



RE-JUSTICE

Judicial Training in
Restorative Justice

Annex 8

Handout 8: Impact & evaluation of restorative justice





STAKEHOLDERS

A number of actors have a perspective when it comes to assessing and understanding and evaluating the impact of restorative justice. When we think about impact and effectiveness, we have to orientate ourselves to a perspective. We have to ask, 'for what / whom?'

- ▶ Justice system
- ▶ Victims & their support networks
- ▶ Perpetrators & their support networks
- ▶ Local communities & wider society

DEFINING

There are many factors that can be included in an assessment of the impact and effectiveness of restorative justice. The different stakeholders may share understandings of what 'impact' and 'effectiveness' mean but do sometimes have competing ideals.

MEASURING

Given the different conceptualisations of impact and effectiveness it is not surprising that a number of different indicators are available. These include monitoring or measuring policy implementation (how well are policies and guidelines regarding restorative justice put in practice?), perception (how much do people know and understand about restorative justice?) and operation (what happens with restorative justice in practice?).

RESEARCH

Experimental research and monitoring practice provides a great deal of information about the impact and effectiveness of restorative justice. Randomised control trials compare one group of people who receive an intervention with one or more other groups of people (control groups), who do not receive the intervention. Evidence from such trials indicates that restorative justice is significantly more satisfying than court for both victims and offenders (Strang, 2002). Sherman, Strang et al., (2015) report on a set of 12 longitudinal randomised control trials that were carried out in the UK and Australia. Positive effects demonstrated include a reduction in fear of repeat victimisation (victims), a reduction in the frequency of repeat offending (perpetrators) and increased cost effectiveness (UK trials).

CHALLENGES

'RJ conferencing may have different effects on different kinds of people, especially when it is delivered in different kinds of offences by different kinds of staff' (Strang & Sherman, 2015).



POINTS TO REFLECT UPON:

- ▶ Which factors do you think of when you think of the impact and effectiveness of justice?
- ▶ When you think of impact and effectiveness, which perspectives/stakeholders do you find yourself most readily considering? Which perspectives come less readily to mind?
- ▶ Are the process of RJ (the meeting / interaction) and the outcome of RJ (the agreement and its fulfilment) be given equal importance when evaluating the impact and effectiveness of RJ?
- ▶ Should 'legal safeguards' be considered important measures for impact or effectiveness when it comes to restorative justice? What about factors such as proportionality? Should concepts such as distributive justice be considered important?



Main references

- ▶ Lloyd, A., and Borrill, J. (2020). Examining the Effectiveness of Restorative Justice in Reducing Victims' Post-Traumatic Stress. *Psychological injury and law*, 13, 77–89. <https://doi-org.kuleuven.ezproxy.kuleuven.be/10.1007/s12207-019-09363-9>
- ▶ Mills, L.G., Barocas, B., Butters, R.P. et al (2019). A randomized controlled trial of restorative justice-informed treatment for domestic violence crimes. *Nature Human Behavior* 3, 1284–1294. <https://doi.org/10.1038/s41562-019-0724-1>
- ▶ Roche, D. (2007). Retribution and restorative justice. In G. Johnstone & D. Van Ness (Eds.), *Handbook of restorative justice* (pp. 75–90). Cullompton, England: Willan Publishing.
- ▶ Strang, H., & Sherman, L. (2015). The morality of evidence: the second annual lecture for Restorative Justice: An International Journal. *Restorative Justice: An International Journal*. *Restorative Justice*, 3(1), 6–27.
- ▶ Sherman, L., & Strang, H. (2007). *Restorative justice: The evidence*. Smith Institute. Accessed at: https://openresearch-repository.anu.edu.au/bitstream/1885/25704/2/01_Sherman_Restorative_Justice_The_2007.pdf
- ▶ Sherman, L. W., Strang, H., Barnes, G., Woods, D. J., Bennett, S., Inkpen, N., ... & Slothower, M. (2015). Twelve experiments in restorative justice: the Jerry Lee program of randomized trials of restorative justice conferences. *Journal of Experimental Criminology*, 11(4), 501–540.

References for additional information

- ▶ **Research report:** Iudici, A., Laura, P., Faccio, E., & Neri, J. (2020). Application and coherence of the model of restorative justice in Europe. *Global Journal of Sociology: Current Issues*, 10(1), 01–08. <https://doi.org/10.18844/gjs.v10i1.4750>.
- ▶ **Research report:** Paul, G. D., & Swan, E. C. (2018). Receptivity to restorative justice: A survey of goal importance, process effectiveness, and support for victim–offender conferencing. *Conflict Resolution Quarterly*, 36(2), 145–162.
- ▶ **Research report:** Effectiveness of Restorative Justice Programs, Office of Juvenile Justice and Delinquency Prevention Funded Research in Brief, <https://www.ncjrs.gov/pdffiles1/ojjdp/grants/250872.pdf>
- ▶ **Short video (1) on unconscious bias:** <https://youtu.be/K-n7el87Dmo>
- ▶ **Short video (2) on unconscious bias:** <https://youtu.be/GP-cqFLS8Q4>