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Victims and their justice motives in a restorative intervention

Berichterstattung

Projektinformationen

Victims and RJ

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Dieses Projekt findet Erwähnung in ...



Final Report Summary - VICTIMS AND RJ (Victims and their justice motives in a restorative intervention)

This study addresses the reasons victims of crime identify for their participation in a restorative justice (RJ) intervention, i.e. victim-offender mediation (VOM) or restorative conferencing. These practices promote an innovative approach to responding to crime. More specifically, they invite the victim and the offender of a particular crime, if they agree and the offender is prepared to take responsibility for that crime, to enter into indirect, written or face-to-face communication in search of reparation and conciliation, facilitated by a facilitator or mediator. As such, they aim to meet specific concerns the parties involved might have. VOM and conferencing are common restorative practices and are globally used in response to property crime and crime against a person, be they committed by a young or adult offender. These interventions take place alongside or instead of conventional criminal justice proceedings and decision making.

Independent, retrospective research has consistently revealed that RJ outperforms criminal justice proceedings in meeting victims' needs for insight, 'voice' and closure, particularly in cases of serious crime. Little is known about victims' perspectives on what they wish to achieve through participation in RJ. Participation in RJ requires a considerable effort from a victim, since it involves engaging in interaction with their offender and confronting him or her with the material and emotional consequences of the harmful act. Why, then, are victims willing to take this challenging step? With this study, we sought to understand victims' motives for participation in RJ. More specifically, we explored whether victims consider, for instance, self-relevant and prosocial interests when they agree to meet with their offender in the framework of non-diversionary VOM or conferencing. Furthermore, the study was set up to examine whether prosocial interests are prevalent prior to participation or are triggered by the RJ intervention. Finally, the study was concerned with the potential impact of legal-cultural differences, more particularly of experiences in an inquisitorial or adversarial judicial regime, on victims' justice motives. In this respect, unstructured interviews were conducted with thirty victims of property crime or crime against a person who agreed to engage in VOM or conferencing. Respondents were recruited in Belgium, which represents a inquisitorial judicial regime, and England, which uses an adversarial regime. In order to track the evolution of motives with the progression of an RJ intervention, respondents were interviewed at the start of this intervention and again after its conclusion.

Findings revealed that, whilst respondents did not have previous experiences with or knowledge of RJ,

they agreed to engage in it because they perceived it as potentially remedial. The information and support provided by the mediator alleviated uncertainty about the RJ intervention. Respondents particularly appreciated that they were given honest information, which was devoid of promises and guarantees and, as such, fostered the development of realistic expectations. Victims had both self-relevant and prosocial reasons for participation. More particularly, victims appreciated the chance to communicate with their offender because it enhanced perceptions of justice for themselves, the offender and the society as well as a sense of reparation, be it symbolic or other. They cared about the opportunity to express themselves and find answers as well as to help and encourage the offender to do better and contribute to a safer society by raising victim awareness. As a consequence, RJ contributed to victims' meaning making. With the exception of a few, at the start of the RJ intervention, all respondents either presented prosocial motives for doing RJ or at least recognized and appreciated that, as they would seek to satisfy self-relevant interests, their participation in RJ might also benefit the offender and the society. Nor were there substantial changes during the RJ intervention, nor reflecting back after it. In other words, prosocial motives or benefits for offender and society were identified from the start and maintained, rather than merely produced by actual experiences in the restorative intervention. Differences in motives for participation between Belgian and English respondents and between those doing RJ pre- or post-trial were minimal.

Ultimately, the observations made in this study advance insight into why RJ matters to victims of crime and into the significance of self-relevant and prosocial justice motives. They also clarify why victims want to play an active role in the aftermath of a crime. With their involvement in the response to a crime, victims are enabled to transform their suffering into something positive for themselves as well as for others. The increasing worldwide provision of RJ should be in tune with these victim expectations and improve victim access to RJ.

The research and findings have already been disseminated to RJ practitioners through workshops in Belgium and England. Dissemination to academic (including students) and policy audiences has taken place through presentations at nine conferences and meetings, some international, some national or local. The findings have also informed a number of scientific publications. The results have considerable potential impact for both practice and development of RJ internationally. The aim is now to reach out to ensure the findings are available widely to practitioners, policy makers and academics. One key means is to put summaries and links on existing well-used forums of professional RJ associations at the European level and on social media. Another is to write short practitioner articles in established practitioner journals in English, French and Flemish. Finally, a programme of academic articles is also planned.

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