



Restorative Justice and Sexual Violence: Survivors' Perspectives

Exploring Restorative Justice in Domestic Abuse and Sexual Violence Cases Conference

Oxford

18th November 2015

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Background

- The justice gap
- Secondary victimisation
- Long-term consequences – self-blame, loss of control, PTSD
- The arguments for and against the applicability of RJ to cases of sexual violence
- The debate occurs in an 'empirical vacuum' and has excluded the survivors perspectives



Rationale and study aims and objectives

To offer the first exploration of survivors' views on the applicability of RJ to cases of sexual violence

The principle aim was to examine attitudes of the general public, some of who were survivors of sexual violence,

The objectives were:

- To develop a scale to assess attitudes regarding the use of restorative justice in cases of sexual violence.
- To provide the views of public in general and survivors in particular regarding the appropriateness of using restorative justice conferencing in this context.
- To ascertain whether there are differences in attitudes between survivors and non-survivors
- To present the concerns and hopes of survivors in relation to the potential use of restorative justice.



Method

Design - This study was a mixed-methods, web-based, cross-sectional survey exploring and comparing survivors' and non-survivors' views of the application of restorative justice to cases of sexual violence.

Questionnaire - a newly developed 14-item questionnaire concerning the use of restorative justice in cases of sexual victimisation. Each item was responded to on a five-point Likert-scale which used the anchors "Strongly Disagree" and "Strongly Agree". Open ended questionnaires.

Recruitment of participants - recruited by means of convenience sampling. Informal social networking sites Facebook and Twitter were used to promote the study with the aim of reaching as wide an audience as possible.

Participants



- 131 respondents
- 27 (20.6%) males, 93 (71%) females and 11 (8.4%) who did not specify their gender.
- Their age range was between 18-57 years with a mean age of 31 years.
- 91% of the sample reported their ethnicity. The majority (79%) described themselves as White British, 6.9% as other European, 2.3% as Irish, 1% as Asian, 0 as Black, 2% as mixed White and Black Caribbean or mixed multiple groups and 1% reported 'other' ethnicity.



- Almost 34% (n = 40) reported having been subjected to at least one instance of sexual victimisation.
- Of the total sample,
 - 13.4% reported childhood sexual abuse,
 - 10.9% reported a sexual assault in adulthood
 - 9.2% reported experiencing both childhood sexual abuse and a sexual assault in adulthood.
- Of the survivors six (22% of the male sample) were male and 34 (37% of the female sample)
- 40% of the survivor had reported it to the police or Child Protection Services
- of those who reported, 22.2% said that their cases had proceeded to court.



Findings


The survivors were slightly more reserved in their optimism for the potential benefit to the victim of meeting with their offender.

However, 35% of survivors agreed with this statement.

71% of survivors indicated that survivors should have the opportunity to meet with their offender if they want to.

56% of survivors indicated that they would like the opportunity to have restorative justice in addition to going to court

30% (vs 16%) of survivors felt that there should be the opportunity to have a conference as an alternative to of going to court

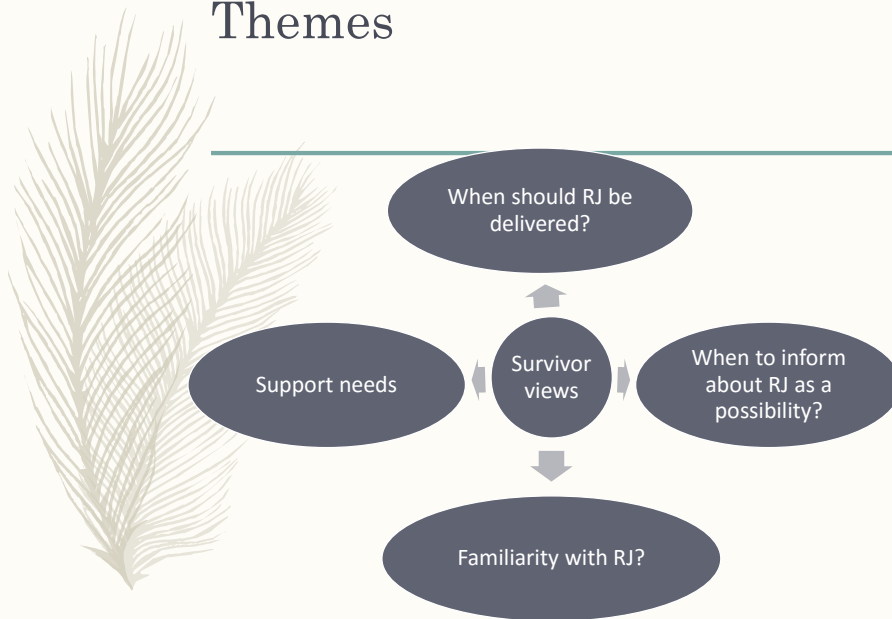


– 70% of those who had entered the criminal justice system were **against** the idea of restorative justice as an alternative to court, in comparison to 45% of those who had not reported their victimisation.

– Survivors are slightly less in favour of indirect communication between the victim and offender, although a majority of 73% agree that this is a good idea.

– Survivors were less in favour of the victim having the opportunity to ask questions directly of the offender than are their non-survivor counterparts (62% vs 79%).

Themes



Conclusions

- Overall, majority of the survivors indicated that they felt favourably towards the use of restorative justice in cases of sexual violence
- But survivors were slightly less enthusiastic than those of non-survivors
- Survivors who had not reported their assault/abuse to the police were more in favour of the potential of RJ as an alternative to going to court.
- Survivors who had reported to the police had a preference for RJ in addition to court
- Survivors share similar concerns to academics and advocates regarding hazards of using RJ in these cases, but they are less likely to see conferencing as dangerous for victims than are non-survivors