British Journal of Community Justice ©2012 Sheffield Hallam University, Sheffield ISSN 1475-0279

Vol. 10(2): 39-54



FACTORS CONTRIBUTING TO VICTIMS' SATISFACTION WITH RESTORATIVE JUSTICE PRACTICE: A QUALITATIVE EXAMINATION.

Jac Armstrong, Doctoral Candidate and Visiting Lecturer, School of Law, University of Chester, Chester, England

Abstract Extant research indicates that restorative justice can deliver benefits which the traditional Criminal Justice Process cannot, ranging from victim satisfaction to reducing offender recidivism (Zehr, 2005; Bergseth & Bouffard, 2007). This qualitative review explored victims' perceptions of a restorative justice process, implemented as victimoffender mediation. It provides an insight often neglected within extant studies, into the contributory factors which victims perceive as being important to the success of a restorative process. Utilising mix-method data collection (Denzin, 2009; Jupp, 2001), questionnaires were completed at the pre-panel stage to ascertain victims' perceptions of the restorative process. The results informed interview schedules which were employed within thirty-five semi-structured interviews (Leidner, 1993; Oakley, 2004), conducted with individuals following the conclusion of their restorative meeting. Within the pre-process questionnaires, victims indicated feeling well prepared for their panel. They stated that this process was the most appropriate resolution and all but one victim did not desire an alternative resolution/process. Within the qualitative interviews victims identified the high quality of preparation as being crucial for the process to succeed. Additionally, the independence of the facilitator, combined with the presence of the Police during Panels was identified as being of central importance. Victim Satisfaction remained high throughout the review, consistent with previous research (Umbreit & Coates, 1992; Umbreit et al, 1997; Hayes et al, 1998; Umbreit et al, 2006; Campbell et al, 2005; Wilcox & Hoyle, 2004), with many victims attributing their satisfaction to aspects of the process identified above.

Keywords Restorative Justice, Victims, Police, Community Justice

Context and background

The restorative justice practice examined in this research has operated since January 2005, available to cases located within the criminal justice process, cases are referred to

the Panel by the Police Constabulary. This research focuses exclusively upon those cases referred to the restorative process by the police constabulary for criminal acts.

Restorative justice represents a relatively new model of conflict resolution within England and Wales, with the potential to operate not only within the criminal justice process but across a diverse and expansive range of social situations (Dussich & Schellenberg, 2010; Crawford and Goode, 2000; Zedner, 1994; Ashworth, 2002). Whilst attempts to define restorative justice continue to suffer from a latent ambiguity, it is defined (by some) as "a process whereby parties with a stake in a specific offence collectively resolve how to deal with the aftermath of the offence and its implications for the future" (Marshall, 1999). Numerous restorative practices exist, the most prominent and empirically validated method being victim-offender-mediation (Umbreit, 1994). It involves the discussion of the offence, its consequences and resolution with victims and perpetrators, facilitated in a safe environment by a trained mediator. The restorative practice, upon which this research focuses, operates as a hybrid organisation between Local Government and the criminal justice system. It works closely with the Police Constabulary, Local Government and Housing Associations whilst maintaining its independence and autonomy. Headed by an independent Coordinator, the organisation utilises International Institute of Restorative Practices (IIRP) accredited trained volunteers as facilitators who undertake individual cases from their referral, through preparation of victims and offenders, to its conclusion at the restorative meeting itself. Each meeting is attended by the individuals involved, their supporter (if necessary) the facilitator and a Police representative. At the conclusion of a successful Panel an Acceptable Behaviour Contract (ABC) is drafted to address the specific issues relevant to this dispute and is signed by the offender or 'wrong doer', the Police and the Facilitator. This is intended to prevent similar behaviour from recurring within an appropriate time frame. If this ABC is breached the case is referred back to the Community Justice Panel who can then take appropriate action. If the case involves a criminal act, due to the Panels conduct being compliant with the Police and Criminal Evidence Act (1984), the offence is referred back to the Police and the original offence can then be processed under the traditional criminal justice process.

Recent years have witnessed a proliferation in research reports on the success of restorative justice practices to deliver their promises in relation to the improvement of victims' position within the criminal justice process (Sherman and Strang, 2007; Hoyle, Young and R Hill, 2002; Armour and Umbreit, 2006), or its success in reducing offender recidivism (Hayes, 2005; Nugent et al, 2001) or increasing victim satisfaction (Hoyle, 2002, Umbreit et al, 2006). However, such research is of predominantly quantitative nature (Bazemore & Green, 2007), relying upon statistical reference and an emphasis upon precoded out-put measurements (Umbreit, Coates and Vos 2002; Nugent, Umbreit, Wiinamaki and Paddock, 2001). Whilst not denying the value of such research it is suggested that to fully understand the strengths of restorative justice, being a clear example of social interaction (Becker, 1996; Kvale, 1996; Bottoms, 2000), qualitative data must be generated which examines participants' perceptions, expectations and experiences in greater detail.

Case referrals

Between September 2008 and October 2009 the Community Justice Panel undertook one hundred and sixty-six cases. Throughout this review, conducted between October 2009 and 2010 the most prevalent referral to the Community Justice Panel was for assault (49% of cases) with Criminal Damage and Neighbour Disputes following (23% and 14% respectively). Other common offences which were referred to the restorative process included driving offences, theft and public order offences. The cases referred to this particular restorative justice process are of relatively low severity, conforming to common practices utilising restorative measures for predominantly first time offences, young offenders or low level crimes. Whilst literature exists advocating the use of restorative practices for offences of greater severity, with some theorists arguing that the greatest benefits are delivered through employing restorative justice within those crimes of great severity such as sex offences or homicide (Walgrave, 2008; Rossi, 2008; Beck, Britto & Andrews 2007), the use of restorative justice within this programme remains firmly located within the lower spectrum of criminal offences and offenders.

MethodsRecruitment

Following access negotiation with necessary gatekeepers (Burgess, 1984; Hamersley & Atkinson, 1995) (specifically the restorative justice programme manager) ethical approval for this research was sought from The University of Chester's School of Law Research Ethics Committee. Approval was granted subject to the exclusion of those participants classified as 'especially vulnerable' in addition to those below the age of 17. All ethical requirements were adhered to, ensuring the confidentiality and anonymity of individuals' responses within any published material. All victims participating in a Restorative Justice Panel during the period under review were invited to participate in this assessment. Contact was initiated during the preparatory interview undertaken by the facilitator, where this research was explained, information sheets were provided and when willing, informed consent obtained from the individual. Following this introduction, the questionnaire was completed and consent to contact the individual following their Panel was obtained. 89.7% of those invited to participate in the research agreed to take part, with those refusals usually a result of other demands upon individuals time. Recruitment was based upon convenience sampling, constrained by a time-based sampling frame (A. Bryman, 2008; Gravetter & Forzano, 2006; Graziano & Raulin, 1993; May, 2003). It encompassed the entire range of possible of possible participants, in pursuit of an increased quality of generated data (Mays & Pope, 2000). Whilst incapable of providing representative samples, this approach provides an in-depth assessment of individuals experiences (Babbie, 2010; Berg, 2009; Corbin & Strauss, 2008).

Data collection

The nature of this research, with inductive reasoning, examining subjective interpretations or normative deliberations renders it appropriate for qualitative methodologies (Babbie, 2010; Berg, 2009; Corbin & Strauss, 2008). The research attempts to determine participants' attitudes and normative beliefs regarding aspects contributing to the success of the restorative programme and victim satisfaction appears appropriate for qualitative

methodology (Mays & Pope, 2000), due to its ability to capture complex meanings and experiences which quantitative research cannot uncover (Finlay, 2007; Oakley, 1997; Backman and Schutt 2007; Gubrium and Holstein, 1997). This predominantly inductive (Marshall & Rossman, 1999; Robson, 2002; Giddens, 1984; Layder, 1993; Lofland & Lofland, 1995; Miles & Huberman, 1994), exploratory approach, utilising an interpretist epistemology (Barlett & Payne, 1997) and constructionist ontology (Alasuutari et al., 2009; A. Bryman, 2008), justifies the studies use of qualitative research methods (N. K. Denzin & Lincoln, 2000; Backman & Schutt, 2007).

Sixty questionnaires were completed and thirty five interviews were conducted. These ranged in duration from twenty eight minutes to sixty seven minutes. The primary data collection instrument; semi-structured interviews, allowed for extended discussion of the research focus, led by the participant (Haralambos & Holborn, 1990; Somekh & Lewin, 2005). As stated above, initially questionnaires were used to establish 'harmed persons' perceptions and expectations of the Community Justice Panel. The questionnaire included a range of question styles including closed and open questions and the use of Likert scale responses (Babbie, 2010; Somekh & Lewin, 2005). The questionnaires covered demographic data including the offence which led to the Community Justice Panel, the extent to which they felt prepared for their Panel, what they desired from the experience and the appropriateness of the Restorative Justice Process for their case. The data generated through these questionnaires was used to inform the composition of interview schedules, allowing for iterative adaption throughout the course of the research (Lincoln & Guba, 1985; Stake, 1995).

Semi-structured interviews were conducted following the restorative meeting. Not all victims who completed a pre-process questionnaire were able or willing to participate in the interview stage, which resulted in fewer interviews being conducted than questionnaires completed. All interviews were audio recorded with the participants' consent. Recognising the potential for the location of the interviews to significantly influence participants responses, the research attempted to conduct all interviews at the same location, however, as the location of interviews is often outside the interviewer's control (Garrett, 1972; Noaks & Wincup, 2004) alternative arrangements were sometimes required. Throughout the interview open questions were used. The interview schedule included exploration of the victims' expectations and their satisfaction with the process, with further examination of the facilitator's role and police presence in addition to victim attitudes regarding the outcome of the restorative meeting.

Analysis

Data collection and subsequent analysis were guided by Strauss and Corbin's amended Grounded theory (Strauss & Corbin, 1990; Strauss & Corbin, 1998), accepting the latent impossibility of true and complete removal of the researcher from external influencing factors of pre-existing theories and rather, proposes an analytical framework encompassing previous theory whilst remaining grounded in the data generated. Following transcription of the interviews, line by line coding was utilised, providing a rigorous review of the data (Coffey & Atkinson, 1996) which the established emergent

themes within the data (Willing, 2001). As these emergent themes developed, axial coding was employed to develop relevant concepts and their interactions (Charmaz, 2007). Data analysis was undertaken alongside further data collection, allowing for new, previously unexplored concepts to be examined within subsequent interviews. This method of analysis was continued, with new interviews undertaken until data saturation was reached (A. Bryman, 2008; Strauss & Corbin, 1998; Tickner et al., 2010).

Six emerging categories which victims identified as important contributors to their perceptions of success and satisfaction with the restorative process are detailed below. Following the requirements of anonymity, each quotation within this report is allocated an identification code, indicating the source of the data and the interview number, whilst not revealing any data liable to allow the identification of the individual themselves.

Key findingsVictim satisfaction

Participant satisfaction, especially victim satisfaction, is often employed as a measure of success for restorative justice practices and is persistently high (Coates & Gehm, 1989; Marshall & Merry, 1990; Perry et al, 1987; Umbreit and Bradshaw, 2000). Existing as a victim centric philosophy (Braithwaite, 2002), it is submitted that the satisfaction of victim participants provides a key value indicating the success of the process. However, with past studies reliance upon quantitative measurement of satisfaction itself, the reasons for victim satisfaction remain relatively unexplored (Wemmers & Canuto, 2002). Whilst addressing victim satisfaction, through utilising qualitative methodology factors contributing to stakeholder satisfaction were identified and explored.

Victim satisfaction within this research reiterates the positive accounts recorded within past studies (Umbreit et al, 2006; Campbell et al, 2005; Wilcox & Hoyle, 2004). Multiple participants stated that they felt glad that they had agreed to take part in the practice:

I was glad I decided to take part, I was unconvinced at first but having seen it in action I'm glad I was here [IC007] and that they were satisfied with the process: I'm glad that I took part ... it gave me everything I needed ... it was really worthwhile. [IC017]

All participants repeatedly stated that they thought the process itself was of great benefit to them:

...I was more glad that I took part really than what I got at the end...I think that having the chance to ask them questions and see them for who they are is the best thing... [IC029]

With a significant majority expressing their satisfaction towards the final outcome:

...well I got what I was hoping for, the return of my money – that was the main thing really as I couldn't get it through the police. [IC012]

Whilst a limited number of participants (two) were less positive in their praise of the outcome of their restorative meeting this was specifically due to the inability of the offender to perform the tasks desired of them. It is worth noting however that whilst these two participants (ID codes IC001 and IC030) expressed some grievance with the final outcome, they both stated that their experience of the process was positive and beneficial and that they would use the restorative process again in the future if it were available, in addition to recommending that others take part when the opportunity arose:

I would definitely suggest the Panel to others in this situation ... it really is worthwhile, even if you do question it at the beginning like I did... [IC030]

Within victims satisfaction with the restorative process, individual aspects of the process were identified as being of particular importance in contributing to participants positive perceptions of the process and are discussed below.

The appropriateness of Restorative Justice Resolution

The extent to which the victims view restorative practices as an appropriate response to their case may demonstrate their acceptance of the process as a valuable and relevant experience. Within this study, an overwhelming majority of respondents stated that it was, with only one participant from sixty expressing some reservations over the appropriateness of the process. Similarly, only one of the sixty respondent stated that they would prefer a different resolution through the criminal justice process. When participants were asked about their specific desires of the restorative process, the most prevalent response related to expressions of apology and remorse by the 'wrongdoer' in addition to their ability to participate in a meaningful manner and express their opinions throughout the process, clearly aspects or desires which traditional criminal justice processes remains unable to accommodate, again reflected within previous research (Marshall, 1992; Coats & Gehm, 1989). However, the perceived appropriateness of restorative justice as a response to criminal offences recorded within this research raises one significant question regarding extant research, specifically the persistently low levels of victim engagement, typically recorded at between 40-60% (Umbreit, Vos and Coates 2006). If victims perceive restorative justice as a worthwhile and appropriate response to a criminal offence the reason for this low level of engagement remains unresolved.

Preparation of participants

Extant research repeatedly identifies the extent of preparation received by victims (and offenders) as being crucial to the success of restorative practices (Shapland et al, 2007; Marshall, 1996). Such preparation serves to educate participants regarding the process and alleviate their concerns, fears and misconceptions (Hoyle & Young, 2002). The restorative practice examined during this study undertakes an extensive preparatory stage. Prior to the restorative meeting, the facilitator conducts a preparatory interview with both victim and offender. During this meeting, the restorative process is explained in detail, the offence is discussed and the script utilised during the restorative meeting itself is read. Participants are encouraged to ask questions regarding the process, what it entails, what is required of them and what can be asked of the offender.

Following the preparatory interview, participants were asked to indicate on a five interval scale the extent to which they felt prepared for their forthcoming Panel. A significant majority (38 of 60 participants) indicated that they felt either 'fully prepared' or 'very well prepared'. A further sixteen participants stated that they felt 'well prepared' for their Panel. Only six of the sixty respondents indicated that they felt either 'partly prepared' or 'not prepared' for their Panel. When explored further these perceptions of limited preparation held by six participants related directly to the unknown quality of the process and concerns over the unknown behaviour of the other party during the meeting. Such concerns could possibly be relieved through greater, more effective preparation. The significance of this preparation or perception of preparation is demonstrated through victim's subsequent comments during the post-process interviews, with one victim stating:-

The meeting went well...I knew what to expect and was well prepared for it...nothing caught me off guard. [IC024]

And similarly:

I felt really prepared for the meeting...and that helped a lot because I knew what would happen and what I needed to do when I was in there... [IC016]

It would appear that a preparatory stage undertaken prior to the restorative process itself is perceived by victims as being an important aspect in the delivery of effective restorative justice practices, reinforcing past assertions within extant literature (Marshall, 1988; Umbreit, 1998; Umbreit, Coats and Vos, 2003). Indeed, some studies within extant literature place greater importance upon participant preparation that the restorative meeting itself (Umbreit and Stacey, 1996).

Perception of involvement

Thirty two respondents identified their own role within the restorative process as a significant factor in their perceptions of satisfaction. Participants stated that their involvement in the restorative practice allowed them to feel in control, well informed and empowered as a relevant party when decisions were being made regarding their case:

...knowing the timing of the Panel, from its referral through to the Panel itself was really good, and the contact with the Panel staff keeps you informed about your case and that they're are actually working on it...which is good. [ICO24]

This contrasts directly with a common criticism of the criminal justice system that it operates to the exclusion of victims (Englebrecht, 2011; McCold, 2000), whilst appearing to support those arguments in favour of Service Rights for victims (Ashworth, 2002). Victims appear to greatly value a process which takes account of their views, addresses their needs and provides some degree of input of a level equating to a victim impact statement (Erez & Roberts, 1999). When discussing their involvement victims related to

those aspects at the apparent exclusion of controlling the process or occupying a position of power regarding the offender and their outcome.

Specifically, participants identified the ability of the restorative process to respond to their needs and to address them directly as important participants, contributing to their feelings of satisfaction with the process and the belief that it is a beneficial experience:

...being involved is reassuring, they really do listen to you and you can see that during the Panel too, if there is something that is really important to you it can be brought up and dealt with...often you're told there's nothing that can be done about that [in the courts] but here there is that real effort to help... [IC003]

This perception of being involved in decisions which affect the outcome of the case and the extent to which the facilitator and other members of the Community Justice Panel listen and respond to their views was repeatedly identified as one of the benefits of the process and a significant factor when recommending the process to others:

The way the facilitator listens during the meetings and makes sure that you get anything that you may need, answering your questions does make a big difference, you feel like they are actually listening and trying to help you....
[ICO23]

Only one participant felt negatively about the extent to which the facilitator listened to their views and incorporated them into the Panel. However, this related to a desired outcome with particularly onerous demands which the offender would be incapable of fulfilling. These over onerous demands, emanating from an erroneous understanding of restorative outcomes, appear to justify the facilitator's efforts to diffuse the participant's desires and not pursue them within the Panel itself.

Appreciation of offender interaction

A crucial factor in participants' expression of satisfaction with the Community Justice Panel process is the opportunity it provides to interact with the individual responsible for the harm leading to the Panel. This interaction during the panel is described as being an important aspect of the process and one which victims see as being beneficial. Significantly thirty two of those interviewed identified the opportunities afforded to interact with the offender:

...it was almost more important to hear how it happened and that we weren't being picked for any reason, that was good for peace of mind... [IC017]

Specifically, the opportunity provided by the Community Justice Panel to ask the offender questions was described as very beneficial:

Really I'd have to say the chance to see them [offender] and realise they're just some young kid... that was probably the best part of the process. Being able to ask them questions too, like why they did it and how they got in...that was the real good part of the Panel... [IC012]

This again reflects those findings of extant research demonstrating victims' appreciation of the interaction offered through restorative justice (Umbreit, 2001).

Additionally, as stated within past research (Hoyle & Young, 2002) the opportunity for victims to receive some explanation regarding the offence or their misconceptions over being specifically targeted were identified as an important aspect of the process which victims saw as being beneficial:

...just seeing them [offender] was worth it really, to know that they aren't this career criminal or thug and that really it was just a mistake...that was a real benefit of the Panel...you don't get other chances to sit opposite them [offender] and getting an explanation of the offence and why they did it... [IC009]

The perceived importance of this interaction is reflected in twenty nine participants stating that the potential interaction was a significant factor of their motivation when engaging with the Community Justice Panel.

Role of police

Most participants (thirty two) explicitly identified the police presence during the Community Justice Panel as being of great importance to their experience. Several participants identified the police presence as being the most important feature of the process:

I think it was good that there was a clear police presence... I don't think that it would have worked as well without the police there... and I don't think I would have taken part... [IC014]

This emphasis upon the presence of the police is surprising as much literature exists regarding movement away from formal criminal justice processes represented by the use of restorative practices (McCold, 2000; Walgrave, 2000, 2007; Boyes-Watson, 2000). Victims' desire for a police presence appears to contradict the core argument of Purist restorative theorists who assert that such practices should exist independently to prevent contamination from prevailing criminal justice system (McCold, 2000; Walgrave, 2000).

Furthermore, when examining the motivating factors of engagement, numerous participants described the police presence as a crucial consideration when deciding whether to take part in the Panel:

...yes it's important that the Policeman was there ... I mean it gives the whole process more authority, I'm not sure I would have participated in the Panel if I had known that there would not be a PC present... [IC005]

Additionally, it would appear that there exist clear cost benefits of police involvement through attending but not conducting the Panel itself. Whilst not conducting the Panels or undertaking the preparatory interviews, which can require an extensive investment of time, their presence during Panels is clearly seen as important by victims and potentially contributes to positive perceptions towards the police more generally:

I thought it was good having a policeman there, it's always good to listen to what they think and to see them taking time out of their normal duties to help people like us...it makes you glad that they are there... [ICO29]

Similar benefits to the police from restorative justice practices are discussed in a recent article by Doak and O'Mahony (2011).

Surprisingly, when asked about the role of the police, whilst maintaining that their presence within each Panel remains important, many participants stated that they believed that having an independent facilitator was preferable. This supports the existing constitution of the Community Justice Panels and the use of a (trained) lay member as the facilitator who conducts the preparatory meetings and the Panel itself with an additional police presence during the Panel. This appears to be an appropriate method for the delivery of restorative practices to victims of crime:

I don't think that it would be better to have the Police as the facilitator, I think it's better this way really, to have the Panel as an independent thing, without those misconceptions some have over the police but with some presence to show that the Police are interested in it, but yea it's better to have the Panel and the prep done by the facilitator. [IC018]

The desire for non-police facilitation however appears to support a more purist based philosophy for restorative justice implementation (McCold, 2000; Walgrave, 2000, 2007; Boyes-Watson, 2000). However, in conjunction with the explicit desire for a police presence it would suggest that a modified middle ground implementation would be more commensurate with victim values.

Final outcome of the panel

Throughout the interviews, participants discussed the ability of the restorative process to fulfil desires which the traditional Criminal Justice Process could not, a feature often discussed in literature (Zehr, 2005; Braithwaite, 2001; Christie, 1977; Leonard & Kenny,

Factors Contributing to Victims' Satisfaction with Restorative Justice Practice: A Qualitative Examination

2010). Victims often stated that their desire for recovering stolen property or direct replacement of damaged goods was satisfied through the outcomes decided within their Community Justice Panels:

I wanted to have it [property] returned, they [offender] took it and I wanted it back ... and thankfully I had it returned...that wouldn't have been as easy because of this case if I had gone down the normal [traditional] route... [IC008]

The ability to provide such outcomes was repeatedly identified as being beneficial and an important aspect of the process. This appears to form the basis for many participants stating that they would recommend the Community Justice Panel to their friends:

Yes I would definitely tell others to consider this [the Community Justice Panel] if it were an option for them, the chance to have an explanation and to receive a remorseful apology are really important... [IC026]

This clearly identifies the ability of the Community Justice Panel to deliver outcomes which the traditional Criminal Justice Process cannot as being a significant benefit to victims and provides motivation for their participation. However this again raises questions regarding the low levels of victim engagement in past restorative justice studies (Umbreit and Coates 2006; Hoyle, 2002; Davies, 1992).

Indeed, even in those cases where the Panel was unable to deliver the outcome desired by the victim, they continue to describe their experience as beneficial and state that they would continue to recommend the process to others. Despite the inability to deliver the specific desired outcome, participants stated that the process itself was worthwhile:

...even without them being able to repay for the cost of the repair ... it was still worth taking part because of all those other parts ... like seeing them [offender] for who they really are, understanding their problems and getting some reassurance that it won't happen again and that you can move on and forget about it... [IC005]

Furthermore, the advantages of discussing the offence with the offender, being able to ask for an explanation, or receiving reassurance from the offender regarding future offences appear to be of greater importance to victims than the final outcome itself. This reflects comments throughout restorative justice literature that the process itself is of greater importance than the final outcome (Braithwaite, 2003; Shapland et al 2006). This is demonstrated in participant responses when asked to identify the most important aspect of the process:

...the whole experience really, once you get in there the outcome that you wanted all the time becomes less important as you realise how good the process is on its own, being able to see the person [offender], ask them

questions, hear their explanations ... their apology ... it lets you move on and get past the impact the offence had... [IC029]

Limitations of this study

Due to the limited number of previous studies, semi-structured interviews were appropriate for the objectives of this study. However, it is not without limitations in respect of sample size and its consequences regarding representativeness and the ability to generalise its findings. However, such limitations are acceptable due to the self-selecting nature of this voluntary restorative justice programme, the Community Justice Panel. Additionally, through utilising qualitative methodology the objectives of this study were to provide a detailed insight into the perceptions of those within the sample frame, rather than to provide data which can be extrapolated to the general population (Sandelowski, 2001; Silverman, 1993; Pope et al, 2005). Despite attempts to explore the potential reasons for lack of participation by victims it was not possible to secure the engagement of those non-participants, primarily due to a lack of inclination to take part in this research.

Conclusion

The initial analysis contained within this report suggests that victims' experiences of restorative practices remain positive, reiterating assertions contained within existing theory and practice literature. However, the nature of this qualitative study identified some contributory factors which appeared to contribute significantly to victims beneficial experiences. It is suggested therefore that the extent to which victim experience of restorative justice can be fully understood through qualitative investigation and not exclusive reliance upon quantitative assessment utilising output measurements or service delivery criteria (Brookes, 2000). Victim satisfaction and positive experiences are predicated upon a range of factors, of which only a few are identified throughout this research and it is suggested that future assessment of victim satisfaction should proceed through qualitative exploration to identify and establish additional factors contributing to such satisfaction in a similar manner to limited extant literature (Bradshaw & Umbreit, 1998; Umbreit & Bradshaw, 2001).

References

Armour, M. and Umbreit, M. (2006) 'Victims Forgiveness in restorative justice dialogue', *Victims & Offenders* 1 (2): 123-140.

Ashworth, A. (2002) 'Responsibilities, Rights and Restorative Justice', *British Journal of Criminology* 42: 578-595.

Babbie, E. (2010) The Practice of Social Research. Belmont, CA: Wadsworth.

Backman, R., and Schutt, R. (2007) *The Practice of Research in Criminology and Criminal Justice*. London: Sage.

Bazemore, G. and Green, D. (2007). "Yardsticks" for Victim Sensitive Process: Principle-Based Standards for Gauging the Integrity of Restorative Justice Process', *Victims and Offenders* 2 (3): 289-301.

Beck, E., Britto, S., and Andrews, A. (2007) *In The Shadow of Death, Restorative Justice and Death Row Families*. Oxford: Oxford University Press.

- Becker, H. S. (1996) *The epistemology of qualitative research*. Chicago, IL: University of Chicago Press.
- Bergseth, K., and Bouffard, J. (2007) 'The long term impact of restorative justice programming for juvenile offenders', *Journal of Criminal Justice* 35: 433-451.
- Bottoms, A. (2000) 'Relationship between theory and research in criminology', in R. King and E. Wincup (eds.) *Doing Research on Crime and Justice*. Oxford: Oxford University Press: PAGES.
- Boyes-Watson, C. (2000). 'Reflections on the Purist and Maximalist Models of Restorative Justice', *Contemporary Justice Review* 3(4): 441-450.
- Bradshaw, W., and Umbreit, M. (1998) 'Crime Victims Meet Juvenile Offenders: Contributing Factors to Victim Satisfaction with Mediated Dialogue', *Juvenile and Family Court Journal* 49: 17-25.
- Braithwaite, J. (1999) 'Restorative Justice: Assessing Optimistic and Pessimistic Accounts', *Crime and Justice* 25: 1-127.
- Braithwaite, J. (2001) *Restorative Justice and Responsive Regulation*. Oxford: Oxford University Press.
- Braithwaite, J. (2003) 'Principles of Restorative Justice', in A. Von Hirsch, J. Roberts, A.E. Bottoms, K. Roach and M. Schiff (eds.) *Restorative Justice and Criminal Justice:*Competing or Reconcilable Paradigms?. Oxford: Hart Publishing: 1-20.
- Brookes, D. (2000). *Evaluating Restorative Justice Programs*. Paper presented at the United Nations Crime Congress, Ancillary Meeting on Implementing Restorative Justice in the International Context. Vienna, Austria, 10-17 April.
- Campbell C., Devlin R., O'Mahony D., Doak J., Jackson J., Corrigan T., McEvoy K. (2006) Evaluation of the Northern Ireland Youth Conferencing Service. NIO Research and Statistical Series Report No. 12. Belfast: NIO, available online at www.nio.gov.uk/evaluation_of_the_northern_ireland_youth_conference_service.pdf.
- Charmaz, K. (2007) Constructing Grounded Theory: A Practical Guide through Qualitative Analysis. London: Sage.
- Christie, N. (1977) 'Conflicts as Property', British Journal of Criminology 17 (1): 1-15.
- Coates, R., and Gehm, J. (1989) 'Victim Meets Offender: An Empirical Assessment', in M. Wright and B. Galaway (eds.) *Mediation and Criminal Justice*. London: Sage: PAGES
- Crawford, A (2000) 'Salient Themes towards a Victim Perspective and the Limitations of Restorative Justice: Some Concluding Comments', in A. Crawford, and J. Goode, (eds.) *Integrating a Victim Perspective within Criminal Justice*. Aldershot: Ashgate Publishing.
- Denzin, N. (2009). *The Research Act: A Theoretical Introduction to Sociological Methods.* London: Aldine Transaction.
- Doak, J., and O'Mahony, D. (2011) 'In search of legitimacy: restorative youth conferencing in Northern Ireland', *Legal Studies* 31 (2): 175-196.
- Dussich, J. and Schellenberg, J. (eds.) (2010), *The Promise of Restorative Justice: New Approaches for Criminal Justice and Beyond*. Boulder, CA: Lynne Rienner Publishers Inc.
- Erez, E., and Rogers, L. (1999) 'Victim impact statements and sentencing outcomes and processes. The perspectives of legal professionals', *British Journal of Criminology* 39 (2): 216-239.
- Englebrecht, C. (2011) 'The struggle for "ownership of conflict": An exploration of victim participation and voice in the criminal justice system', *Criminal Justice Review* 36 (2):129-151.

- Giddens, A. (1984) The Constitution of Society. Cambridge: Polity Press.
- Gubrium, J., and Holstein, J. (1997) *The New Language of Qualitative Method*. Oxford: Oxford University Press.
- Hayes, H. Prenzler, T. & Wortley, R. (1998) *Making Amends: Final Evaluation of the Queensland Community Conferencing Pilot*. Brisbane: Queensland Department of Justice
- Hayes, H. (2005) 'Assessing Re-offending in Restorative Justice Conferences', *Australian and New Zealand Journal of Criminology* 38(1): 77-101.
- Hoyle, C. and Young, R. (2002) 'Restorative Justice: Assessing the Prospects and Pitfalls' in M. McConville, and G. Wilson, (eds.) *The Handbook of the Criminal Justice Process*Oxford: Oxford University Press.
- Hoyle, C., and Young, R. (2002) New Visions of Crime Victims, Oxford: Hart Publishing.
- Hoyle, C., Young, R., and Hill, R. (2002) *Proceed with Caution: An Evaluation of the Thames Valley Police Initiative in Restorative Cautioning*. York: Joseph Rowntree Foundation.
- Jupp, V. (2001). 'Triangulation'. In E. McLoughlin & J. Muncie (eds.), *Sage dictionary of Criminology*. London: Sage.
- Kvale, S. (1996) *The social construction of validity In Interviews: An introduction to qualitative research interviewing*. Thousand Oaks: Sage.
- Layder, D. (1993) New Strategies in social research. Cambridge: Polity Press.
- Leidner, R. (1993) *Fast food, fast talk: service work and the routinization of everyday life.*Los Angeles: University of California Press.
- Leonard, L., and Kenny, P. (2010) 'Measuring the effectiveness of Restorative Justice Practices in the Republic of Ireland Through a Meta-Analysis of Functionalist Exchange', *The Prison Journal*, 91 (1): 57-80.
- Lincoln, S. and Guba, E. (1985) Naturalistic Inquiry. London: Sage.
- Lofland, J. and Lofland, L. (1995) Analysing Social Settings. Belmont: Wadsworth.
- Marshall, C. and Rossman, G. (1999) Designing Qualitative Research, Thousand Oaks: Sage.
- Marshall, T. (1996) 'The evolution of restorative justice in Britain', *European Journal on Criminal Policy and Research* 4(4): 21-43.
- Marshall, T. (1988) 'Informal Justice: The British Experience', in R. Matthews (ed.) *Informal Justice?* London: Sage.
- Marshall, T. (1999) *Restorative Justice: An Overview*. London: Home Office Research Development and Statistics Directorate.
- McCold, P. (2000) 'Toward a Holistic Vision of Restorative Juvenile Justice: A Reply to the Maximalist Model', *Contemporary Justice Review*, 3: 357-414.
- McCold, P. (2000) 'Toward a holistic vision of restorative juvenile justice: a reply to the maximalist model', *Contemporary Justice Review*, 3: 357-414.
- Miles, M. and Huberman, A. (1994) *Qualitative Data Analysis: An Expanded Sourcebook*. London: Sage.
- Morris, A., and Maxwell, A., (2003) *Restorative Justice for Juveniles: Conferencing, Mediation and Circles*. Oxford: Hart Publishing.
- Nugent, W., Umbreit, M., Wiinamaki, L., & Paddock, J., (2001) 'Participation in Victim-Offender Mediation and Reoffense: Successful Replications?', *Research on Social Work Practice* 11 (1): 5-23.
- Oakley, A. (1997) 'Foreword', in V. Hey (ed.) *The Company She Keeps: An ethnography of qirls' friendships*. Buckingham: Open University Press: vii-ix.

- Oakley, A. (2004) 'Interviewing Women: A contradiction in terms', in C. Seale (Ed.), *Social Research Methods: A reader*. London: Routledge.
- Pope, C., Ziebland, S., & Mays, N. (2005) 'Analysing Qualitative Data', *British Medical Journal*, 320: 114-116.
- Robson, C. (2002) Real World Research. Oxford: Blackwell.
- Rossi, R. (2008) 'Meet Me on Death-Row: Post-Sentence Victim-Offender Mediation in Capital Cases', *Pepperdine Dispute Resolution Law Journal*. 9(10): 185-210.
- Sandelowski, M. (2001) Real qualitative researchers do not count: the use of numbers in qualitative research. Researching in Nursing and Health, 24, 230-240.
- Shapland, J., Atkinson, A., Atkinson, H., Colledge, E., Dignan, J., Howes, M., Johnstone, J., Robinson, G., and Sorsby, A. (2006) 'Situating Restorative Justice within Criminal Justice' *Theoretical Criminology*, 10: 505-532.
- Shapland, J., Atkinson, A., Atkinson, H., Chapman, B., Colledge, E., Dignan, J., Howes, M., Johnstone, J., Robinson, G., and Sorsby, A. (2007) *Restorative Justice: the views of victims and offenders the third report from the evaluation of three schemes.* London: Ministry of Justice. Available online at: http://www.justice.gov.uk/docs/Restorative-Justice.pdf
- Sherman, L., and Strang, H. (2007) *Restorative Justice: the evidence*. London: The Smith Institute.
- Silverman, D. (1993) *Interpreting Qualitative Data: Methods for Analysing Qualitative Data*. London: Sage.
- Somekh, B., & Lewin, C. (2005) Research Methods in the Social Sciences. London: Sage.
- Stake, R. (1995) The Art of Case Study Research. Thousand Oaks: Sage.
- Strauss, A., & Corbin, J. (1990) *Basics of Qualitative Research: Grounded Theory Procedures and Techniques*. Newbury Park: Sage.
- Strauss, A., & Corbin, J. (1998) *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory*. Thousand Oaks: Sage.
- Sudipto R. (1993) 'Victim meets offender: A comparative study of Juveniles and Adults in a Midwestern County', *Journal of Contemporary Criminal Justice* 9 (2): 117-133.
- Umbreit, M. (1994) *Victim Meets Offender, The Impact of Restorative Justice and Mediation*, Monsey: Willow Tree Press.
- Umbreit, M. (2001) *The Handbook of Victim Offender Mediation; An Essential Guide to Practice and Research*. San Francisco: Jossey-Bass Inc. Publishers.
- Umbreit, M., and Bradshaw, W. (1997) 'Victim Experience of Meeting Adult vs. Juvenile Offenders: A Cross-National Comparison', *Federal Probation* 61 (4): 33-39.
- Umbreit, M., and Stacey, S., (1996). 'Family Group Conferencing Comes to the U.S.: A Comparison with Victim Offender Mediation', *Juvenile and Family Court Journal* 47(2): 29-38.
- Umbreit, M. (1998) 'Restorative Justice Through Victim-Offender Mediation: A Multi-Site Assessment.' Western Criminology Review 1(1). Retrieved October 04, 2011, from http://wcr.sonoma.edu/v1n1/umbreit.html
- Umbreit, M., and Coats, R. (1992) *Victim Offender Mediation: an analysis of programs in four states of the US*, Minneapolis: Minnesota Citizens Council on Crime and Justice.
- Umbreit, M., Coates, R., & Vos, B. (2002). 'Restorative justice circles'. *American Probation and Parole Association*, Winter, 36-40.

- Umbreit, M., Coates, R., & Roberts, A. (1997) 'Cross-national impact of Restorative Justice through mediation and dialogue', *ICCA Journal on Community Corrections* 8 (2): 46–50.
- Umbreit, M., (1993) 'Juvenile Offenders meet their Victims. The impact of mediation in Albuquerque, New Mexico', *Family and Conciliation Courts Review*, 31 (1): 90-100.
- Vos, B., Umbreit, M., and Coates, R. (2006) 'Victim offender mediation: An evolving evidence-based practice' in D. Sullivan and L. (eds.) *Handbook of Restorative Justice A Global Perspective*. London: Routledge: 52-61.
- Walgrave, L. (2000) 'How Pure can a Maximalist Approach to Restorative Justice Remain? Or Can a Purist Model of Restorative Justice Become Maximalist?', *Contemporary Justice Review* 3: 415-432.
- Walgrave, L. (2007) 'Integrating Criminal Justice and Restorative Justice', in G. Johnstone, & D. Van Ness (eds.) *Handbook of Restorative Justice*. Portland: Willan Publishing: 559-579.
- Walgrave, L. (2008) *Restorative Justice, Self-interest and Responsible Citizenship*, Cullompton: Willan Publishing.
- Wemmers, J., and Canuto, M. (2002) 'Victims' experiences with, expectations and perceptions of restorative justice: a critical review of the literature', International Centre for Comparative Criminology, University de Montreal, Policy Centre for Victim Issues.
- Willing, C. (2001) *Introducing Qualitative Research in Psychology: Adventures in Theory and Method*. Buckingham: Open University Press.
- Wilcox, A., and Hoyle, C. (2004). *The national evaluation of the Youth Justice Board's restorative justice projects*. London: Youth Justice Board for England and Wales.
- Zedner, L. (1994) 'Reparation and Retribution: Are They Reconcilable?', *The Modern Law Review*, 57 (2): 228-250.
- Zehr, H. (2005) Changing Lenses. Scottdale: Herald press.