

## Restorative Processes and Outcomes for Victims

The government continuously speak of 're-balancing the criminal justice system in favour of victims', 'raising public confidence in the CJS', and 'putting the needs of victims first'. This literature review addresses those studies that have proven that Restorative Justice (RJ) can help to achieve those aims.

A 2005 Home Office report on RJ states, '*Research evidence shows they can deliver higher victim satisfaction and community confidence than traditional criminal justice approaches – so they can help deliver on Criminal Justice System (CJS) priorities...<sup>1</sup>*'.

There have been numerous studies carried out across the globe focusing on the relationship between restorative processes and the outcomes for victims. There is very little debate on these particular outcomes of restorative justice (RJ) as the benefits for victims have been accepted. However, as with any review, there are some issues that should be identified.

### Issues Arising

In conducting this review, a few difficulties with the existing array of research were noted.

1. There is no way to ensure that the studies or practice being examined are using 'good practice'. RJ can be very difficult to measure as it encompasses a vast array of practices.
2. Research is not always as thorough or rigorous as it might be when you look at research designs, what has been measured, and how and what assumptions are made. For example, some people regard Randomized Control Trials (RCTs)<sup>2</sup> as the 'gold standard in research'. However, regarding victim outcomes, many victims choose not to attend, or are unable to attend, court proceedings leaving no comparison group to contrast with the participants of a restorative intervention.
3. Many studies focus on small groups of participants and brief follow-up periods. Clearly, if researchers examine short follow-up periods and a small number of cases, it is difficult to follow-up with victims or to identify what the outcome has been for the victims who have been involved in a restorative process. Many of the studies examined, although proven successful, are no longer in operation and so lengthier follow-up periods and larger samples are not available for study.

### Existing Research

This literature review has been divided into four parts:

1. A recent review by *Umbreit, Vos & Coates (2006)* looked at 85 studies from Australia, New Zealand, North America and the UK. Over twenty of the studies looked at participation rates and reasons as well as participant satisfaction and perception of fairness. The main points are summarized on [page 3](#).

---

<sup>1</sup> Home Office: Office for Criminal Justice Reform (2005). *Restorative Justice: Helping to Meet Local Needs*. Available online at: <http://www.homeoffice.gov.uk/documents/rj-local-needs-guidance>

<sup>2</sup> An experiment where eligible subjects are randomly assigned into groups to receive or not receive one or more interventions that are being compared. The results are analysed by comparing outcomes in the groups.

2. In addition to the studies noted in the review above, further studies in the UK have reported outcomes with regards to victims. Four *additional* studies are noted on page 4.
3. A recent study from New Zealand, not included in the Umbreit et al. recent work, is noted on page 5.
4. Outcomes for victims have also been examined across Europe. These findings are noted on page 5-6.

#### Further Information

- Definitions of key terms are available at <http://www.restorativejustice.org.uk/?Glossary>.
- Two further publications that will address this subject are due out in late 2006:
  - The third of a series of four reports by the Home Office will report research results with regards to *RJ and Victim Outcomes* and is due to be published in late 2006.
  - The *COST survey*, examining RJ across Europe in detail, will address outcomes for victims. The results are due to be released in late Autumn 2006.
- This document will be updated regularly. Please check the 'last updated' field on the first page to ensure you are working with the most recent version. If you have research that you feel could be included, please contact [info@restorativejustice.org.uk](mailto:info@restorativejustice.org.uk)

## 1. *Restorative Justice Dialogue: Evidence-based practice*<sup>3</sup>

- Participation rates for victims in VOM usually range from 40-60% although rates as high as 90% have been reported.
- Some of the reasons victims choose to participate in VOM include: (1) *wanting to help the offender to (2) hearing why the offender committed the crime to (3) communicating with the offender the impact of the crime and (4) ensuring the offender will not return to commit a repeat offence.*
- Satisfaction is consistently high for victims and offenders participating in VOM. Typically, 80-90% of participants report being satisfied with the process and the resulting agreement.
- Some of the variables associated with victim satisfaction in VOM include: (1) *the victim felt good about the mediator, (2) the victim perceived the agreement as fair and (3) the victim had a strong initial desire to meet the offender.*
- When studies asked whether or not participants would recommend a VOM programme to others, typically 9 out of 10 participants said they would.
- High levels of satisfaction with VOM translate into relatively high levels of satisfaction with the criminal justice system. A meta-analysis covering both VOM and group conferencing programmes found that 12 of the 13 programmes found that victims were more satisfied than those in 'traditional' processes.
- Typically over 80% of VOM participants reported believing that the process was fair to both sides and that the resulting agreement was fair.
- Where comparison groups were studied, individuals participating in VOM were more likely to feel like they had been treated fairly than those going through the traditional court process.
- Recent group conferencing studies have yielded high participant satisfaction rates ranging from 73% into the high 90% range.
- Over 90% of victims and offenders would recommend the group conferencing programme to others.
- An Australian study on group conferencing found that 80-95% of victims and offenders reported that they were treated fairly and had a say in the agreement.
- Three US studies on group conferencing found that about 95% of victims indicated the process and outcome were fair.

---

<sup>3</sup> Umbreit, M.S., Vos, B. and Coates, R.B. (2006) *Restorative Justice Dialogue: Evidence-based practice*. St. Paul, MN: Center for Restorative Justice & Peacemaking. Available online at: [http://rijp.umn.edu/img/assets/13522/RJ\\_Dialogue\\_Evidence-based\\_Practice\\_1-06.pdf](http://rijp.umn.edu/img/assets/13522/RJ_Dialogue_Evidence-based_Practice_1-06.pdf)

Please be advised that where 'participants' are mentioned, the authors did not distinguish between victims and offenders.

## 2. United Kingdom

### *Evaluation of the Northern Ireland Youth Conference Service NIO Research and Statistical Series: Report No. 12<sup>4</sup>*

The majority of victims (81%) preferred the conference to court. 48% of victims felt better following the conference. Of the 52% of remaining victims, the majority felt no different. 78% of victims believed the conference had helped the young person realise the harm caused by the offence. The vast majority of victims (88%) would recommend a conference to a person in a similar situation. Of the family members who provided their views on the conference process, the majority welcomed the opportunity to attend and believed the conference to have a positive impact on the young person.

### *National Evaluation of the Restorative Justice in Schools Programme<sup>5</sup>*

In this National Evaluation by the Youth Justice Board of England and Wales, pupils reported high levels of satisfaction with the process of participating in conferences, with 89% of pupils reporting that they were satisfied with the outcome of the conferences and 93% reporting that they thought that the process was fair and that justice had been done.

### *The National Evaluation of the Youth Justice Board's (YJB) Restorative Justice Projects<sup>6</sup>*

This National Evaluation of the YJB's Restorative Justice Projects found that more than 80% of victims agreed that they had been treated with respect, felt well prepared for the process, and thought that their participation was clearly voluntary. The most common reasons for victim participation were: (1) to get answers from the offender; (2) to ensure that the young person gets help; (3) to let the offender know how they felt; and, (4) to hold the offender accountable.

### *Restorative Justice Project: Family Group Conference Project. Research Outcomes and Lessons Learned<sup>7</sup>*

91% of victims were happy with the outcome of the conference, and were satisfied with the way their Family Group Conference had been handled. 90% of victims thought that Family Group Conferencing should be offered to all victims. All of the victims felt their case was handled fairly.

---

<sup>4</sup> Campbell, C., Devlin, R., O'Mahony, D., Doak, J., Jackson, J., Corrigan, T., & McEvoy, K. (2005). *Evaluation of the Northern Ireland Youth Conference Service NIO Research and Statistical Series: Report No. 12*. Belfast: Institute of Criminology and Criminal Justice, Queen's University. Available online at:

[http://www.nio.gov.uk/evaluation\\_of\\_the\\_northern\\_ireland\\_youth\\_conference\\_service.pdf](http://www.nio.gov.uk/evaluation_of_the_northern_ireland_youth_conference_service.pdf)

Please be advised that this study included surrogate victims.

<sup>5</sup> Youth Justice Board (2004). *National Evaluation of the Restorative Justice in Schools Programme*

Available online at:

<http://www.youth-justice-board.gov.uk/Publications/Scripts/prodView.asp?idproduct=207&eP=YJB>

<sup>6</sup> Wilcox, A., & Hoyle, C. (2004). *The National Evaluation of the YJBs Restorative Justice Projects*. Oxford: Centre for Criminological Research, University of Oxford. Available online at:

<http://www.youth-justice-board.gov.uk/Publications/Scripts/prodView.asp?idproduct=166&eP=YJB>

<sup>7</sup> Judge, N., Mutter, R., Gillett, T., Hennessy, J. & Mauger, J. (2002) *Restorative Justice Project: Family Group Conference Project. Research Outcomes and Lessons Learned*. Essex County Council: Braintree.

### 3. New Zealand

#### *New Zealand Court Referred Restorative Justice Pilot: Evaluation Crime and Justice Research Centre<sup>8</sup>*

At the follow-up interview in this New Zealand study on conferencing, more than 50% of the pilot victims said that the offence was 'all behind them' and almost half of these victims said that participation in the court-referred restorative justice conference had helped them put the offence behind them. About a third of the pilot victims said they felt more positively about the criminal justice system as a result of participating in a restorative justice conference. The proportion of pilot victims who would recommend a court-referred restorative justice conference to others declined over time, but not significantly so. At the follow-up interview, over 80% of pilot victims said that they would go to another conference if they were victims again. Twelve months after their participation in a conference, well over half of the pilot victims expressed positive views about restorative justice conferences in general.

### 4. Europe<sup>9</sup>

#### 4.1 Austria

##### *Comparing VOM in Baden-Württemberg and Styria - a comparative empirical research project<sup>10</sup>*

A study examining two very different VOM programmes working with adults in Styria, Austria and in Baden-Württemberg, Germany compared and contrasted the two programmes. Included in this research was the examination of the readiness of victims and offenders to cooperate in the mediation procedure and victim satisfaction. Cooperation happened with 74% of the victims that were referred in Baden-Württemberg, Germany and with 92% of the victims in Styria, Austria. Victim satisfaction was 87% in Austria and 65.5% in Germany.

##### *Client satisfaction of victims in VOM<sup>11</sup>*

This study looked at victim satisfaction identified as 'customer satisfaction'. It found 83% of victims were generally satisfied with the procedure. Interestingly, this study showed a higher degree of satisfaction with women and especially with women in cases of domestic violence.

##### *VOM with Juveniles<sup>12</sup>*

This study found high overall satisfaction as expressed by the statement that 'one is ready to recommend this procedure to other people' (78% for men, 63% for women).

---

<sup>8</sup> Triggs, S. (2005). *New Zealand Court Referred Restorative Justice Pilot: Evaluation Crime and Justice Research Centre*. New Zealand: Ministry of Justice.

<sup>9</sup> The European studies were found using – Miers, D. and Willemsens, J. (2004), *Mapping Restorative Justice: Developments in 25 European Countries*. Leuven, Belgium: EU Forum RJ.

<sup>10</sup> Kilchling, M. and Löschnig-Gspandl, M. (1998), *Vergleichende Perspektiven zum Täter-Opfer-Ausgleich in Baden-Württemberg und der Steiermark - Ausblick auf ein vergleichendes empirisches Forschungsprojekt*. in: Friedrich-Ebert-Stiftung (ed.) *Der Täter-Opfer-Ausgleich (TOA): Moderner Beitrag zur Konfliktregulierung und zur Sicherung des sozialen Friedens*. Potsdam (Eigenverlag). Austria.

<sup>11</sup> Altweiger, A. and Hitzl, E. (2001), *Kundenzufriedenheitsanalyse der Geschädigten im Außergerichtlichen Tatausgleich*, Innsbruck, Diploma thesis. Austria

<sup>12</sup> Lins, J. (1998), *Der Außergerichtliche Tatausgleich bei Jugendlichen*, Linz, University Linz. Austria.

## 4.2 Belgium

### *Mediation for reparation: the victim's perspective*<sup>13</sup>

The authors evaluated a *mediation for redress* programme conducted by the University of Leuven in 1993. Follow-up interviews with both victims and offenders showed a high degree of satisfaction. Victims considered the process to be fair and just and considered it to be a constructive way of dealing with the offence.

## 4.3 Denmark

### *Evaluation of Victim-Offender Mediation*<sup>14</sup>

This evaluation of a victim-offender mediation experiment was based on cases completed in September 2002. 61% of victims and 54% of offenders responded to the evaluation. 80% of these respondents expressed satisfaction about their participation.

## 4.4 Norway

### *The Norwegian Mediation Boards*<sup>15</sup>

In 1996, the Ministry of Justice funded two national evaluations. One looked at qualitative matters of victim and offender response and satisfaction levels. Of those who responded (55%), the vast majority of victims and offenders (over 95%) said that they would recommend mediation as a means of resolving conflicts.

---

<sup>13</sup> Aertsen, I. and Peters, T. (1998), 'Mediation for reparation: the victim's perspective', in: Fattah, E. and Peters, T. (eds.), *Support for Crime Victims in a Comparative Perspective*, Leuven, Belgium, Leuven University Press, 229-251.

<sup>14</sup> Centre for Alternative Social Analysis (2003), *Evaluation of Victim-Offender Mediation* (in Danish). Denmark.

<sup>15</sup> Miers, D. and Willemsens, J. (2004), *Mapping Restorative Justice: Developments in 25 European Countries*. Leuven, Belgium: EU Forum RJ, p.103.

# About the Restorative Justice Consortium

The Restorative Justice Consortium was formed in 1997. It brings together a wide range of people with an interest in restorative justice. These include organizations, policy makers, practitioners, academics etc. from many different contexts and from across the world.

The objects for which the Consortium is established are:

"To promote restorative justice for the public benefit as a means of resolving conflict and promoting reconciliation by:

- (i) Promoting the use of restorative justice in the criminal justice system, in schools, in the workplace and elsewhere in the community in situations where conflict may arise;
- (ii) Developing and promoting agreed standards and principles for evaluating and guiding restorative practice;
- (iii) Advancing education and research on restorative justice and the publication of the useful results of that research"

The Restorative Justice Consortium is a registered charity.

Visit [www.restorativejustice.org.uk](http://www.restorativejustice.org.uk) for other publications, including:

- *The Positive Effect of Restorative Processes on Re-offending*
- *The Principles of Restorative Processes, 2004*
- *Principles as Applied in a School setting, 2<sup>nd</sup> edition*
- *FAQ: Implementing Restorative Processes in a Custodial setting*
- *FAQ: Implementing Restorative Processes in an Adult Criminal Justice setting*



Merchant House, 89 Southwark Street, London, SE1 0HX

Tel: 020 7960 4633 Fax: 020 7960 4631

Email: [info@restorativejustice.org.uk](mailto:info@restorativejustice.org.uk)

Website: [www.restorativejustice.org.uk](http://www.restorativejustice.org.uk)

Registered Charity Number 1097969  
Registered Company Number 4199237

August 2006