



Restorative Justice Consortium

The Positive Effect of
Restorative Justice on
Re-offending

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There have been numerous studies carried out across the globe focusing on the relationship between Restorative Justice and re-offending. Key findings from over 45 studies are highlighted in chronological order in this report.

We acknowledge that research in this area can be somewhat mixed. Of the studies identified, seven had some mixed results (where this occurred, the mixed findings are noted), two had neutral results and three were found to have negative results.

This report does not address the many other benefits of RJ, e.g. addressing victims' needs, creating supportive communities and holding offenders accountable.

Issues Arising

In conducting this research, several difficulties with the existing array of research with both positive and negative results, were noted.

1. There is no way to ensure that the studies/practice being examined are using 'good practice'. RJ can be very difficult to measure as it encompasses a vast array of practices.
2. Research is not always as thorough or rigorous as it might be when you look at research designs, what has been measured, and how and what assumptions are made.
3. The variables being examined (e.g. court vs. RJ conference) can sometimes seem incompatible. For example, in the RISE project (Sherman et al., 2000), an increase in re-offending was noted for drink driving. The authors note that this may be partly due to the fact that drivers' licences are suspended in court cases while restorative justice conferences do not have the power to do this. Also, in drink-driving cases there is often no individual victim. This can make a restorative process difficult to achieve. If these variables are not taken into consideration then it is possible that wrong conclusions could be drawn.
4. There is disagreement over how recidivist events should be counted and when follow-up periods should begin and end. These variables can influence how study findings should be interpreted (Hayes, 2005). For example, Morris and Maxwell (2001) note that reconviction is only a partial measure of re-offending as some will have re-offended and not been detected and others may have been detected but will not have been charged or convicted of an offence. Some studies (Morris and Maxwell, 2001; Hoyle, 2002) have incorporated self-report data on offending to try to complement the reconviction data. This point applies to most research on re-offending, not just with regard to RJ.
5. Many studies focus on small groups of offenders and brief follow-up periods. As Luke and Lind (2002) note, if studies examine short follow-up periods and a small number of cases, it is difficult to identify any effect of RJ on re-offending rates if the effect is small. Only when these authors studied the large sample and long follow-up period did the reduced rates of re-offending become clear. Their finding that conferences reduce re-offending by 15 to 20 per cent was not found in their re-analysis of their data using a shorter follow-up period and a smaller sample. However, many of the projects/studies examined, although proven successful, are no longer in operation and so lengthier follow-up periods and larger samples are not available for study.

The belief is widely held across the world that RJ, when carried out properly, does have a positive effect on re-offending. Once it is established what 'good practice' looks like and which programs are using good practice further research should be carried out. Only then will we be able to see all the benefits of a restorative process.

In this report, a summary is presented of each of the studies examined, including key results.

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Study: New Zealand Court-Referred Restorative Justice Pilot: Evaluation Crime and Justice Research Centre
Author: Triggs
Date/Country: 2005/New Zealand
Summary: Over two - thirds of the offenders were not reconvicted within 12 months of their court-referred restorative justice conference. The actual reconviction rate of the conferenced offenders (32 per cent) was significantly lower than the average rate for the ten matched comparison groups (36 per cent).

Offenders with the following characteristics who attended a conference had significantly lower actual reconviction rates relative to the same types of offenders from the comparison groups:

- violent offenders;
- traffic offenders (driving causing death or injury);
- theft/other offenders (i.e. all offenders other than fraud and burglary offenders);
- offenders with one or two previous proved cases;
- males;
- offenders aged 25 to 29 years or 30 to 39 years;
- and, medium and high-risk offenders (i.e. offenders with predicted reconviction rate of 25 per cent or more).

Study: Mediating Criminal Domestic Violence Cases: How much is too much violence? A study of the Carolina Dispute Settlement Services
Author: Bryant, Seigle, Jabbar & McGeorge
Date/Country: 2005/US
Summary: The authors examined existing records held by the district court clerk and Carolina Dispute Settlement Services. A comparison of the number of couples whose cases were resolved by mediation and adjudication that later came to the attention of the court for repeated acts of domestic violence in the two year period following the settlement of their initial case.

The study examined 100 cases sent to court and 100 sent to mediation. Results of the study found that for defendants without previous criminal convictions, the fraction of court cases that are re-charged (6/16) is clearly different from the fraction of mediated cases that are re-charged (2/55) to an extent that cannot be explained by random variation (p-value = 0.0025). The difference between court and mediation for defendants with previous criminal convictions is too large to be easily explained by random variation.

Although cases were not assigned to mediation on a random basis, it appears from the study that mediation had a significant effect in reducing repeat offences. The effect was greatest when the defendant did not have any previous convictions and the parties lived together. Even where cases a defendant had previous convictions, the data shows mediation has an effect on reducing recidivism. The seriousness of the assaults is not known and it may well be that the courts have a higher levels of violence. Although, one of the mediated cases had an assault with a deadly weapon charge so this may not necessarily be so.

Study: Evaluating conferencing for serious Juvenile Offenders
Author: Vanfraechem
Date/Country: 2005/Belgium
Summary: This study was of a conferencing project in Belgium for juvenile offenders who had committed either a serious offence or a series of crimes. The New Zealand model of conferencing was used in the project.

The recidivism of the juveniles was assessed through examination of court files six

to eighteen months after either the referral to the conference or the actual conference. There was no control group in this study.

78 per cent of the juveniles who took part in the conference had no new crimes recorded in the judicial files compared to 22 per cent who were not involved in conferences.

It is also worth noting that most of the juveniles involved in conferences who did re-offend did not commit crimes for several months and, when they did, the crimes were of a less serious nature than the crime(s) for which they were referred to a conference.

Study: Assessing Re-offending in Restorative Justice Conferences
[Report includes a reanalysis of McCold and Wachtel's 1998 Bethlehem Restorative Justice Policing Experiment (which is itself discussed later in this report)]
Author: Hayes
Date/Country: 2005/US
Summary: Re-analysing the data from McCold and Wachtel's 1998 study, significant differences did emerge for violent offenders. Approximately 36 per cent of violent offenders in court re-offended, compared to only 10 per cent of violent offenders in conference. Hayes notes that this may suggest that violent offenders in conferences may be more responsive to a restorative intervention than violent offenders who are adjudicated normally. There was no statistically significant effect on re-offending for property offenders.

Study: Conferencing and Re-offending in Queensland
Author: Hayes & Daly
Date/Country: 2004/Australia
Summary: Data was gathered from conference case files and offending history records for 200 young offenders who were conferenced in southeast Queensland from April 1997 to May 1999 to assess the impact of offender characteristics and conference features on future offending behaviour. After three to five years following their conference, 56 per cent of the young offenders in the sample went on to commit one or more offences.

When a conference is the first intervention for the youngest group of offenders (i.e. offenders who are 10–12 years old at their conference and who have no prior offences), re-offending is less likely compared to the youngest offenders whose first intervention is a criminal justice intervention other than a conference (i.e., caution or court).

The authors conclude that while there remains uncertainty about how conference features are related to re-offending, what offenders bring to their conference is highly predictive of what they do.

Study: An Evaluation of the impact of restorative cautioning: findings from a reconviction study
Author: Wilcox, Young & Hoyle
Date/Country: 2004/UK
Summary: This study compared Restorative Cautions by Thames Valley Police with traditional cautions in Sussex and Warwickshire. It found that there was insufficient evidence to suggest that restorative cautioning was more effective than traditional cautioning in terms of reducing re-sanctioning rates. There was also no evidence that restorative cautioning had increased re-sanctioning rates. Re-sanctioning rates declined substantially in all three forces between 1998 and 2001, with Thames Valley having the lowest rates for all three years. When

looking at each year separately, Thames Valley had significantly lower rates than Sussex for all three years, and significantly lower rates than Warwickshire for the first two years, but not the third year. When re-sanctioning rates for the three different types of caution within Thames Valley were compared, caution type was not a statistically significant predictor of re-sanctioning.

RJC Comment: This ambitious study has been criticised as having been set up with a research methodology that would not be capable of differentiating between the causes of different re-offending rates, hence it is not evidence one way or the other on re-offending. Speaking at the RJC Conference on 16 March 2005, Baroness Scotland, Minister of State, Home Office said: "The TVP re-sanctioning study and the way it was reported was inaccurate and unhelpful. People should not be discouraged by that report. There were real issues about the research and media reports."

Study: Participation in Victim-Offender Mediation and the Prevalence and Severity of Subsequent Delinquent Behaviour: A Meta-analysis.
Author: Nugent, Williams, & Umbreit
Date/Country: 2003/US
Summary: A 2003 meta-analysis in the US expanded the database from a meta-analysis in 2001 (Nugent, Umbreit, Wiinamaki, and Paddock, 2001). This subsequent study included 14 studies and 9,037 juveniles. The VOM youth had a recidivism rate that was 26 per cent lower than the non-VOM youth. It was also noted that when the VOM youth did re-offend, they committed less serious offences than their counterparts.

Study: Youth Justice Conferencing and Re-offending (SAJJ)
Author: Hayes & Daly
Date/Country: 2003/Australia
Summary: This study in South Australia analysed data from the South Australia Juvenile Justice (SAJJ) project to examine how different features of family conferencing as well as offender characteristics relate to re-offending behaviour.

This study had a sample size of 89 and a follow-up period of 8-12 months. It looked within the conferenced group only. It draws from conference observations and official police data to explore the relative importance of conference dynamics and offender characteristics in predicting future offending. There was no comparison with a control group in non-restorative programs. The post-conference results showed that 60 per cent of sample had no official contact with police, 17 per cent had one contact, and 23 per cent had two or more contacts.

The authors found two restorative aspects of conferences remained significantly related to reduced recidivism. These are if the young person expressed remorse in the conference (re-offending 1/3 as likely) and if the agreement was reached by genuine consensus (re-offending 1/4 as likely).

Study: Proceed with Caution: An Evaluation of the Thames Valley Police initiative in Restorative Cautioning
Author: Hoyle, Young & Hill
Date/Country: 2002/UK
Summary: This study examined restorative cautioning whereby police cautions are delivered during a restorative conference. It compared self-reported offending in the twelve months prior to the caution with that in the twelve months after. Around 25 per cent of offenders either desisted from crime or reduced their offending at least in part because of the restorative caution (based on observation of 56 cautions and

conferences involving 67 offenders, and interviews with participants). 'Compared with a study of the effectiveness of traditional cautioning, this suggests that restorative cautioning halved the likelihood of re-sanctioning within a year.'

RJC Comment: It is noted that that only one third of cases involved direct face-to-face engagement with victims, whilst in the remaining cases victim views were obtained and fed into the meeting, which was held according to restorative principles.

Study: Reducing Juvenile Crime: Conferencing versus Court
Author: Luke & Lind
Date/Country: 2002/Australia
Summary: This was a retrospective analysis in Australia of several thousand first offenders (i.e., those with no prior proven court appearance) who went to either conference or court. Luke and Lind compared post-intervention offending.

The time period of follow-up is 27-39 months. The study sample consisted of 590 young people who went to conference in 1998; 5,516 young people who appeared in court the year before conferencing became an option (1997); and 3,830 who appeared to court in 1998.

The results indicated that conferencing produces a reduction of up to 15 to 20 per cent in re-offending across different offence types and regardless of the gender, criminal history, age and aboriginality of offenders.

Study: Essex Family Group Conference – Young People who offend project
Author: Judge et al
Date/Country: 2002/UK
Summary: The authors collected qualitative and quantitative data from 30 family group conferences, convened to address offences committed by young people considered to be in the top 20 per cent receiving services from YOTs, with regard to seriousness of offending. Re-offending rates were 31.6 per cent for the year one sample (2000) and 7.1 per cent for year two (2001). This was measured at least three, and up to seventeen months after the conference.

Study: Conferencing: A New Approach for Juvenile Justice in Honolulu
Author: Walker
Date/Country: 2002/US
Summary: This report describes a study of conferencing in Honolulu that follows the RealJustice scripted process. The sample included 102 first-time juvenile offenders who participated in 85 conferences. Recidivism was defined to be the re-arrest rates six months after the conference. The overall re-arrest rate for conferenced youths was no different than for all youths in Honolulu. However, juveniles who were arrested for nonviolent offenses did not escalate to arrests for violent crimes, while similar juveniles who participated in traditional programs had a significantly higher arrest rate for subsequent violent crimes.

Study: Deschutes County Delinquent Youth Demonstration Project
Author: Bradbury
Date/Country: 2002/US
Summary: This study examined a juvenile restorative justice initiative. The report compares a two-year cohort of program youth with similar youth from the state custody program. One-year recidivism rates were virtually equal [59% vs. 53%]. State funds that would have been spent on incarceration of referred youth were used by Deschutes County (Oregon) to provide alternative services, including some incarceration locally as well as restorative programmes. The author concludes that neither

programme is clearly superior because in spite of the positive differences for the Deschutes county programme, the youth spent more days in the community and so posed more risk to community residents, given the high recidivism rates overall.

Study: Participation in Victim Offender Mediation and Re-offence: Successful Replications?

Author: Nugent, Umbreit, Wiinamaki & Paddock

Date/Country: 2001/US

Summary: This meta-analysis examines four previous individual studies on recidivism (Neimeyer & Schichor, 1996, Nugent & Paddock, 1996, Wiinamaki, 1997 and Umbreit, 1993, 1994), combines the data, conducts statistical tests to examine the samples, and uses logistic regression procedures to test the extent to which the unconditional relationship between VOM participation and subsequent re-offence (within one year period) in these four studies was the same.

The study examined a combined sample of 1,298 juvenile offenders, 619 who participated in a VOM session and 679 who did not. Results suggest that the four studies (all in U.S.) represent a series of successful replications.

Results suggest that VOM participants have a re-offence rate of 19 per cent compared with 28 per cent for juvenile offenders who did not go through VOM. This 32 per cent reduction in recidivism was found to be statistically significant.

Note: Some of the studies involved in this meta-analysis are examined individually in this report.

Study: The Effectiveness of Restorative Justice Practices: A Meta-Analysis

Author: Latimer, Dowden & Muise

Date/Country: 2001/North America

Summary: This meta-analysis took a sample of 35 studies in North America (27 VOM programmes and 8 FGC programmes) that looked into recidivism rates, victim and offender satisfaction, and restitution completion. Each of the studies used control groups to measure the outcomes. 72 per cent of studies reported a decrease in recidivism rates – the mean decrease of all studies reviewed was 7 per cent.

However, it is to be noted that this study illustrates the highly variable nature of RJ programme effects on recidivism. While some programmes reduced re-offending by as much as 38 per cent, others led to increases in re-offending by up to 23 per cent.

RJC Comment: This is perhaps evidence of the importance of account of the quality of practice, or 'restorativeness', of programmes when assessing outcomes.

Study: Family Group Conferences and Re-offending

Author: Maxwell & Morris

Date/Country: 2001/New Zealand

Summary: The study had a sample size of 108 and a follow up period of 6.5 years. The authors found that six years after their conferences, more than 40 per cent of young people were not reconvicted, or were convicted once only, and not much more than a quarter were classified as being persistently reconvicted.

The study revealed the following percentages for each reconviction group:

<u>29 per cent</u>	<u>Not Reconvicted</u>
14 per cent	Reconvicted Only Once (Had appeared in court and been convicted once only)
21 per cent	Occasional Reconvicted (Had appeared in court more than once but had committed less than five offences)

8 per cent	Improving Reconvicted (Had offended persistently for a time but had not been reconvicted in 12 months prior to interview)
28 per cent	Persistent Reconvicted (Characterized by the frequency and volume of their offending in criminal matters)

This indicates that with FGCs, as with courts, influence of adverse early experiences and subsequent support (or lack of it) are of major importance; nevertheless, things that happened during the restorative process were related to re-offending.

Critical factors included:

- Offenders not being made to feel a bad person;
- Conferences being memorable for offenders;
- Offenders agreeing to and complying with conference agreements;
- And, offenders meeting and apologising to their victims.

Study: An Exploratory Evaluation of Restorative Justice Schemes
Author: Miers et al.
Date/Country: 2001/UK
Summary: This study examined RJ schemes in England. It showed that a RJ scheme for adults in West Yorkshire was effective in preventing recidivism: 44 per cent of those participating in the scheme were reconvicted within two years compared with 56 per cent of the control group.

Study: An International Review of Restorative Justice
Author: Miers
Date: 2001
Summary: Concluded that there is consensus that offending rates are no worse than for court but while there is some evidence of lower re-offending rates and seriousness, further research is required. Success was noted in Austria and Germany.

In Austria, research using data from 1993 and 1994 and conducted over a three-year observation period suggests that re-offending rates are positively affected by completing mediation. In the case of first-time offenders, re-offending among the sample was less than half that of the control group; where they had previous convictions, the proportion was about two-thirds.

In Germany, there have been some descriptive studies, principally of individual service provision, and a comparative survey of provision in Austria (Kilchling and Loschnig-Gspandel, 2000). A recent small-scale research project (Dolling and Hartmann, 2000) showed a favourable impact on re-offending. With the successful mediation cases, the average rate of re-offending was two thirds that of the control group, [the analysis was based on 129 mediation referrals (85 successful, 44 unsuccessful) matched against a control of 140 cases].

Study: A summary of the Evaluation of Six California Victim-Offender Reconciliation Programs
Author: Evje & Cushman
Date/Country: 2000/US
Summary: The study examined VORP programmes in six California counties. Evaluation asked the question, 'Was the recidivism rate of the VORP participants at least 10 per cent less than that of the control group?'. Results showed that for five of the six programmes the answer was 'yes' with a range of **21 per cent lower to 105 per cent lower.**

Study: Recidivism Patterns in the Canberra Reintegrative Shaming Experiment (RISE)
Author: Sherman, Strang & Woods
Date/Country: 2000/Australia
Summary: This study had a sample size of 110 youth violence offenders; 900 drunk drivers; 135 shoplifters; 238 property offenders and a follow up period of 12 months. Used random allocation after agreement to participate; also comparing before and after treatment. Rate of offending measured from the time of decision to conference.

Found no difference for juvenile property offenders and a slight drop for shoplifters; a 6 per cent increase for drink-driving adults; a 38 per cent decrease for young violent offenders.

RJC Comment: As previously noted, the drink-driving rates may have reflected the fact that courts can suspend drivers' licences while conferences do not have the same power.

Study: Indianapolis Juvenile Restorative Justice Experiment
Author: McGarrell, Olivares & Crawford
Date/Country: 2000/US
Summary: This study started with 458 youth under the age of 14 and used random assignment to divide them into 'RJ' and 'Control' groups. It explored the benefits of holding restorative justice conferences as a response to first time juvenile offending and measured per cent rearrested to determine rates of recidivism.

At six months, with a sample size of 335 youths, the rate of re-arrest was 20 per cent for conferenced youths compared to 34 per cent for the control group. This represents a 40 per cent reduction and is statistically significant.

At twelve months, with a sample size of 312 youths, the rate of re-arrest was 31 per cent for conferenced youths compared to 41 per cent for the control group. This represents a 25 per cent reduction and is statistically significant.

Note: The smaller sample sizes reported reflect the fact that not all of the study group youth had reached the six and twelve month follow up stages at the time of this analysis.

Study: An Evaluation of Recidivism Rates for Resolutions Northwest's Victim-Offender Mediation Program
Author: Stone
Date/Country: 2000/US
Summary: This study examined juvenile recidivism (re-offending) rates for Resolutions Northwest's Victim-Offender Mediation Program. The author constructed a sample of 251 juveniles under the age of 18 who successfully completed VOM between 1996 and 1997. A comparison group was created by using a secondary data source from the Tri-County Juvenile Information System database. The author analyzed the records of 4,442 juveniles who entered the Multnomah County Juvenile Justice System during 1996 and 1997, and found that 41.6 per cent re-entered that system one-year after their initial detention. During that same time period, 251 juvenile offenders were referred to Resolutions Northwest's victim-offender mediation program. Only 20.3 per cent of these offenders re-entered the Multnomah County Juvenile Justice System within one year of completing the program.

Study: Victim Offender Mediation in Missouri's Juvenile Courts: Accountability, Restitution and Transformation
Author: Katz
Date/Country: 2000/US

Summary: The author examined data for 1999 in VOM programs serving Missouri. Juveniles were typically first-time offenders charged with property crimes or minor assaults. In one program, of the 65 juveniles who participated in VOM in fiscal 1999, less than 1 per cent re-offended within a year; more than 8 per cent of those referred who did not participate in VOM re-offended. In the second program examined, less than one in four re-offended within a year; re-offences were primarily status offences.

Study: Woodbury Police Department Community Restorative Justice Program
Recidivism Study

Author: Hines

Date/Country: 2000/US

Summary: The Woodbury Police Department diverts selected youth from the traditional system through family group conferencing.

This recidivism study compared all conferencing cases from 1995 to November 1999 with juvenile cases from 1993, the last full year without a conferencing option.

The conferencing cases are only those resulting in formal conferences conducted by qualified police and community facilitators. There were 281 conferencing cases of which 52.7 per cent were first time offenders. In the 1993 non-conferencing group there were 494 cases. 33.1 per cent of the conferenced youth re-offended, compared to 72.2 per cent of the youth processed in 1993.

The author notes that the average time of re-offending for the 1993 youth was just under three weeks and new offences tended to be of equal or greater seriousness than the last. In contrast, for re-offending conferenced youth the average elapsed time was three months before the next offence and that offence was most often less serious than the offence for which they were conferenced.

Study: Evaluation of the Restorative Justice Program

Author: Nelson

Date/Country: 2000/US

Summary: 150 youth referred to the Restorative Justice Program between July 1996 and November 1998 were followed for one year after their referral to VOM and compared with their rate of offence activity for the year preceding the referral. Offence was defined as "the number of misdemeanors and felonies for which a juvenile has been referred."

-All juveniles referred to RJP -- 64.6 per cent fewer referrals than in preceding year

-Juveniles referred but refused to participate -- 32.3 per cent fewer referrals

-Juveniles who met without their victim – 65.3 per cent fewer referrals

-Juveniles who did not complete any part of agreement – 54 per cent fewer referrals

-Juveniles who met with their victims – 80.8 per cent fewer than year prior (significant when compared to juveniles who met without their victim)

-Juveniles who fully completed agreements – 76.4 per cent fewer referrals (significant when compared to juveniles who did not complete any part of their agreements)

Study: Retail Theft Initiative

Author: Willcock

Date/Country: 1999/UK

Summary: This was a second independent evaluation of the Milton Keynes Retail Theft Initiative where Willcock revisited the offenders involved in the earlier study by

McCulloch in 1996. This study found that re-offending rates for first and second time offenders had been reduced from 40 per cent to 17 per cent. Officer time was considerably reduced from the five-and-a-half hours it formerly took to deal with each retail theft offender. It must, however, be noted that personal victims were not used in this study.

Study: The Implementation of Group Conferencing in Juvenile Justice in Victoria
Author: Griffiths
Date/Country: 1999/Australia
Summary: The author examined a Family Group Conferencing program for juveniles. Conferencing was an elective option for the referred youth rather than being mandatory. Two separate studies examined recidivism issues in the program. (1) a sample of 71 conferenced cases were followed for 12 months after conference and compared to a similar sample of probation cases. There were no significant differences in the rate of re-offence for these two groups. (2) In comparison to a sample of 100 probation youths, 37 per cent of the probation youths received further sentencing orders for re-offending compared to 21 per cent of the conferenced youths.

Study: Guide to Community-based Alternative for Low Risk Juvenile Offenders
Author: Matthews & Larkin
Date/Country: 1999/Canada
Summary: The Healing/Sentencing Circles Program in Whitehorse, Yukon Territory is for both juveniles and adults. Outcome data were collected for the two-year pilot project. The project served 65 clients with about 20 prior offenders. Tracking indicated 80 per cent decrease in recidivism. Additionally, Whitehorse, Yukon Territory, has seen a decline since 1995 in the number of offences. This is attributable directly to the program, since there has been no other substantial criminal justice system or demographic changes in the area. The evaluation was an internal self-evaluation using an outside paid consultant.

Study: Restorative Justice: An Evaluation of the Restorative Resolutions Project
Author: Bonta, Wallace-Capretta & Rooney
Date/Country: 1998/Canada
Summary: The authors examined the Restorative Resolutions project in Manitoba, Canada. This was a community-based alternative to incarceration in which offenders, staff and victims worked together to develop sentencing recommendations for judges. This study had a sample size of 94 and a follow-up period of 12 months. The offenders were compared to a matched control group of offenders whose cases were dealt with conventionally. Key results included the finding that 5.3 per cent of Restorative Resolutions clients were subsequently convicted of a new offence, compared to 16.1 in the control group. The authors concluded that the Restorative Resolutions project could be expected to reduce overall recidivism by 13 to 22 per cent.

Study: The Bethlehem Pennsylvania Police Family Group Conferencing Project
Author: McCold & Wachtel
Date/Country: 1998/US
Summary: Key findings suggest that re-offending was significantly less likely for certain types of offenders attending conference, e.g. violent offenders. Among property offenders, there were no significant differences in rates of re-arrest. For violent offenders, significant differences did emerge. 20 per cent of the violent conferenced offenders were re-arrested compared with 35 per cent of the violent control group offenders.

Of the 292 young offenders entering the experiment, 189 were randomly assigned to conference. After random assignment, voluntary participation was sought. Of the 189 randomly assigned, 109 declined to participate and instead went to court. Three groups were then examined: allocated to court; allocated to conference and participated; allocated to conference and chose not to participate. The researchers measured re-offending from per cent re-offending in the follow-up period measured from time of arrest.

Study: Can Mediation Cut Re-offending?
Author: Wynne & Brown
Date/Country: 1998/UK
Summary: The authors report on a series of studies on the Leeds Victim Offender Unit begun in 1985. Majority of offenders are under twenty-five years old. During the 1991-1993 period 92 per cent of offenders were male. Forty-two per cent of victims were male, 29 per cent female and 29 per cent corporate victims.

Ninety offenders who met in direct face-to-face mediation from 1985-87 were followed for two years. 87 per cent had previous convictions before mediation; 68 per cent of this group had no convictions post-mediation. Of sixty-nine offenders during 1989 participating in either indirect or direct mediation 68 per cent had prior convictions. 58 per cent had no convictions during a two-year follow-up period. The Home Office devised a prediction scale, Offender Group Reconviction Scale, which allowed for predicted reconviction rates where control groups were absent. Seventy-three referrals in 1993-94 had OGRS scores. The predicted rate of reconviction for this group was 54.2 per cent; the actual reconviction rate was 49.3 per cent. Of those who were convicted, 54 per cent committed less serious offences.

Study: VORS Program Evaluation Report
Author: Carr
Date/Country: 1998/US
Summary: This study examined a victim-offender programme in Los Angeles County, California. Of an initial sample of 632 referrals, 279 cases were mediated. A minimum six-month criminal history check was made on the 165 youth mediated. 89 per cent of these youth did not recidivate.

Study: Cobb County Juvenile Court Mediation Program Evaluation
Author: Stone, Helms & Edgeworth
Date/Country: 1998/US
Summary: The results of a large juvenile court mediation program in Georgia were examined in this study, specifically, the return rate of youth to juvenile court. 799 youth who went through mediation between 1993-1996 were compared with a similar control group gathered from 1990-92. There was no difference in return rates to court for the two groups. The average return rate for mediated youth was 34.2%; for the non-mediated, it was 36.7%. Three-quarters of the mediated youth return to court were returned for violation of the conditions of the mediation agreement. Youth processed by experience mediators tended to do better than those who were handled by less experienced mediators. While the study did not contain a cost analysis, the authors pointed out that it took only a third of the time to process the mediated cases as contrasted with the non-mediated cases.

Study: Victim-Offender Reconciliation Programs: Juvenile Property Offender Recidivism and Severity of Re-offence in Three Tennessee Counties
Author: Wiinamaki
Date/Country: 1997/US
Summary: The author replicated the study by Nugent & Paddock (1995). Her study involved

420 juveniles, 203 who went through a VOM program (VORP cases were drawn from three VOM programs) and 217 who did not. The author controlled for many factors that correlate with crime including age, gender, prior offences, family structure and number of siblings.

Results showed a 38.4 per cent reduction in re-offence associated with VOM participation. Results also suggested that VOM participants committed about 54 per cent fewer minor offences, and about 16 per cent fewer property and violent offences, than non-VOM participants.

Study: Leeds Mediation and Reparation Service: Ten Years experience of Victim-Offender Mediation
Author: Wynne.
Date/Country: 1996/UK
Summary: A 1985-87 cohort of offenders who met their victims was followed. Seventy-five per cent of these offenders had no further convictions within a year; 68 per cent remained reconviction-free after two years.

Likewise, a 1989 cohort who had participated in direct or indirect mediation was followed yielding similar results: 78 per cent with no conviction after one year, and 58 per cent after two years.

Study: Evaluating the Effects of a VORP on Re-offence
Author: Nugent & Paddock
Date/Country: 1996/US
Summary: The authors examined juveniles who either went through a VORP (all through direct mediation) or did not go through a VORP. The two groups were matched on type of crime (property) and admission of guilt. The study involved 275 juveniles with a year follow up period. Results showed a 37.5 per cent reduction in re-offence associated with VOM participation. Results also suggested that VOM participants committed less serious offences. Results showed VOM participants committed about 58 per cent fewer minor offences, and about 31 per cent fewer property and violent offences, than non-VOM participants.

Study: Shop Theft: Improving the Police Response
Author: McCulloch
Date/Country: 1996/UK
Summary: This Home Office Evaluation showed a substantial drop in the re-offending rate for first time offenders. However, it is to be noted that the Retail Theft Initiative did not benefit offenders with previous records where the re-offending rates were above 70 per cent whether they attended RTI or were dealt with in alternative ways. There is no time period specified. It must also be noted that personal victims were not involved in this study.

<u>422 Attending RTI</u>	<u>13 per cent re-offending</u>
50 Dropped out of RTI	16 per cent re-offending
526 Normal Caution	30 per cent re-offending
236 Charged	70 per cent re-offending
42 Bailed	50 per cent re-offending
51 Remanded	59 per cent re-offending

Study: A Preliminary Study of a Large Victim/Offender Reconciliation Program
Author: Niemeyer & Shichor
Date/Country: 1996/US
Summary: This study focused on a large VORP programme operating in California with juvenile offenders from 1989 to 1995. Over a thousand cases were handled during that time

period. Thirty-five percent of these involved graffiti/tagging, 24% serious personal crimes, and 16% serious property offenses. Recidivism results were mixed. A sub-sample of 131 youth who went through mediation were matched with 150 youth who were referred but did not participate in VORP. The mediation group had a slightly higher rate of re-offending: 28% compared to 23%. The authors note that the non-mediation group was less stable and may have moved out of the catchment area before re-offending.

Study: A New Approach to Juvenile Justice: An Evolution of Family Conferencing in Wagga Wagga

Author: Moore & Forsyth

Date/Country: 1995/Australia

Summary: Family Group Conferencing was introduced into the Wagga Wagga system in March of 1992 with the goal of diverting more youth from formalized handling.

A 19-month period prior to the implementation of the FGC option was used for comparison. A 9-month recidivism check was completed on samples from each period. Youth in FGCs were most frequently referred for breaking and entering, shoplifting, and stealing from cars and homes. With the FGC option available, more youth were cautioned (diverted). This was not accomplished by widening the net, but by taking a deeper cut into the court population. This was done by increasing the eligibility criteria to two or more priors.

Re-apprehension rates for conferenced youth were lower than for youth processed before the conferencing program was implemented; re-apprehension rates for conferenced youth were also lower than re-apprehension rates for youth processes through the courts during the same time period.

Study: The Effect of Victim-Offender Mediation on Severity of Re-offence

Author: Nugent & Paddock

Date/Country: 1995/US

Summary: This study examines a county-based VORP in Tennessee. Beginning in 1989 all youth who admitted guilt to property offences were referred to the VORP program. During a 41-month period, about 65 per cent of referrals went to mediation. A random sample of the VORP cases was selected yielding 125 youth. One hundred and fifty youth who had pled guilty to property-related offences for the 41-month period prior to the implementation of VORP were randomly selected for comparison purposes. Youth processed through VORP were less likely to offend than those youth exposed to the traditional court proceedings: 19.8 per cent VORP compared to 33.1 per cent non-VORP. The severity of re-offence for the VORP youth was less severe than for the non-VORP youth.

Study: Two Types of Juvenile Restitution Programs in Two Midwestern Counties: A Comparative Study

Author: Roy

Date/Country: 1993/US

Summary: A VORP program in Elkhart, Indiana brought victim and offender together face-to-face to work out a restitution agreement. In a Kalamazoo County, Michigan court based program, restitution was imposed by the court without involving face-to-face mediation.

Data were gathered from January 1987 through December 1988. A 50 per cent sample was randomly drawn from each program site. Sample youth were followed through the end of 1990 for recidivism follow-up. 218 youth were tracked through the two programs. The typical youth was white, between 15 and 17 years old, and was attending school. Over half in each sample (Elkhart 65% and Kalamazoo 51%) were referred for committing felonies. 56 per cent of the Elkhart sample

were repeat offenders compared to 49% of those comprising the Kalamazoo sample. Repeat offenders, in both samples, repeated at a higher rate: 42%. The author concludes that there was no difference in terms of effectiveness between the two contrasting types of restitution programs. 29% of the Elkhart [VORP] youth re-offended during the follow-up period, compared to 27% of the Kalamazoo [court-imposed restitution] youth.

Study: Repairing the Damage: Can Reparation be made to work in the Service of Diversion?
Author: Dignan
Date/Country: 1992/UK
Summary: This study examined data from the Kettering Adult Reparation Bureau from 1987/9. This was a pre-trial diversion scheme with adults. The author looked at 146 cases measured from offender profiles in 1990. In mediation/reparation sample 81.5 per cent were not reconvicted. In control group 79.5 per cent were not reconvicted. The difference is too slight to be statistically significant but shows that the experimental group did not re-offend more.

Study: Cross-site Analysis of VOM in Four States
Author: Umbreit & Coates
Date/Country: 1992/US
Summary: This study examined 320 juveniles. This was made up of 160 who took part in VOM and 160 in a matched comparison group who did not participate. The four VOM programmes were in four different states. After a one year follow up period, Umbreit found that 18.1 per cent of offenders who took part in mediation committed a new offence, compared with 26.9 per cent of those who did not.

Of the juveniles who took part, 87 per cent had committed property offences while 13 per cent had committed personal offences.

Of the re-offenders, 41 per cent of those in the mediation group committed less serious offences than before, but only 12 per cent of those in the comparison group. This study also found that juvenile offenders in victim offender mediation tended to commit fewer and less serious offences during a one-year period than a matched sample of non-VOM offenders.

Study: Crime and Accountability: VOM in Practice
Author: Marshall & Merry
Date/Country: 1990/UK
Summary: "The Coventry Group showed that 55 per cent of offenders experiencing direct mediation showed a reduction in criminal behaviour, compared with 45 per cent of the control group. The Wolverhampton group showed that 74 per cent of the indirect mediation group and 55 per cent of the direct mediation group had reduced their criminal behaviour, compared with 36 per cent of the control group. However, samples were too small to be statistically significant" (Liebmann, 1997).

Non-Academic Examples (e.g. Local Services, Media)

Study: Monterey Herald
Author: Saez
Date/Country: 2005/US
Summary: For the past five years in Monterey County, first-time juvenile offenders of non-violent crimes have received a chance to participate in a program that keeps them out of the traditional juvenile court system and clears their record. The

opportunity is a partnership between the Salinas-based non-profit Victim Offender Reconciliation Program and the Monterey County Probation Department. To date, 750 cases have been referred to the program and about 400 have entered mediation. Program Executive Director Connie White said that in 94 per cent of the cases, youth participants have not committed other offences. The 6 per cent relapse rate contrasts sharply with the 38 per cent relapse rate for first-time, non-violent youth offenders who proceed through the traditional juvenile court system and other probation programs, said Bob Reyes, restorative justice coordinator for the Monterey County Probation Department.

Study: Stanfield Home for Looked After Children
Author: Mirsky
Date/Country: 2005/UK
Summary: Veronica Hart, manager of Stanfield Children's Home, Welwyn-Garden City, Hertfordshire, UK, spoke about how implementing restorative practices completely changed the climate at two homes for youths placed by county social services. After the first year of restorative practices implementation, said Hart, sanctions were reduced by 59 per cent, calls to police by 40 per cent, offending levels by a third.

Study: James Gilligan
Date/Country: 2004/US
Summary: Team at Harvard were commissioned, led by James Gilligan. Found that for violent offenders in the program for four months or more, violent re-arrests were down 79.7 per cent but still being arrested for non-violent offences i.e. drugs and alcohol [Shown on Oprah, 2004].

Study: Marvel Mediation
Date/Country: 1997/UK
Summary: Over the first two years of operation based on a sample of 18 cases, 73 per cent of offenders had not re-offended since their mediation, and 27 per cent had re-offended. Of those 27 per cent of offenders who had re-offended since their mediation, all of them had committed different offences from their original offence. One of the offenders re-offended between 1-3 months after their mediation, the other two offenders re-offended six months after the mediation. Of those offenders who did not re-offend, they all said that it was because of MARVEL that they did not commit further offences.

RJC Comment: These findings were extracted from research carried out by M. Liebmann in 1997.

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About the Restorative Justice Consortium

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

The objects for which the Consortium is established are:

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

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

The Restorative Justice Consortium is a registered charity.



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

Tel: 020 7960 4633 Fax: 020 7960 4631

Email: info@restorativejustice.org.uk

Website: www.restorativejustice.org.uk

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