

Restorative Justice: The Evidence—Report Draws Attention to RJ in the UK

BY JOSHUA WACHTEL

Dr. Lawrence W. Sherman and Dr. Heather Strang, both longtime researchers on the effectiveness of restorative justice (RJ), have recently published a major new study titled “Restorative Justice: The Evidence.” Published in the UK, carried out by the Jerry Lee Center of Criminology at the University of Pennsylvania, Philadelphia, and sponsored by the Smith Institute, an independent think tank based in London, the study concludes that RJ—no matter how it is measured—is as or more effective than traditional methods of criminal justice (CJ) for reducing crime with respect to nearly every group of offender studied.

Some chapters in the report include:

- A tale of three RJ conferences
- The process of restorative justice
- Restorative justice and the rule of law
- How we know what works—and what doesn’t
- Reducing harm to victims
- Reducing repeat offending
- Could RJ reduce the financial cost of justice?
- More justice, less crime: a way forward.

The report is available online in PDF format: http://www.smith-institute.org.uk/pdfs/RJ_full_report.pdf

Sherman is Wolfson Professor of Criminology at the University of Cambridge and was formerly director of the Jerry Lee Center of Criminology, and Strang is director of the Centre for Restorative Justice at the Australian National University and a lecturer in criminology at the University of Pennsylvania. Their “study of studies” analyzed the results of every research project concerning RJ

published in English between 1986 and 2005. They looked at 36 studies in all—from Australia, New Zealand, the US, Canada and the UK—which measured the effectiveness of restorative justice processes, focusing mainly on conferences—face-to-face meetings among all parties connected to a crime, including victims, offenders, their families and friends—and court-ordered financial restitution.

“There is far more evidence on RJ, with more positive results, than there has been for most innovations in criminal justice.”

—From “Restorative Justice: The Evidence”

Their study concluded that in at least two trials each:

- RJ reduced recidivism for offenders of both violent and property crimes.
- RJ reduced post-traumatic stress symptoms and the desire for revenge for victims.
- RJ processes were preferred over CJ by both victims and offenders.
- RJ reduced costs when used as diversion from CJ.
- When RJ was an option, two or more times as many cases were brought to justice (including cases of robbery and assault).

“RJ: The Evidence” also gives some preliminary indications that RJ, which in its initial development tended to be used more for youths than adults, may

actually be more effective in dealing with adult crime. It suggests, too, that RJ may be better for crimes with victims than for impersonal crimes like shoplifting or drunk driving.

Among the studies included in the report are the rigorous Randomized Controlled Trials supported by the Jerry Lee Program. Conducted by police and criminal justice agencies in London, Northumbria and Thames Valley, UK, these research programs randomly assign willing offenders to either conferences or the traditional criminal justice process and are considered the most accurate way to measure the effects of RJ on offenders, both youth and adult. (See <http://www.realjustice.org/library/jerryleeresearch.html> for more on these studies and <http://www.realjustice.org/library/angel.html> regarding the effect of RJ on reducing post-traumatic stress symptoms of victims.)

Sherman and Strang’s study comes at a time when RJ is becoming more visible in political debate in Britain and abroad. With Prime Minister Tony Blair’s upcoming resignation in June 2007 and general elections imminent, there may be a political opening for reforms in the criminal justice system.

The authors quote a British politician in the early 1990s saying that government must be “tough on crime, tough on the causes of crime,” a phrase that has since become a political buzzword in the UK. As in the US, where politicians’ perceived need to be tough on crime has translated into more prisons, harsher mandatory prison sentences and the highest incarceration rate in the world, Britain’s poli-

E FORUM

cies have resulted in prisons and youth institutions filled to capacity, but with no end in sight to crime. According to the study, the phrase “tough on the causes of crime” implies the need for policy based on solid research into what practices actually work, not on whether they seem to be tough on crime.

“RJ: The Evidence” also says, “Three of every four new criminal convictions in England and Wales are reconvictions of previously convicted offenders. At the least, this fact suggests a missed opportunity for more effective and preventive sentencing practices. ... At the worst, it suggests that the criminal justice system itself is a cause of crime. ... Restorative justice, at least in principle, seeks ways for victims and offenders to co-operate in preventing future crime and repairing past harms” (p. 12, Chapter 1).

The British media and press reacted to the February 8 release of the report with a flurry of coverage on TV and radio, including high-profile programs such as the BBC Today program and the popular daytime TV program “Richard and Judy.” The reports included interviews with Peter and Will, an offender and victim who had been powerfully affected by a conference. Nicola Preston, assistant director for the International Institute for Restorative Practices (IIRP) UK, which provides RJ training and consulting, explained that the conference, following a violent burglary, had been a powerful experience for all concerned. Peter, a self-described career criminal since age 14, had been in and out of prison and had victimized perhaps hundreds of people by his robberies and burglaries. For the first time, the conference put a human face to the people Peter had hurt. Peter felt a lot of remorse, but the most shocking thing to him was when the victims told him that their greatest wish was not for revenge, but rather to see Peter lead a different

life, something he has gone on to do. According to Preston, the show received highly positive feedback.

Large national newspapers, *The Guardian*, *The Sun* and *The Scotsman*, published stories about the report as well. A smaller regional paper, *The Eastern Daily Press*, boasted proudly in the lead sentences of its article, “Criminal justice organisations should follow Norfolk’s example and make more criminals meet their victims face-to-face to prevent further offending. ... Such schemes have been in place in Norfolk for seven years and are used in more than 400 cases involving young people in the county each year.”

In the UK at present, RJ is mostly being used for youth. The Youth Justice Board, a national organization, recommends its use. However, it is up to local Youth Offending Teams to actually put RJ into practice, so usage partly depends on local interest, training and experience. In the adult area, a program called the Chard and Ilminster Community Justice Panel (CICJP) provides a promising model for dealing with low-level anti-social behavior and offenders who have admitted minor crimes. This program reports re-offense rates after two years as low as two percent. (To read an eForum article on the CICJP, please go to: <http://www.realjustice.org/library/cicjp.html>.) Additionally, the Restorative Justice Consortium (<http://www.restorativejustice.org.uk>), a charitable organization with membership from a wide variety of local and national groups with interests in RJ, promotes the use of RJ in the criminal justice system, schools and the workplace.

Les Davey, director of IIRP UK, said, “Interest in RJ for adults had tailed off since the Home Office published its best practices three years ago. There seems to be an upturn now and we’re optimistic.”

One of the biggest questions raised by Sherman and Strang is what kind of impact a restorative justice program would have if the types of programs conducted locally and sporadically were rolled out throughout an entire community or across the nation as a whole. What might the cumulative effect be if a society embraced restorative justice across the board at each phase of the criminal justice process, from arrest to pre-sentencing, from prison to parole, and in family, community and institutional settings?

“RJ: The Evidence” says, “The evidence on RJ is far more extensive, and positive, than it has been for many other policies that have been rolled out nationally” (p. 4, Abstract). It also says, “There is far more evidence on RJ, with more positive results, than there has been for most innovations in criminal justice that have ever been rolled out across the country. The evidence now seems more than adequate to support such a roll-out for RJ” (p. 8, Executive Summary).

RJ researcher Dr. Paul McCold, a founding faculty member of the IIRP graduate school, in Bethlehem, Pennsylvania, USA, said, “This report moves the debate beyond the question of whether or not restorative justice works. It also closes the door on whether it works better than criminal justice. The debate now moves on to questions of what kind of restorative justice works best for whom, how to implement it on a national scale, and how do we measure its wider effects.”

Strang said she was surprised by how many emails she was receiving inquiring about the report from around the world. While she said the authors regard all findings as provisional, she added, “The evidence indicates RJ can be effective in various settings for various kinds of people. We think research and testing can go hand in hand with rolling out programs in larger areas, where the balance of evidence shows it can be beneficial and effective.” ☉