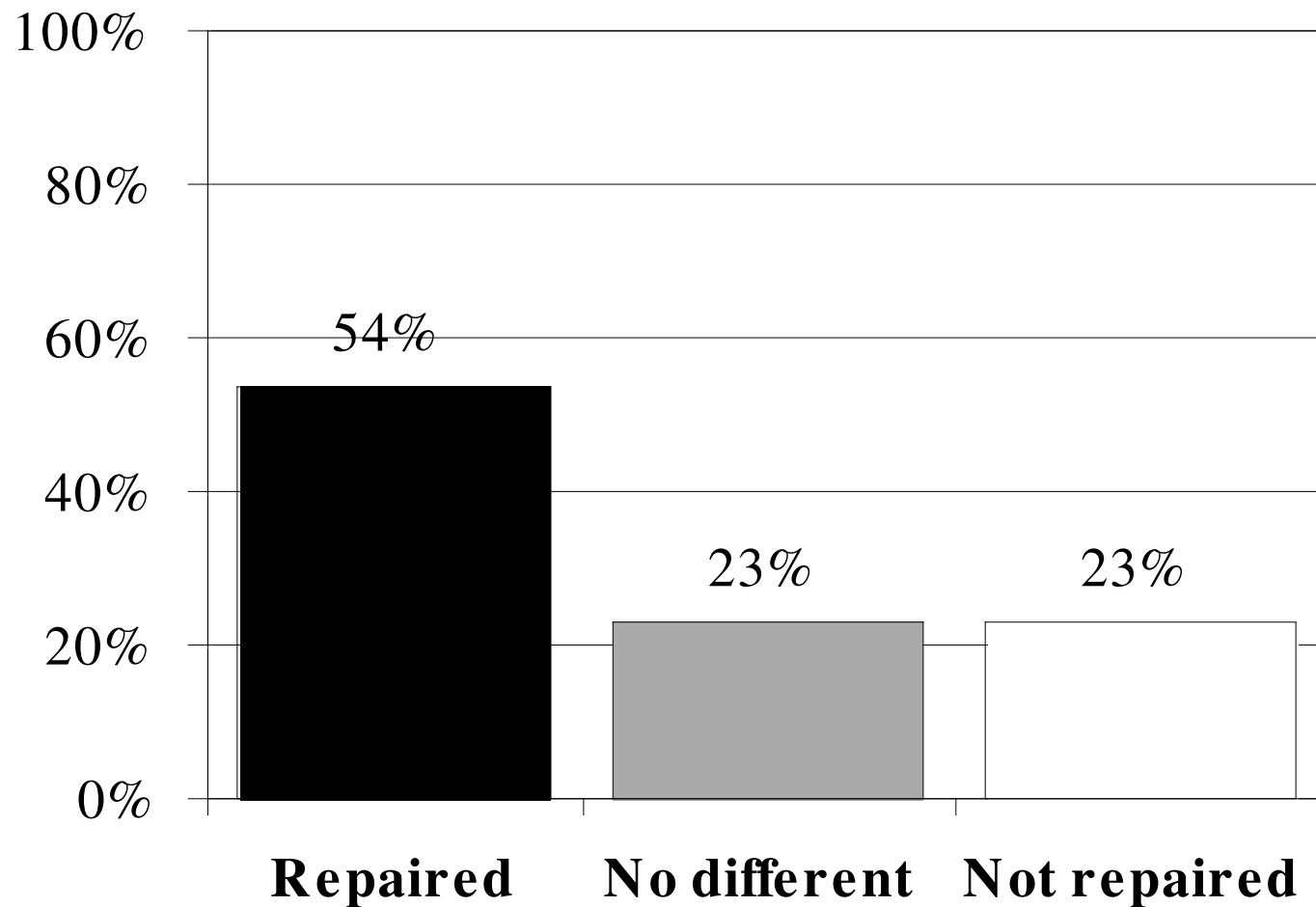
$t = 2.402, df = 79, p \leq .019; \text{Cohen's } d = .211$

Fear of offender before and after RJ conference



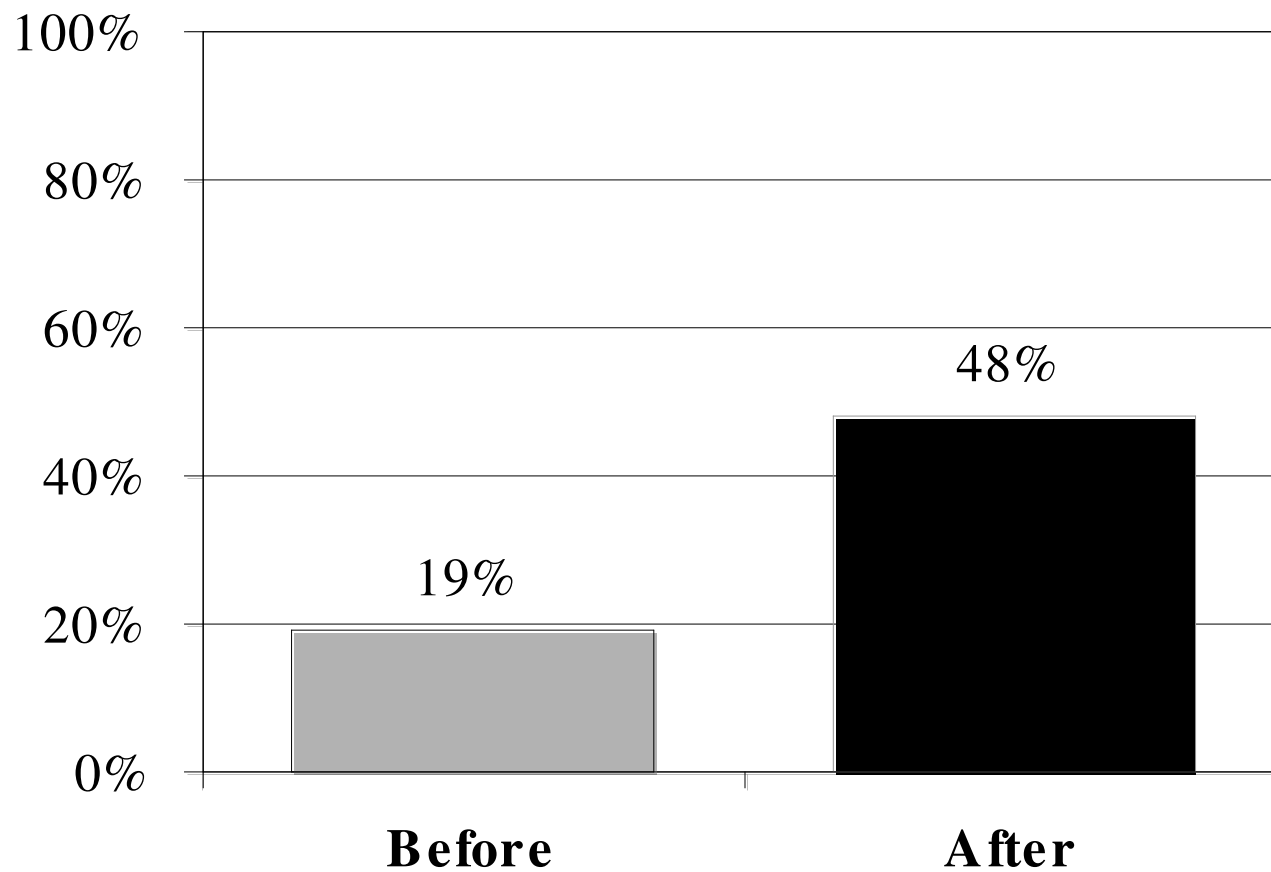
$t = 2.235$, $df = 81$, $p \leq .028$; Cohen's $d = .526$

Effect of RJ conference on repair of harm



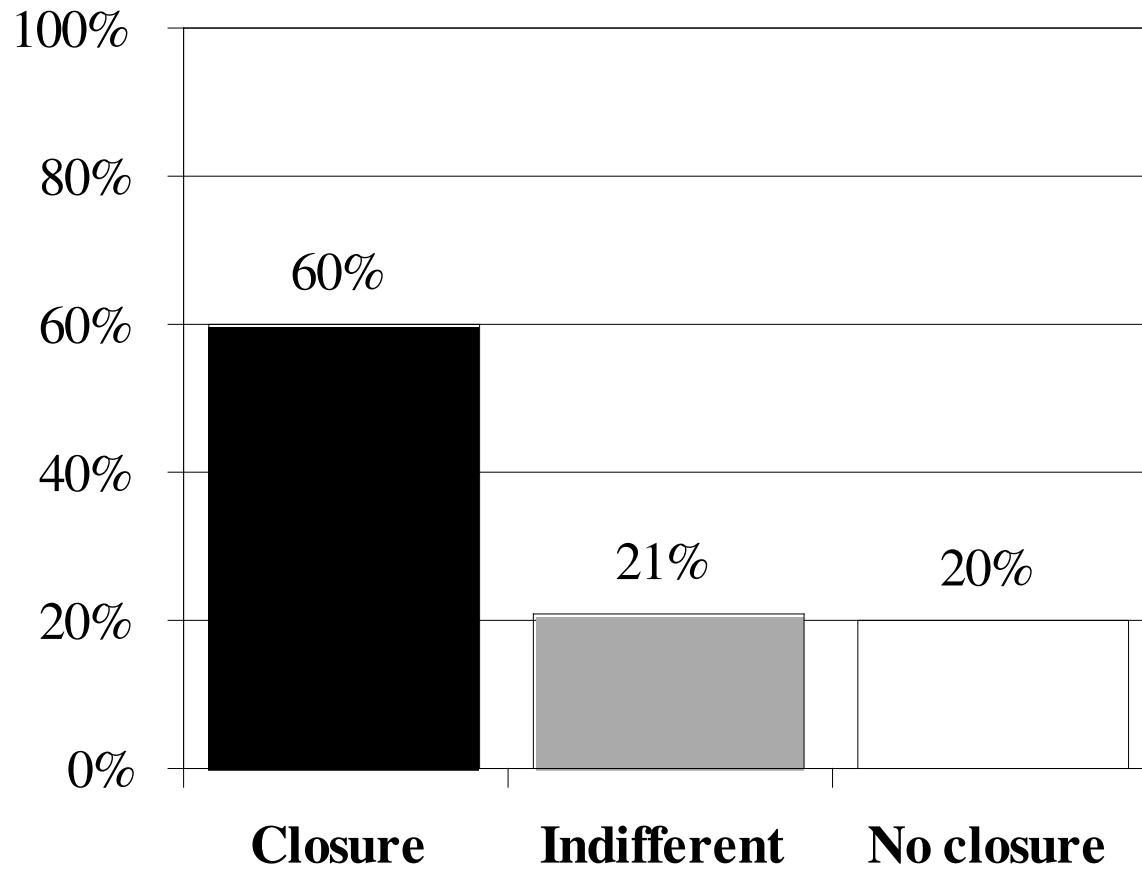
$t = 3.729$ $df = 81$, $p \leq .000$

Sympathy towards offender before and after RJ conference



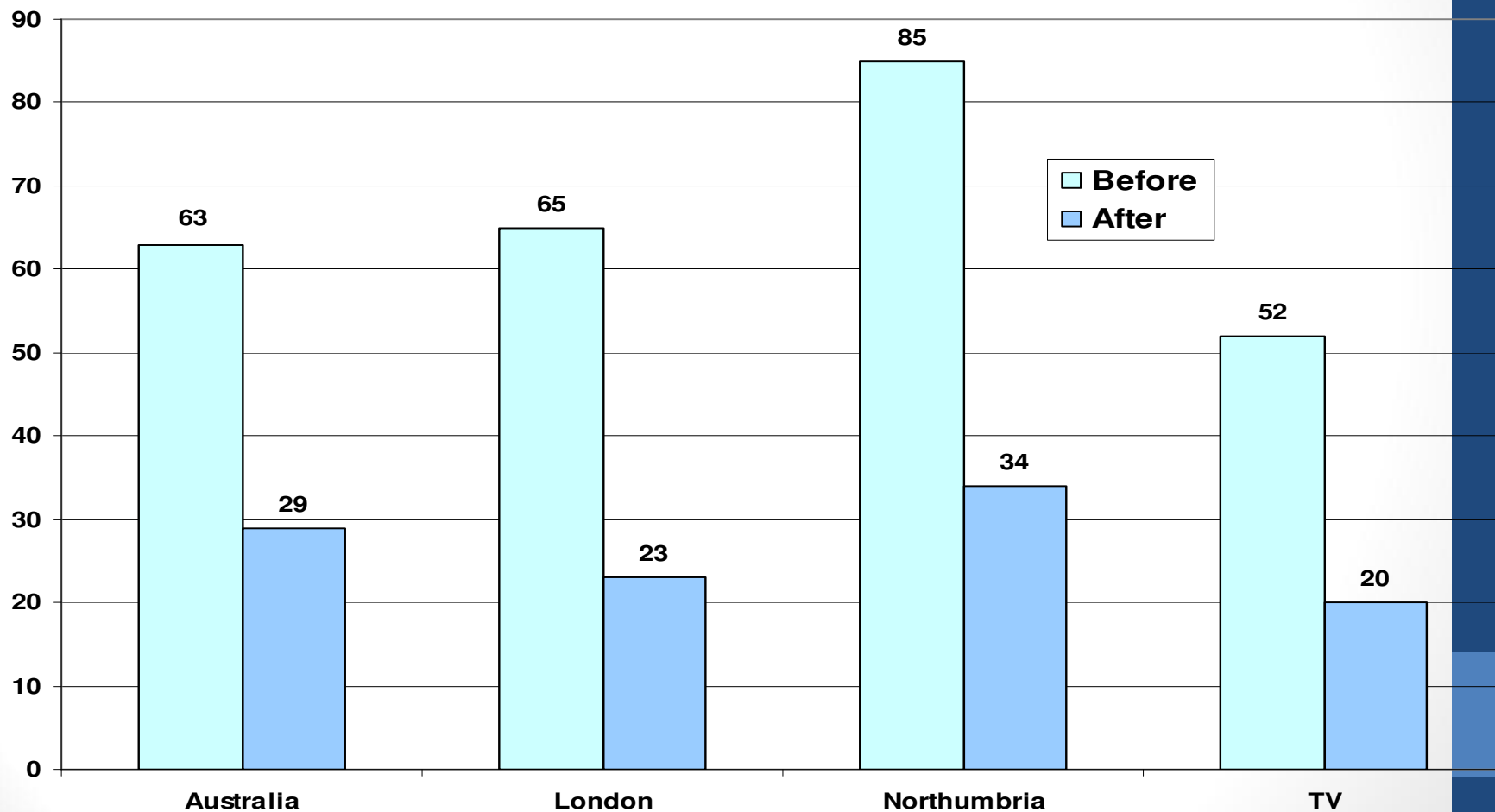
$t = -4.831, df = 79, p \leq .000; \text{Cohen's } d = .753$

Effect of RJ conference on sense of closure

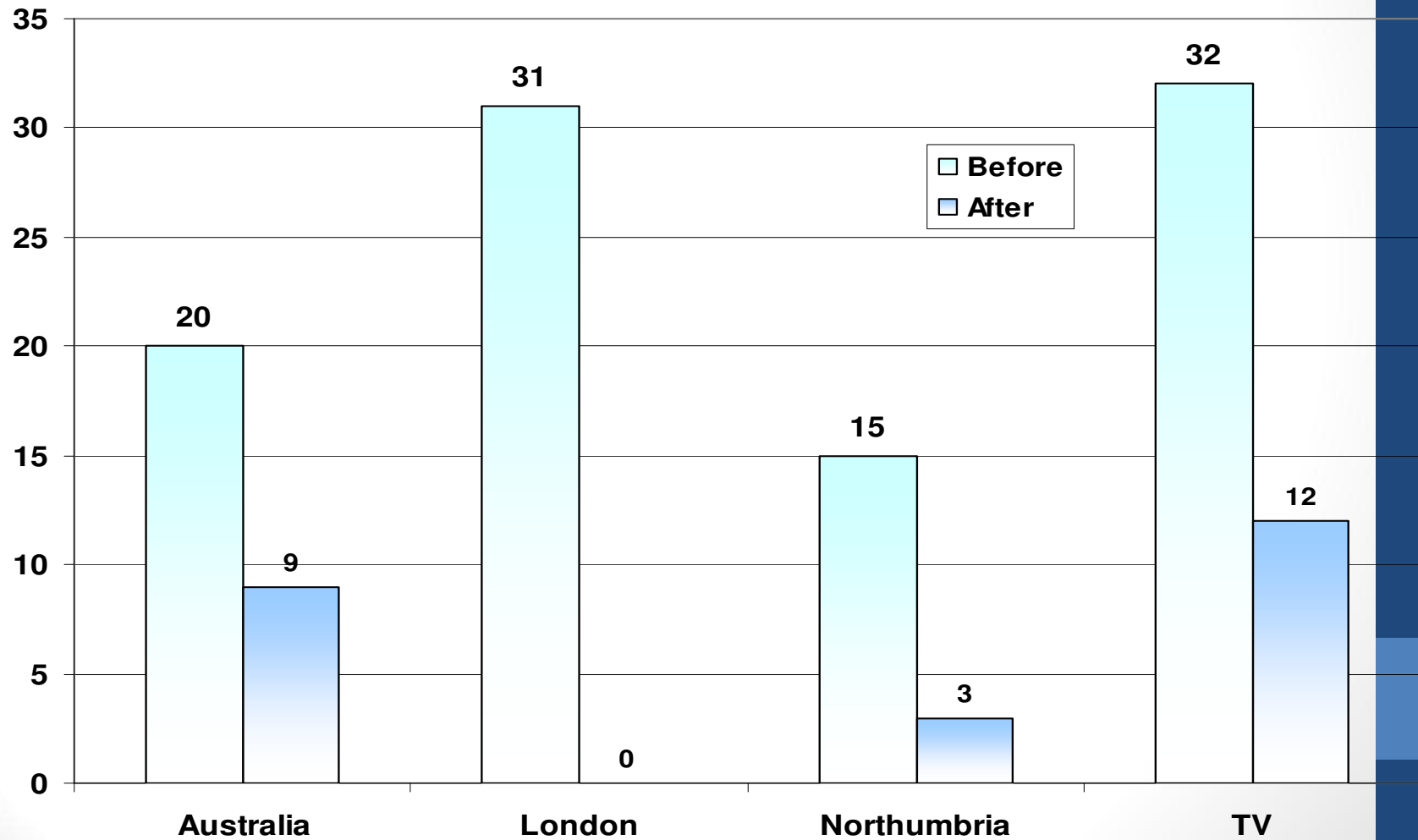


$t = 4.910$ $df = 81, p \leq .000$

Percentage of victims *angry* before/after conference. JRC Phase 1 & RISE



Percentage of victims *afraid* before/after RJ



Emotional restoration

- 2) Other emotional dimensions - across 10 experiments
 - Apologies – 90% say this is what they want and 90% of RJ victims get this (10% of CJ victims)
 - *Sincere* apologies most important
 - Sense of procedural fairness – 90% said treatment had been fair and respectful
 - Reduction in desire for retaliation – striking comparison with CJ victims - Underestimated aspect of victimisation – consistent results in all experiments, all levels of seriousness
 - Post-traumatic stress reduction – especially for women

Emotional restoration

- Dimensions of satisfaction with justice experience – across all ten experiments:
 - RJ victims significantly more satisfied than CJ victims across
 - all levels of crime seriousness
 - All kinds of offence types
 - Different points in the justice system
 - Varying periods between the crime and the RJ (especially for post-sentence cases)

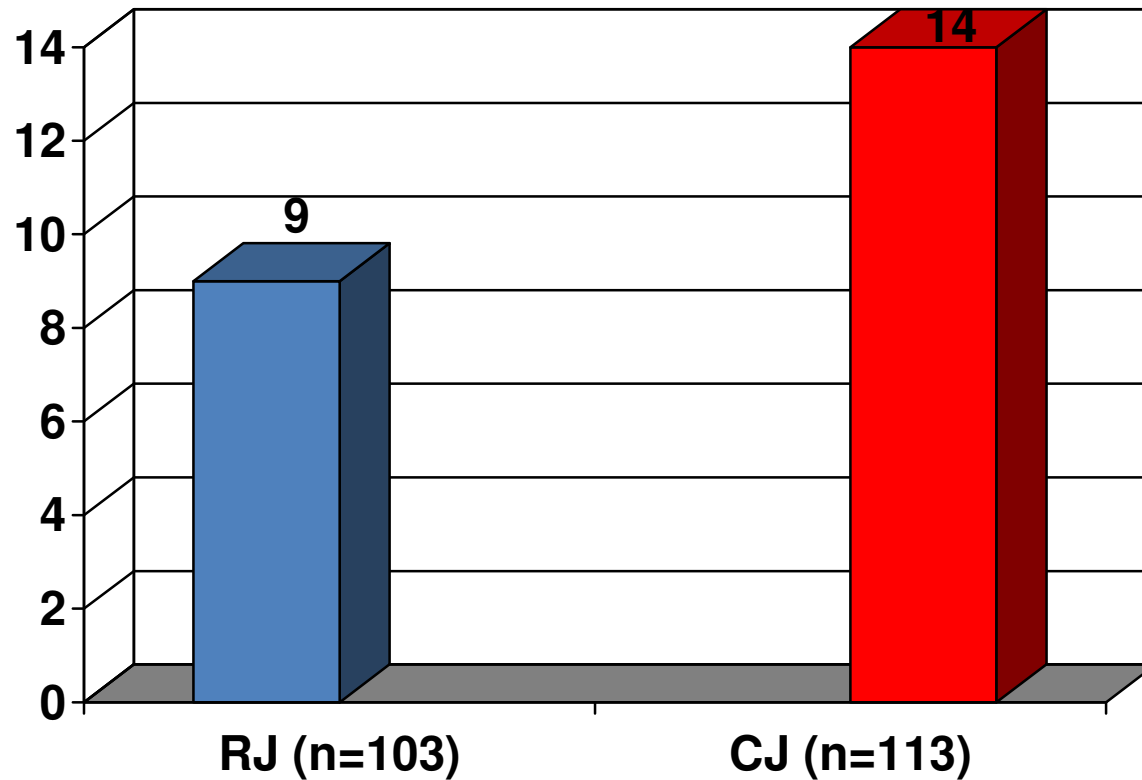
Victim satisfaction: All experiments

- Canberra – 70% of RJC victims were satisfied compared with 42% of those whose cases were dealt with in court.
- UK experiments – 72% of RJC victims said they were satisfied ‘with what the cjs did about this offence’) compared with 60% of the CJ victims.

Findings on Victim Post-traumatic Stress

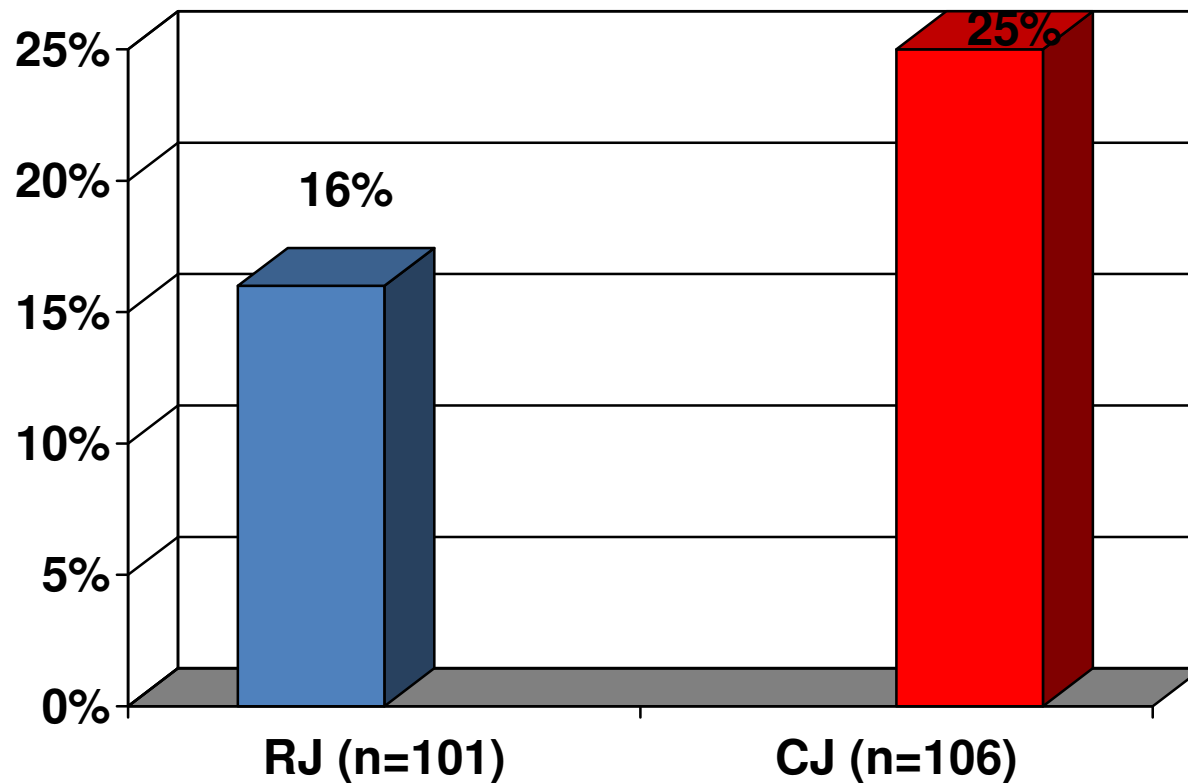
- London Crown Court cases
- Serious burglary & robbery cases
- Almost all meetings in prisons
- Telephone interviews
- Standard PTSS scale used to measure psychological trauma (clinical diagnosis starts at a score of 9)

Average level of Victim Post Traumatic Stress Both Robbery & Burglary (six weeks after disposal)



$p \leq 0.010$

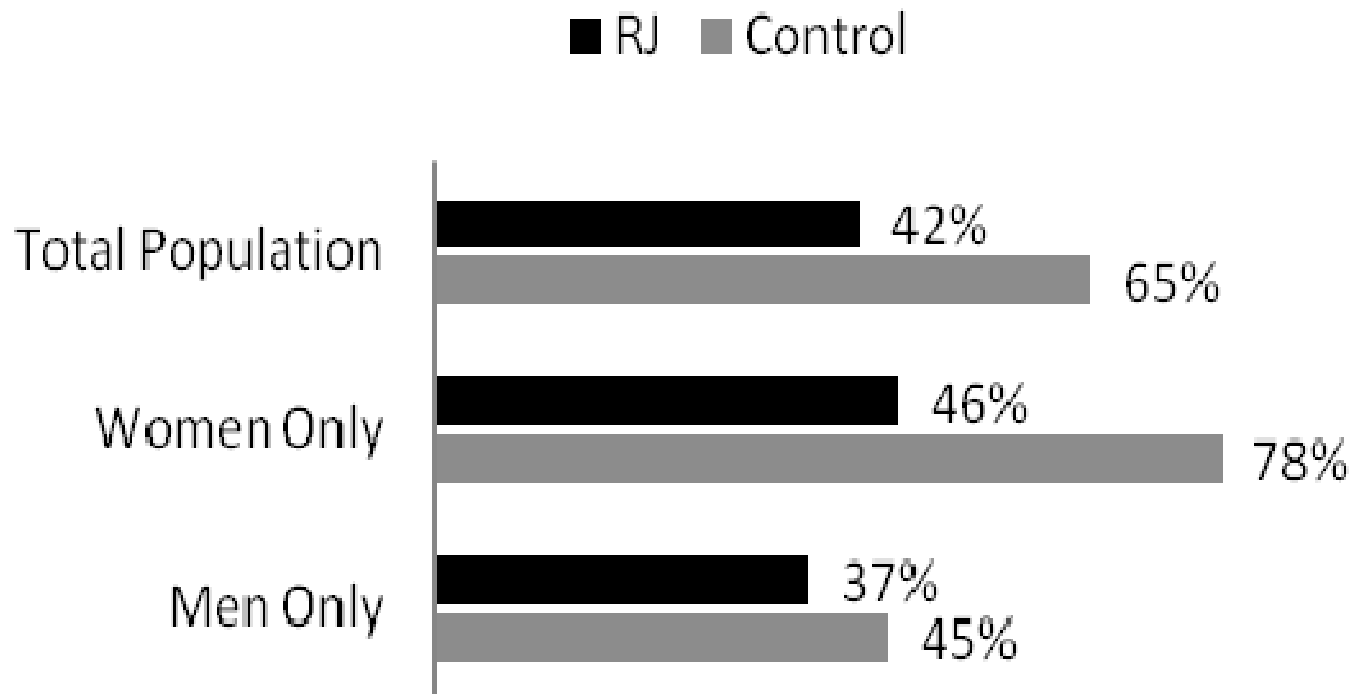
Robbery & Burglary: Moderate to severe daily impairment from Crime Stress (including capacity to work), six weeks after disposal



$p \leq 0.120$

RJ Helps Women Victims PTSS *More*

Figure 2: Participants with PTSS Above Sub-Clinical Levels



Immediate Victim Effects:

- Little evidence of victim harm
- Consistent evidence of victim benefits
- No other initiative can show reduced risk of crime retaliation
- Important additional benefit: No other justice initiative has evidence of reduced victim trauma

How do victims feel in the long term? Findings from Canberra

- Victims interviewed ten years after their case disposal, whether by RJ or CJ
- Two experiments with victims -
 - juvenile personal property
 - youth violence
- Experiment was conducted 1995-2000
- First interview wave 90% response rate (N=232)
- Ten-year follow-up 73% response rate (N=188)

What were victims asked 10 years later? - Personal life

- Overall physical health and well-being (compared with 10 years ago)
- Present emotional health and well-being
- Alcohol, smoking, prescription drug use
- Satisfaction with areas of life: marriage, family, work, friends, sport, religion
- Housing, home life, education, job
- Demographics - no difference between RJ and CJ:
 - Average age now 46
 - 60% male
 - 80% married/long term rel.

What were victims asked? The crime

- The victimisation experience
- Feelings about treatment received (CJ or RJ)
- Present levels of anxiety, fear and anger about offender and crime
- Other psychological difficulties
- 'How much did the whole experience affect your life?'

Victims' responses

- General health - some indications better for RJ than court: e.g. 9% RJ vs 21% court rated health fair/poor
- No difference on alcohol/drug use, self-harm or hospital admissions
- Few differences on 'satisfaction with life' measures

Victim responses - crime and justice experiences, RJ and CJ

- Big difference in whether attended disposition - 75% RJ vs 15% court.
- Remembered case well – 53% RJ vs 67% CJ.
- Remembered case vaguely – 44% RJ vs 25% CJ)
- Pleased with treatment – (62% RJ vs 37% CJ).

Emotional reactions to crime and justice: differences between RJ and CJ 10 years later

- Little difference
 - in whether the disposition put their minds at rest - around 75% both RJ and court said no.
 - in forgiveness of offender - 20% of both remain unforgiving.
- Some differences
 - in fear of crime (22% RJ vs 34% CJ).
 - In desire for retaliation (80% RJ vs 63% court strongly disagree).
- Big differences
 - in anxiety about being revictimised (22% RJ vs 44% CJ).
 - in anger (58% RJ vs 26% court NOT now angry).
 - in feelings of bitterness about offence (75% RJ vs 38% CJ NOT now bitter)

Looking back on crime and treatment 10 years later

- Recall that these were mostly minor offences, though their effects on victims were highly variable in harm levels
- When asked 'how did the whole experience affect your life', few said it had greatly affected them (12% RJ, 16% CJ)

BUT..

Emotional impact of crime and treatment

- As measured within three months of original disposal of case, initial levels of anxiety, anger, fear and desire for retaliation had been much reduced for RJ victims compared to court
- Few still suffering PTSS, but twice as many in court group as RJ group
- These differences sustained over ten years to a remarkable degree

Conclusions on long term effects of RJ

- Little differences between RJ and CJ in life experiences and physical health.
- Big differences in long term emotional impact of crime.
- RJ seemed to work for RJ group by allowing them to recover 'normally' without getting stuck in emotional harm
- Even for less serious crime, RJ appears extraordinarily beneficial for victims over long term. Every reason to think same applies for more serious crime.

Some reflections

- Need to ensure victims are given opportunities for full participation when RJ is arranged
- Strong evidence that face to face meetings are more beneficial for victims than 'shuttle' mediation
- Potential for offender-absent RJ?
- Victims are angry and disappointed when promised RJ and don't get it, and when offenders don't fulfil their undertakings
- Some victims refuse RJ – perhaps for good reason. Encourage but never coerce
- But don't deny RJ to those who want to do it – no nannying!
- Use RJ where it is most worthwhile – serious and violent cases (in addition to victim benefits, prison and probation experiments were the most successful in reducing reoffending)
- RJ is powerful – it can harm when it fails, but it can provide enormous victim benefits