

ANNOTATED BIBLIOGRAPHY:

VICTIMS AND RESTORATIVE JUSTICE

**PREPARED BY THE:
JOINT SUBCOMMITTEE ON
VICTIM ISSUES**

**WITH MEMBERSHIP FROM THE
FPT WORKING GROUP ON RESTORATIVE JUSTICE &
THE FPT WORKING GROUP ON VICTIMS OF CRIME**

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This Annotated Bibliography was developed by the joint subcommittee on Victim Issues, which is made up of members of the Federal / Provincial / Territorial Working Group on Restorative Justice and the Federal / Provincial / Territorial Working Group on Victims of Crime. The views expressed in the literature contained within this review are not explicitly endorsed by the subcommittee. The subcommittee hopes that this will be a first step in conducting more in-depth research on issues pertaining to victims who participate in restorative justice processes.

For the purposes of this review, a “victim” is any person who has suffered as a result of a crime committed against them, regardless of whether the police are involved. When documents contained in this bibliography pertain to victims of a particular crime, it will be expressed either in the sub-heading, or in the body of the text.

This Annotated Bibliography has been divided into sections, some of which are further divided into sub-sections. Literature reviewed in each of these sections has been arranged alphabetically. A general index is included at the end of the document for ease of reference.

Though this list is comprehensive, it is certainly not exhaustive. The subcommittee has tried to provide information on the major concerns and issues facing victims who take part in restorative justice processes and restorative justice practitioners. This document is intended to be a starting point for anyone who is interested in learning more about the role that victims can play in restorative justice processes, or practitioners looking for guidance on how to make a restorative justice process as meaningful and as safe for a victim as possible.

Information contained in this review has been taken from various sources. Literature from the United Kingdom, Australia, Europe, the United States of America, New Zealand and Canada have been included, as well as research conducted by the United Nations Office on Drugs and Crime.

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BEST PRACTICES – VICTIMS AND RESTORATIVE JUSTICE

- 1. Best Practices Guidance for Restorative Justice Practitioners and their Case Supervisors and Line Managers and Conclusion Recommendations of the Training Accreditation Policy Group. (2004). International Institute for Restorative Practices.**

The intent of this publication is to advise the government of the United Kingdom on best practices for restorative justice programs. The publication also provides 12 recommendations for training and accreditation of programs. The recommendations are directed towards government, organizations and agencies involved with restorative justice.

- 2. Best Practice Guidelines for Victim Impact Panels within Pennsylvania’s Juvenile Justice System. Retrieved March 30th, 2009, from:**
http://www.jcjc.state.pa.us/portal/server.pt/community/balanced_and_restorative_justice/5032

This document is a set of guidelines to follow when implementing a victim impact panel for cases of juvenile crime. A victim impact panel is a group of victims who speak to an offender about the impact that a crime has had on their lives. The panel does not pass judgement on the offender, but provides a chance for the offender to consider the pain and suffering that has been caused by their actions. The document provides information on the benefits to participants, the responsibilities of participants and instructions for preparing offenders to participate in the restorative process.

- 3. Bowen, Helen, Boyack, Jim, & Marshall, Chris. (2004). “How Does Restorative Justice Ensure Good Practice?” In Zehr, Howard, & Toews, Barb, Eds. *Critical Issues in Restorative Justice*. Monsey, NY: Criminal Justice Press, pp. 265-276.**

This article discusses the development of restorative justice and best practices in New Zealand. It presents a draft of “Restorative Justice Values and Processes” adopted by the Restorative Justice Network in New Zealand in 2003. Rather than attempting to prescribe a specific procedure that must be followed in every case, the draft takes a values-based approach that identifies the values underlying restorative justice and provides guidance on how practitioners can express those values. The core values include participation, respect, honesty, humility, interconnectedness, accountability, empowerment and hope. These values must be apparent for conferences to be viewed as truly restorative. In practice, this means that conferences should be “guided by competent and impartial facilitators” and be “inclusive and collaborative” (p. 272). Additionally, everyone who is involved should be participating voluntarily. The process should respect confidentiality and be appropriate for the cultural beliefs of those involved. Moreover, it should focus on the needs of those affected by the crime, be

respectful of all participants, validate the victim's experience, and clarify the offender's obligations to the victim and the community. The process "aims at transformative outcomes" that assist with healing the victim and reintegrating the offender (p. 274). Finally, the conference can be called restorative if it "observes the limitations of restorative processes", recognizing that restorative justice complements the criminal justice system but is not a substitute for it (pp. 274-275). The article emphasizes that restorative values should underlie the relationships between community groups, justice officials, government agencies, and people working in restorative justice and victim agencies.

- 4. Coates, R. B., Umbreit, M.S. & Vos, B. (2007). 'Restorative Justice Dialogue: A Multi-Dimensional, Evidence-Based Practice Theory.'** *Contemporary Justice Review*, 10(1), 23-41.

This article discusses characteristics of restorative justice programs and it also provides advice to facilitators and policymakers. The article emphasizes the need for safety and respect for all participants within these programs. It explains and discusses the process and underlying dimensions of restorative justice dialogue, with a focus on how to make victims feel safe in the process. It also has a section addressing the need for facilitator self care.

- 5. Dignan, J. (2007). "The Victim in Restorative Justice." In S. Walklate (Ed.), *Handbook of Victims and Victimology*. (309-331). Portland, Oregon: Willan Publishing.**

This chapter reviews the theory of restorative justice and the place of the victim in this theory. The author claims that the role of victims in restorative justice processes is limited, and programs are often more focused on the offenders' rehabilitation. The author also discusses the potential of restorative justice to more positively impact victims by having a more victim focused model. The author then goes on to review evaluations of restorative justice models from a victim perspective.

- 6. Griffiths, C. (1999). "Victims of Crime and Restorative Justice: The Canadian Experience." *International Review of Victimology*, 6(4), 279-294.**

This article provides several examples of restorative justice models in Canada. The article also addresses concerns of restorative justice for victims and the potential of revictimization. The author concludes by warning about the dangers to victims if programs do not consider victims' needs.

- 7. Lazaro, J. & Marques, F. (2008) "What to do with these Victims?" *British Journal of Community Justice*, 6 (2), 93-99.**

The authors identify three main recommendations concerning victims' involvement in restorative practices: a greater openness and sensitivity to the victim's needs, an increased

knowledge based on in-depth evaluation and research into the participation of victims, and a greater intervention and involvement of victim-support organizations.

8. **Lord, J. (1990). A How to Guide for Victim Impact Panels: A Creative Sentencing Opportunity. Retrieved March 30, 2009, from:**
http://www.nhtsa.dot.gov/PEOPLE/INJURY/alcohol/VIP/VIP_index.html

This document is a set of guidelines for implementing a victim impact panel. Primarily written for the use of the panels in impaired driving cases, the author provides steps and considerations to take into account when preparing a panel. A victim impact panel is a group of victims who speak to an offender about the impact that a crime has had on their lives. The panel does not pass judgement on the offender, but provides a chance for the offender to consider the pain and suffering that has been caused by their actions. This document reviews the benefits of such a program. It also gives advice on preparing logistics and engaging panel speakers.

9. **Umbreit, M. & Greenwood, J. (2000). “Guidelines for Victim-Sensitive Victim Offender-Mediation: Restorative Justice Through Dialogue.”** *US Department of Justice*. Retrieved September 14, 2009 from:
http://www.ojp.usdoj.gov/ovc/publications/infores/restorative_justice/96517-gdlines_victims-sens/welcome.html

This publication provides an American national perspective on victim-offender mediation, guidelines for victim sensitive programs and recommendations for the development of programs. The guidelines for victim sensitive programs include: how to address victim safety, using victim-sensitive language, mediator’s responsibilities for preparing and supporting both parties and the screening of cases.

10. **United Nations. (2006). Handbook on Restorative Justice Programs, Criminal Justice Handbook Series. United Nations Office on Drugs and Crime.**

This handbook can be used as a guide for countries when implementing restorative justice approaches. Chapter 5 discusses the role of participating parties and the precautions that should be taken prior to and during the process. Concerns for the victim include revictimization, pressure to participate, safety and confidentiality. Chapter 5 concludes with advice on addressing potential problems, such as extensive preparation and well trained personnel.

11. **Williams, B. (2005). *Victims of Crime and Community Justice*. London: Jessica Kingsley Publishers.**

The objective of this book is to explain the events and policies that have led to a more victim centered focus in the criminal justice system. This book discusses different examples of community justice and restorative justice programs and provides an overview of the implications of these models on victims. The author brings forth issues to

consider when implementing a restorative justice model. Issues such as involuntary involvement or coercion of the victim or offender and the place of victims in offender-focused programs are discussed. The “McDonaldization” of restorative justice (the application of management principles used in the global corporate system to improve efficiency and cost-effectiveness) is discussed in some victim-offender mediation programs in the USA, as well as the effect this has on victims involved.

12. Wright, M. (1996). *Justice for Victims and Offenders: A Restorative Response to Crime* (2nd edition). Winchester; Waterside Press.

This book discusses the development of restorative justice and its dissemination across borders. The book also highlights concerns which should be taken into account in order to implement a successful program. Examples of concerns are voluntariness, subversion to retributive philosophies in cases of mixed models and standardization.

13. Zehr, H. & Achilles, M. (1999). “Restorative Justice Signposts: Victim Involvement.” *Victim Advocate*, 4 (1).

The authors outline 10 signposts or needs of victims that must be met for the restorative program to be successful in involving the victim in an appropriate way. Some examples of victim needs are the need for safety, confidentiality, information and representation.

RESTORATIVE JUSTICE MODELS AND VICTIM INVOLVEMENT

A) VICTIM OFFENDER MEDIATION

14. **Gustafson, D. (2005). "Exploring Treatment and Trauma Recovery Implications of Facilitating Victim Offender Encounters in Crimes of Extreme Violence: Lessons from the Canadian Experience." In E. Elliot & R. Gordon (Eds.), *New Directions in Restorative Justice: Issues, Practice, Evaluation*, (Chapter 10). UK: Willian Publishing.**

This chapter discusses the victim offender mediation program operated by Fraser Region Community Justice Initiatives Association in Langley, BC. This program is targeted at violent crimes and has shown promising results for victims and offenders. Victims have reported that the mediation has helped their emotional recovery and offenders have also reported that the program was helpful in their healing process.

15. **Umbreit, M. (2001). *The Handbook of Victim Offender Mediation: An Essential Guide to Practice and Research*. San Francisco: Jossey-Bass.**

This book discusses the principles of restorative justice and provides a basis for the implementation of it. There are chapters devoted to the evaluation of victim offender mediation (VOM). Chapter 2 is titled guidelines for victim-sensitive mediation and dialogue with offenders, which provides information on ensuring victim safety, sensitive language and the type of preparation needed for a successful mediation process.

16. **Umbreit, M. & Coates, R. (1993). "Victim-Offender Mediation." In *Criminal Justice: Contemporary Literature in Theory and Practice*. M. McShane & F. Williams (Eds.). New York: Garland Publishing Inc.**

This article provides results of a cross-site analysis of victim offender mediation programs in the United States. Results seemed to be positive for both victims and offenders. Victims' attitudes about the process were examined before and after the program.

17. **Umbreit, M., Vos, B., Coates, R., & Armour, M. (2006). "Victims of Severe Violence in Mediated Dialogue with Offender: The Impact of the First Multi-Site Study in the U.S." *International Review of Victimology*, 13(1), 27-48.**

This article provides highlights of a five year study of parties that took part in mediated dialogue. The studies took place in Texas and Ohio. The article provides descriptions of the two programs and their outcomes. Most participants reported high levels of satisfaction and a positive impact on their lives.

18. **Umbreit, M., Coates, R., & Kalanj, B. (1994).** *Victim Meets Offender: The Impact of Restorative Justice and Mediation.* Monsey, New York: Willow Tree Press Inc.

This book provides the evaluation of four restorative justice programs in the United States along with research from previous studies. The book discusses outcomes of mediation and provides statistics. The evaluation reports high ratings for participant satisfaction and fairness.

19. **Umbreit, M. Coates, R. & Vos, B. (2001).** "Victim Impact of Meeting with Young Offenders: Two Decades of Victim Offender Mediation Practice and Research." In *Restorative Justice for Juveniles: Conferencing, Mediation and Circles.* Eds. A. Morris & G. Maxwell. Portland, Oregon: Hart. 121-143.

This chapter reviews the impact of victim offender mediation on crime victims. Twenty-seven victim offender mediation programs were studied from Canada, USA, Scotland and England. The chapter discusses the reasons victims participated, how well prepared they felt going into the program and how satisfied they were with the outcomes and the process. The chapters also discuss the perception of fairness in the process and the victim's views on the mediator.

B) CIRCLES

20. **MacDonald, J. (Producer), & Dickie, B. (Director). (2000).** *Hollow Water.* Canada: National Film Board.

Hollow Water is a documentary of Aboriginal approaches to restorative justice in the Ojibway village of Hollow Water, Manitoba. The Hollow Water community has struggled with issues of violence, abuse, addiction and suicide, yet they have found a positive way of creating healing within their community through the use of "community holistic circles," healing circles and sentencing circles.

C) CONFERENCING

21. **Doak, J. O'Mahony, D. (2006).** "The Vengeful Victim? Assessing the Attitudes of Victims Participating in Restorative Youth Conferencing." *International Review of Victimology*, 13 (2), 155-157.

The purpose of this article is to argue that victims are not "punitive parties" and therefore should be part of the justice process which they have historically been excluded from. The article reviews a youth conferencing evaluation from Northern Ireland. The evaluation suggests that victims who participated in the conferencing were not vengeful and did not advocate harsh punishments for the offender.

D) OTHER

22. **Centre for Restorative Justice and Peacemaking, University of Minnesota. Retrieved March 19th, 2009, from http://www.cehd.umn.edu/ssw/rjp/Resources/Research_Annotated_Bibliography/AB_Author.asp**

This webpage is an informative resource about restorative justice in general. It contains an annotated bibliography on restorative justice dialogue. The Bibliography is separated into four categories: victim offender mediation, group conferencing, circles and other.

23. **Pemberton, A. et al. (2008). “Evaluating Victims’ Experiences in Restorative Justice.” *British Journal of Community Justice*. 6 (2), 99-120.**

This article is an attempt to contribute to the understanding of the effects of restorative justice processes on victims of crime. The authors draw on psychological theory and practice to develop a theoretical base for understanding victims’ emotional reactions towards restorative justice.

24. **Walker, L. (2004). Restorative Justice without Offender Participation: A Pilot Program for Victims, *International Institute for Restorative Practices*. Retrieved March 16th, 2009, from <http://fp.enter.net/restorativepractices/lwalker04.pdf>**

This article briefly discusses a pilot program in Honolulu, Hawaii. The pilot is a restorative justice program without the involvement of the offender. The process is quite informal and victims meet with facilitators to talk about their experience. The survey of participants indicated that victims were happy and quite satisfied with the program.

VICTIM ISSUES AND RESTORATIVE JUSTICE

A) VICTIM SAFETY IN RESTORATIVE JUSTICE PROCESSES

25. **Cyr, K. Wemmers, J. (2005). *Can Mediation Be Therapeutic for Crime Victims? An Evaluation of Victims' Experiences in Mediation with Young Offenders*, International Centre for Comparative Criminology, Montreal.**

The study presented in this paper aimed to review the relationship between a restorative justice model and victim recovery. The study interviewed victims who were part of a victim-offender mediation program in Quebec targeted at young offenders. One of the things that interviewees were asked was whether they felt afraid about participating. Results suggested that fear was not a factor in participation rates. Results also indicated that most participants felt safe prior to the victim offender mediation meeting and during. Most victims also reported that they felt better after participating.

B) VICTIM'S NEEDS / PROGRAM REQUIREMENTS NEEDED TO MEET THEM

26. **Achilles, Mary. (2004). "Will Restorative Justice Live up to Its Promise to Victims?" In Zehr, Howard, & Toews, Barb, Eds. *Critical Issues in Restorative Justice*. Monsey, NY: Criminal Justice Press, pp. 65-73.**

Achilles suggests that while restorative justice offers promise for elevating the position of the victim, the United States is a long way from having a fully restorative system that meets its obligations to victims. Achieving the promise of restorative justice for victims would require changing the way society responds to victims overall. This would involve focusing on individual victims as well as victim rights/victim services. Responding to individual victims requires asking them what they need, being "completely open" to how they define their needs (p. 66), and assisting them to have those needs met. This includes providing restorative processes for victims who want to meet the offender. At the same time, advocates for restorative justice need to consider questions such as whether they are open to the victim's needs even if the victim is angry or vengeful, and what place victims have in restorative justice if the victim does not want to participate. In terms of victim rights and victim services, Achilles suggests that the criminal justice system contains many protections and services for victims that are not available in restorative processes. Moreover, she argues that victim services should be available in all communities and be adequately resourced. Achilles calls for the restorative justice community and the victim services community to learn from each other and recognize that both offer services that are valuable for victims.

27. Bazemore, G. (1999). "Crime Victims, Restorative Justice and the Juvenile Court: Exploring Victim Needs and Involvement in the Response to Youth Crime." *International Review of Victimology*, 6 (4), 295-320.

This article reports on victims' opinions of the limitations to input in juvenile court cases. It then discusses the potential benefits of restorative justice for victims in juvenile cases.

28. Goodey, J. (2005). *Victims and Victimology: Research, Policy and Practice*. England: Pearson Education.

This book is focused on research surrounding victims and their needs. It begins by discussing victims' place in the criminal justice system, then goes on to attempt to understand fear and vulnerability to crime. Chapter 6 and 7 deal with victims and offenders within the traditional justice system and in restorative justice, the former addressing the need to balance the rights of offenders and victims.

29. Herman, Susan. (2004). "Is Restorative Justice Possible Without a Parallel System for Victims?" In Zehr, Howard, & Toews, Barb, Eds. *Critical Issues in Restorative Justice*. Monsey, NY: Criminal Justice Press, pp. 75-83.

Herman suggests that restorative justice provides several improvements over traditional criminal justice processes because it views victims as stakeholders, enables victims to have their stories heard, and provides opportunities for victims to have their questions answered and connect with their communities. Nonetheless, Herman offers four critiques of restorative justice from the victim's perspective. She suggests that restorative justice can serve only a small number of victims because restorative processes require the offender's participation. Additionally, she suggests that restorative processes are offender-centered; that they can not address victim needs in areas such as long-term counselling and social services; and that restorative justice does not provide an active role for government in responding to victims needs. Herman advocates for a parallel system in which there would be "two separate paths to justice – one for victims and one for offenders" (p. 79). The victim-oriented path would focus on the victim's safety; ensure that all victims are offered support, compensation and assistance; provide a public forum for victims to talk about what happened to them and what they need; and provide case managers who would coordinate resources to meet victim needs.

30. Russell, S. (2000). "Questions for Restorative Justice Practitioners to Consider when Creating and Implementing a Victim-Centered and Victim-Balanced Program." Vermont Victim Services. Retrieved March 16th, 2009, from http://www.iirp.org/library/t2000/t2000_srussell.html

This document outlines considerations that should be taken into account when trying to establish a victim-centered and victim-balanced program. The questions to consider are

based on six rights that victims hold: safety, information/notification, choice, testimony, validation and restitution.

- 31. Strang, Heather. (2004). "Is Restorative Justice Imposing Its Agenda on Victims?" In Zehr, Howard, & Toews, Barb, Eds. *Critical Issues in Restorative Justice*. Monsey, NY: Criminal Justice Press, pp. 95-106.**

This article briefly discusses the research in victim needs. It also considers how restorative justice may be able to address some of these needs by providing victims with opportunities to participate in their case, receive information about their case, be treated fairly and respectfully, and receive material and emotional reparation. From there, Strang considers how restorative justice responds to victims' emotions about the crime. She argues that it is normal for victims to experience retributive emotions, particularly if the crime was very harmful. Expressing these powerful emotions enables victims to address their pain and offenders to feel empathy toward the victim. Rather than wishing that victims would come to restorative processes feeling ready to forgive, Strang argues that restorative practitioners should acknowledge that the victim's retributive emotions are legitimate and that expressing those emotions is an essential part of restorative justice.

- 32. Sullivan, D. & Tift, L. (2006). *Handbook of Restorative Justice: A Global Perspective*. London: Routledge.**

This book contains information on restorative justice such as the healing dimension as well as processes and practices. There is also a section that deals with the needs of victims and the healing process. The chapter concludes by asserting the need for support, healing and reconstruction.

- 33. Wemmers, J. (2002). "Restorative Justice for Victims of Crime: A Victim Oriented Approach to Restorative Justice." *International Review of Victimology*, 9 (1), 43-59.**

The author claims that there are advantages for victims when restorative justice is used, but there is also a risk of harm if the program does not adequately meet victim needs. This article reviews research on the needs of victims and makes recommendations for a victim centered model of restorative justice. Recommendations include: victim support, information sharing, neutral mediators and flexibility to accommodate different victims.

C) VICTIM'S VIEWS ON RESTORATIVE JUSTICE

- 34. Department of Justice Canada. (2009). *Restorative Justice*. Retrieved March 20th, 2009, from http://www.justice.gc.ca/eng/pi/rs/rep-rap/2005/rr05_vic1/sum6-som6/p5.html**

Section 8 of this multi-site study contains information on participation and victim involvement in restorative justice. The section highlights a survey of participation in

restorative justice among victims, crown attorneys, defense counsel, police and advocacy groups. The largest reason for not participating seems to be the limited number of restorative justice programs available.

- 35. Strang, H. (2002). *Repair or Revenge: Victims and Restorative Justice*. Oxford: Clarendon Press.**

The intention of this book is to explore the methods of “doing justice” that gives a voice to victims but still preserves the rights of offenders. The book discusses victims and their historical role in the justice system and the practice as well as theory of restorative justice. The book also includes a chapter on victim satisfaction with the restorative justice alternative as well as a relational analysis of victims and offenders.

D) VICTIM SATISFACTION & RESTORATIVE JUSTICE

- 36. Bradshaw, W. & Umbreit, M. (2002). “Assessing Satisfaction with Victim Services: The Development and Use of the Victim Satisfaction with Offender Dialogue Scale (VSODS).” *International Review of Victimology*, 10 (1), 71-83.**

This article reports on a victim satisfaction study. What is unique about this study is that it uses an instrument to measure and compare victim satisfaction. The instrument, called the Victim Satisfaction with Offender Dialogue Scale (VSODS) seems to have proven itself a reliable tool in mediation evaluations. The study found that VSODS can capture more specific feedback which can be beneficial in strengthening programs.

- 37. Choi, J. & Severson, M. (2009). “ What! What kind of Apology is This?: The Nature of Apology in Victim Offender Mediation.” *Children & Youth Services Review*. 31 (7), 813-820**

This article is a qualitative study that examines the various perspectives of participants’ experiences in a victim-offender mediation program. Interviews were conducted with juvenile offenders and their parents, adult victims of crime, mediators and referral sources. The results of these interviews indicate that discrepancies exist between offenders and victims in their perceptions of the genuineness of an apology delivered. Recommendations are made to improve victim-sensitive restorative justice practices through the composition and delivery of an apology.

- 38. Dignan, J. (2005). *Understanding Victims and Restorative Justice*. Maidenhead, England: Open University Press.**

Dignan’s book discusses victimization as well as the position of victims within the traditional and alternative justice systems. Chapter 5 attempts to evaluate restorative justice from the perspective of the victim. Findings on victim satisfaction seem to be positive but findings on recidivism were inconclusive.

39. Latimer, J., Dowden, C. & Muise, D. (2001). "The Effectiveness of Restorative Justice Practices: A Meta-Analysis". *Research and Statistics Division*. Department of Justice Canada. Retrieved March 20th, 2009, from [http://www.justice.gc.ca/eng/pi/rs/rep-
rap/2001/rp01_1-dr01_1/rp01_1.pdf](http://www.justice.gc.ca/eng/pi/rs/rep-
rap/2001/rp01_1-dr01_1/rp01_1.pdf)

A meta-analysis combines the results of several studies that address a set of related research hypotheses. This document provides a meta-analysis of 22 studies that examined the effectiveness of 35 different restorative justice programs (victim offender mediation and conferencing). The analysis found that restorative justice was more successful than traditional justice approaches in improving satisfaction of both victim and offender and getting offenders to comply with restitution. There was also a modest but statistically significant reduction in recidivism.

40. Latimer, J., Dowden, C. & Muise, D. (2005). "The Effectiveness of Restorative Justice Practices: A Meta-Analysis". *The Prison Journal*, 85 (2), 127-144.

A meta-analysis combines the results of several studies that address a set of related research hypotheses. This article is an updated version of the meta-analysis written by the same authors in 2001 for the Department of Justice Canada Research and Statistics Division (see listing above). It is a meta-analysis of 22 studies that examined the effectiveness of 35 different restorative justice programs (victim offender mediation and conferencing). Studies compared restorative justice programs to traditional criminal justice processes. Although the authors find that restorative justice programs produced more positive results among participants, they also indicated that the results may be biased because of self selection in the restorative process. The authors provide recommendations to overcome this problem. For example, the authors suggest that a questionnaire be distributed to all participants including a control group to assess motivation to participate.

E) VICTIM'S MOTIVATION FOR PARTICIPATING IN RESTORATIVE JUSTICE PROGRAMS

41. Gehm, J. (1989). "Mediated Victim-Offender Restitution Agreements: An Exploratory Analysis of Factors Related to Victim Participation." In B. Galaway and J. Hudson (eds.), *Criminal Justice, Restitution and Reconciliation*. Monsey NY: Criminal Justice Press, pp. 177-182.

In this study, data was analyzed to see if there was a correlation between the participation of victims and the offender or type of offence. The author found that there were no strong correlations but there was indication that victims were more willing to participate when their offenders were not part of a racial minority.

42. **Hill, R. (2002). “Restorative Justice and the Absent Victim: New Data from the Thames Valley.” *International Journal of Victimology*, 9 (3), 273-288.**

This article reviews data of victims in the UK who did not participate in a restorative justice process. Conferences where victims were absent tended to be less restorative and more offender centered. Reasons for victims’ absences included: victim was not invited, victim was unable to attend or did not want to attend, victim did not want to meet the offender or believed restorative justice was not the adequate type of process for their case.

43. **Wemmers, J. & Cyr, K. (2004). “Victim’s Perspectives on Restorative Justice: How Much Involvement are Victims Looking for?” *International Review of Victimology*, 11 (2), 259-274.**

This article reports on a study of victims who participated in victim offender mediation. It explains the role that victims prefer to take in the justice system and provides recommendations for implementing a successful victim centred approach. Victims reported that they wanted decision makers to consider their views about their case.

GENERAL VICTIMOLOGY RESOURCES/RESEARCH

A) NEEDS OF VICTIMS IN THE JUSTICE SYSTEM

44. Department of Justice Canada. (2005). "Multi-Site Survey of Victims of Crime and Criminal Justice Professionals Across Canada." Retrieved March 20, 2009 from: http://www.justice.gc.ca/eng/pi/rs/rep-rap/2005/rr05_vic1/sum1-som1/sum1.pdf

These surveys gathered information on the impact of Bill C-79 on victims and professionals working in the criminal justice system. Bill C-79 was put into effect on December 1, 1999, and amended the *Criminal Code* to facilitate the participation of victims and witnesses in the criminal justice process. Measures were put in place to prevent victims from being re-victimized by the system. The surveys devote a section to restorative justice and question various respondents on their reasons for not participating.

45. Kemshall, H. & Pritchard, J. (2000). *Good Practice in Working with Victims of Violence*. London: Jessica Kingsley Publishers.

This book contains information on best practices in working with different groups of victims such as children and sexually abused males. Chapter 9 focuses on mediation and violent crime from a practitioner's perspective. The chapter provides a case study as well as well as information on the role and benefits for victims in the mediation process.

46. Monroe, L. et al. (2005). "The Experience of Sexual Assault." *Journal of Interpersonal Violence*, 20(7), 767-776.

This article reports on a study of 125 adult victims at Sexual Assault Centers in Maryland who were assessed to determine victim's needs after being sexually assaulted, and asked to make recommendations to improve the services available to victims of sexual assault. Recommendations included an increase in the number of Sexual Assault Centres; better advertising about the services available at the centres; more mental health care; and improved laws and more effective enforcement surrounding instances of sexual assault.

47. Public Safety Canada (2008) *Information Guide to Assist Victims: Federal Corrections and Conditional Release*.

This booklet is intended to be a guide for victims. It contains information on victims' entitlements under the Corrections and Conditional Release Act (CCRA), access to information about an offender's sentence, community-based correctional services as well as contact information for federal and provincial government departments that provide support or services to victims of crime.

48. **Sebba, L. (1996). *Third Parties: Victims and the Criminal Justice System*. Ohio, USA: Ohio State University Press.**

This book provides an overview of victim oriented reforms in the United States and their evaluations, such as victim impact statements, restitution and victim participation.

49. **Solicitor General of Canada. (2001). *National Consultation with Victims of Crime: Highlights and Key Messages*.**

This report highlights information given by victims and service providers with regard to victim's needs and fears. Examples of victim needs include the need for information on: their case, the criminal justice system and the services available to them such as access to counseling services. They also identified the need for respect, to have their voice heard and fairness.

50. **Tobolowsky, P. (2001). *Crime Victim Rights and Remedies*. Durham, North Carolina: Carolina Academic Press.**

This book focuses on the rights of victims of crime. It discusses the victim's rights of participation in the criminal justice process. This book also reviews the traditional place of victims in the criminal justice system and the emergence of the victim's movement.

51. **United Nations. (1999). *Handbook on Justice for Victims*. United Nations Office for Drug Control and Crime Prevention, Centre for International Crime Prevention. Retrieved March 18th, 2009, from <http://www.uncjin.org/Standards/9857854.pdf>.**

Designed with an international perspective, this handbook is intended to serve as a guideline to those establishing victim assistance programs. The handbook includes advice from various countries and is sensitive to cultural and legal differences.

B) TRAUMA RESPONSES

52. **Angel, C. (2005). *Crime victims meet their offenders: Testing the impact of restorative justice conferences on victims' post-traumatic stress symptoms*. Ph.D. dissertation, University of Pennsylvania.**

The purpose of this study was to determine the effects of restorative justice models on victims of crime in cases of burglary and robbery. The results show that some victims may benefit from face to face conferences with their offender.

53. West, R. (2007, March/April). "Incorporating Trauma-Informed Practices in Federal Victim Services." *The Crime Victims Report*. 7-14.

This article discusses the cost of trauma to victims of crime and their need for services. It also states that restorative justice models are a positive way to create safe communities.

ISSUES FACING RESTORATIVE JUSTICE PRACTITIONERS

54. Stutzman Amstutz, Lorraine. (2004). "What Is the Relationship between Victim Service Organizations and Restorative Justice?" In Zehr, Howard, & Toews, Barb, Eds. *Critical Issues in Restorative Justice*. Monsey, NY: Criminal Justice Press, pp. 85-93.

This article briefly discusses the Listening Project in which teams of victim advocates and restorative justice advocates went to seven states in 1999-2000 to ask victims and victim advocates about their views of restorative justice. This was followed by dialogues between team members, restorative justice advocates and victim advocates. This led to a number of recommendations and called for restorative justice advocates to have an ongoing dialogue with the victim community. The author found that victim services agencies and victim-offender mediation programs often have contrasting perceptions of each other. The article discusses misperceptions between the two types of programs and outlines strategies that they can use to work collaboratively.

RESTORATIVE JUSTICE AND SPECIAL APPLICATIONS

A) RESTORATIVE JUSTICE AND DOMESTIC VIOLENCE

55. **Cameron, A. (2005). "Restorative Justice: A Literature Review." *The British Columbia Institute on Family Violence*.**

This paper is a literature review focusing on restorative justice and intimate partner violence in Canada. The question directing this review was whether the literature finds the restorative justice process to be effective and safe for adults who are victims of intimate partner violence. The paper outlines various models of restorative justice and outlines what victims of intimate violence need throughout the restorative justice process. The literature also identifies the issue of power imbalances and concerns over safety for abused partners.

56. **Curtis-Fawly, S. and Daly, K. (2005). *Gendered Violence and Restorative Justice: The View of Victim Advocates*. Queensland, Australia. Retrieved March 16th, 2009, from http://www98.griffith.edu.au/dspace/bitstream/10072/4152/1/vaw_paper.pdf**

The use of restorative justice with cases of gendered violence is a contested issue. On one side of the debate, critics worry that the restorative justice process will revictimize the victim. Yet on the other side, advocates claim that this process is more inclusive of victims and gives them input while holding the offender accountable. This paper interviews victim workers in Australia and asks their views of applying restorative justice to gendered violence. The interviews suggested that the victim workers were open to the alternatives available in restorative justice but were not willing to completely support it in domestic violence cases.

57. **Hudson, B. (2002). "Restorative Justice and Gendered Violence: Diversion or Effective Justice?" *The Centre for Criminal and Justice Studies*. Retrieved March 16th, 2009, from <http://bjc.oxfordjournals.org/cgi/content/abstract/42/3/616>**

This article examines the use of restorative justice in cases of sexual assault and domestic violence. It reviews both sides of the debate in applying restorative justice to these cases. The author suggests that restorative justice will be a more widely accepted option in the criminal justice system once it has been applied successfully in a variety of cases involving a wide range of offenders.

58. **MacLeod, L., (1995). "Family Group Conferencing: A Community-Based Model for Stopping Family Violence." In *Wife Assault and the Canadian Criminal Justice System: Issues and Policies*. Eds M.**

Valverde, L. MacLeod, & K. Johnson. Toronto:University of Toronto. 198-204.

This chapter discusses a model of family group conferencing for cases of domestic violence which is being utilized by a program in Newfoundland and Labrador. Family group conferencing is a process in which a family that has experienced domestic violence will plan a way to resolve the violence in the family. Each member of the family is given a great deal of preparation, and victim safety is of the utmost importance. This chapter reviews the implementation of this program, the history of the program as well as risks and issues to consider such as safety and cost.

59. Strang, H., & Braithwaite, J. (2002). *Restorative Justice and Family Violence*. United Kingdom: Cambridge University Press.

This book is a compilation of various articles addressing restorative justice and family violence. Chapters include information on family violence and Aboriginal communities, children and family violence, sexual assault and restorative justice, processes to change the power imbalances in cases of family violence and feminist challenges to restorative justice.

60. Stubbs, J. (2007). "Beyond Apology?: Domestic Violence and Critical Questions for Restorative Justice." *Criminology & Criminal Justice*. Retrieved March 13th, 2009, from <http://crj.sagepub.com/cgi/content/abstract/7/2/169>

This article questions various issues that may arise in the implementation of restorative justice programs in cases of domestic violence. The concerns that arise include issues of safety, possible manipulation and gender essentialism (the belief that there are inherently "male" behaviours and reactions, and inherently "female" behaviours and reactions). The article also addresses the complexity of treating women as victims without disempowering them. A further concern highlighted in this article is the aspect of forgiveness within restorative justice that would preserve expectations of traditional gender roles of females as forgiving.

B) RESTORATIVE JUSTICE AND SEXUAL ASSAULT

61. Cook, S., & Bessant, J. (1997). *Women's Encounters with Violence: Australian Experiences*. Thousand Oaks, California: Sage Publications.

This book delves into many topics surrounding the issue of violence against women including sexual assault as well as cultural and social issues. Part II of the book deals with the law and criminal justice system and addresses issues such as prejudice in the courtroom, theories of victimology and "communitarian" conferencing (including family group conferencing).

C) RESTORATIVE JUSTICE AND ELDER ABUSE

- 62. Groh, A. (2005). "Restorative Justice: A Healing Approach to Elder Abuse." In E. Elliot & R. Gordon (Eds.), *New Directions in Restorative Justice: Issues, Practices and Evaluation* (Chapter 9). Cullompton: UK, Willan Publishing.**

This chapter focuses on a restorative justice project in Waterloo Ontario, designed for dealing with elder abuse. The project provides a safe and fair environment for victims. It uses healing circles to provide an opportunity for change. The article finds that a mixed model of restorative justice along with the traditional justice system is needed in cases of elder abuse as these issues are too complex for one approach to tackle.

D) RESTORATIVE JUSTICE AND ABORIGINAL COMMUNITIES

- 63. Aboriginal Women's Action Network, prepared by Steward, W., Huntley, A., & Blaney, F. (2001). *The Implications of Restorative Justice For Aboriginal Women and Children Survivors of Violence: A Comparative Overview of Five Communities in British Columbia. Aboriginal Women, Violence and the Law Participatory Action Research Project.***

This paper presents views from five Aboriginal communities in British Columbia regarding the use of restorative justice in cases of violence against women and children. A Participatory Action Model was used to gather information from the communities. The general findings of the paper focus on the context of violence in Aboriginal communities and the concerns women identified surrounding a restorative justice model. The most prevalent concern was that women felt powerless compared to men and disadvantaged by the system. The need to address substance misuse and how it relates to violence was also identified.

EVALUATION

A) EVALUATION OF SPECIFIC PROGRAMS

64. Achilles, M., Halbert, E., Mika, H., Stutzman Amstutz, L. & Zehr, H. (n.d.) *Taking Victims and Their Advocates Seriously: A Listening Project*, Mennonite Central Committee Office on Crime and Justice, U.S., retrieved March 16, 2009: <http://www.restorativejustice.org/articlesdb/articles/3398/>

This report reviews the Listening Project. The intent of the project was to identify downfalls in restorative justice as it pertains to victims and their support workers and services. The objective of this project was to create a plan which would make restorative justice a more responsive process. The outcome of the project was the creation of plans or strategies to resolve issues in five areas: structured community dialogue, consideration of the impacts of programs, publications, training and education and the articulation of standards.

65. Chatterjee, J. (1997). *A Report on the Evaluation of RCMP Restorative Justice Initiative: Community Justice Forum as Seen by Participants. Research and Evaluation Branch Community, Contract and Aboriginal Policing Services RCMP.*

This paper contains two separate evaluations of the RCMP Community Justice Forum. The first evaluation is on the “Train the Trainers” part of the program and the second evaluation is on participant satisfaction. Data was collected from 239 participants. Most of the findings indicated positive satisfaction with the process, but there were some concerns. Some victims felt pressure to participate and not all participants felt completely prepared and aware of the process. The paper contains a section on recommendations and future implications.

66. Daly, K. (2004) “A Tale of Two Studies: Restorative Justice from a Victim’s Perspective.” In E. Elliot and R. Gordon (Eds.), *Restorative Justice Emerging Issues in Practice and Evaluation* (Chapter 8). Queensland, Australia: Willan Publishing. Retrieved March 13th, 2009, from http://www98.griffith.edu.au/dspace/bitstream/10072/165/1/kdaly_part2_paper7.pdf

The author of this chapter reviews two studies. The first examines variability in restorative justice models and demonstrates the difficulty these models have in helping victims to cope and potentially recover. This study found that some victims can participate in conferencing more easily than others. The second study is a comparison of outcomes of cases that have been processed through the traditional criminal justice

system and cases that have been processed through restorative justice means. The study demonstrates the traditional court process's limitations and failures.

- 67. Fercello, C., & Umbreit M. (1998). "Client Evaluation of Family Group Conferencing in 12 Sites in 1st Judicial District of Minnesota." Centre for Restorative Justice & Mediation, University of Minnesota.**

This 1998 report is an evaluation of family group conferencing programs involving juvenile crime cases. The evaluation consisted of 455 interviews with victims, offenders and support workers. The evaluation revealed positive findings and satisfaction with the process. Questions that were asked considered issues of accountability, fairness and level of preparation.

- 68. Hennessey, H., Prenzler, T. & Wortley, R. (1998). *Making Amends: Final Evaluation of the Queensland Community Conferencing Pilot.* Queensland Department of Justice, Juvenile Justice Branch.**

This is an evaluation of three 1997 pilot programs: Ipswich, Logan and Palm Island in Australia. The results indicate satisfaction among participants. The document also contains a section on guiding principles and recommendations for the future success of conferencing models.

- 69. Mestitz, A. & Ghetti, S. (2005). *Victim-Offender Mediation with Youth Offenders in Europe: An Overview of 15 Countries.* Netherlands: Springer.**

This book provides an overview of 15 victim-offender programs in various countries in Europe where the European Union council requested that members implement victim-offender mediation. The countries reviewed in this book include the Netherlands, Italy, Poland, Sweden, Spain, Austria, Ireland, Hungary, Germany, France, Finland, England and Wales, Norway, Luxembourg and Belgium. These countries vary greatly in the extent to which restorative programs focus on the victim.

- 70. Shapland, J. et al. (2007). *Restorative Justice: The Views of Victims and Offenders: The Third Report from the Evaluation of Three Schemes.* Ministry of Justice Research Series 3/07.**

This report is an evaluation of three restorative justice programs in the United Kingdom: CONNECT, the Justice Research Consortium and REMEDI. These three models were intended to be used with adult offenders, some of whom had been convicted of very serious crimes. The evaluation process contained interviews with both victims and offenders who had fairly positive views of the model they experienced. The interviews addressed questions of satisfaction with the restorative justice model. Victims and offenders were also asked if they had received enough information and preparation for their involvement and if they had concerns of future contact or conflict.

71. **Wemmers, J. & Cyr, K. (2005). “Can Mediation Be Therapeutic for Crime Victims? An Evaluation of Victims’ Experiences in Mediation with Young Offenders.” *Canadian Journal of Criminology and Criminal Justice*, 47(3), 527 – 545.**

This article discusses an evaluation of victims’ experience with a mediation program. The evaluation focused on victims’ emotions and how the experience affected their recovery as well as their level of fear. The study showed that the victims evaluated had a positive experience especially when they felt that the process was fair.

B) EVALUATING RESTORATIVE JUSTICE PROGRAMS

72. **Bazemore, G., Green, D. (2007). “Yardsticks” for Victim Sensitive Process: Principle-Based Standards for Gauging the Integrity of Restorative Justice Process, Victims and Offenders, Taylor and Francis Group, 2(3), 289-301. Retrieved March 18, 2009:**
<http://www.informaworld.com/smpp/content~content=a780559877~db=all~or%20der=>

There have been positive findings regarding victim satisfaction with restorative justice, but the authors of this article state that it has been difficult to interpret satisfaction because there is no standardization. They also state that it is difficult to link practices to outcomes and outcomes to long lasting changes for participants. The intent of this article is to encourage the creation and use of standards as well as to highlight “principle-based standards”.

73. **Dignan, J. & Cavadino, M. (1996). “Towards a Framework for Conceptualising and Evaluating Models of Criminal Justice from a Victim’s Perspective.” *International Review of Victimology*, 4(3), 153-182.**

This paper focuses on different restorative and reparative justice models and assesses their success with victim-oriented actions. Successful approaches include those that foster participation between both offender and victim as well as those that monitor the implementation of negotiated plans.

74. **Galaway, B. *Evaluating Restorative Justice Community Programs. Community and Restorative Justice: The Colorado Forum.***

This guide is intended to assist restorative programs in the development of goals and their evaluation processes. The document outlines what is program evaluation, who does it and considerations to take into account.

GENERAL INDEX

This index is intended to enhance the utility of the Annotated Bibliography by providing a quick reference to the document using searchable topics.¹ The topics listed below are essentially keywords – while this index is not exhaustive, more than 65 topics are provided. Please note that this index was developed after the Annotated Bibliography was completed. As a result, the articles, books and other documents included in this Bibliography were not re-reviewed in order to produce this index. The keywords were identified using the summaries in the document.

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¹ The creation of this index was in response to comments received from provincial officials asking if the references in the Annotated Bibliography could be divided into those that focused on youth and those that focused on adults. Instead of dividing the entries up, it was decided that the inclusion of this index would address that particular request, as well as allow for many other topics to be listed.

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