THE IMPACT OF RESTORATIVE AND CONVENTIONAL RESPONSES TO HARM ON VICTIMS: A COMPARATIVE STUDY
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Abstract
This article presents the results of intervention research that compared the impact on victims of restorative and conventional approaches to juvenile justice. Using a quasi-experimental design that allowed for statistical control of select pre-intervention differences, victims were compared on nine variables across the domains of accountability, relationship repair, and closure. A brief review that describes and locates each variable in the literature is offered to provide clarity about their conceptual meaning. The findings support the conclusion that restorative responses in the aftermath of harm are significantly more beneficial for victims than conventional approaches.

The research reported in the article was funded by the Alberta Law Foundation.

Key words: restorative justice; group conferencing; diversion; victims; comparative
Introduction

Over the past two decades there has been increasing attention paid by North American and European Union governments to public concerns about the youth criminal justice system. Despite considerable evidence of an actual decreasing incidence of youthful harms over this period (Thornton, Craft, Dahlberg, Lynch, & Baer, 2002), selective media coverage of sensational harms caused by youth have served to produce chronic pressure on policy makers in both educational and justice institutions to react with a “get tough” or “just-desserts” mentality to youthful wrongdoers (Ghetti & Redlich, 2001; Roberts, 2003). Seemingly lost in this punitive focus are the needs and voices of victims, where despite considerable personal and financial cost, victims continue to be marginalized in the youth justice system (Zehr, 1990). As Choi and Severson (2009) note:

Many crime victims face insensitive treatment in the criminal justice system. They often receive no restitution and rarely do they hear genuine expressions of remorse from the offender when the case is processed within traditional criminal justice system proceedings. (p. 813)

Dissatisfaction with the treatment of victims under the current retributive regime may have in part contributed to the emergence of restorative approaches (Zehr, 1990, 2002). Unlike youth justice policy in New Zealand and Australia, where legislation mandates restorative approaches, and in some Western European nations, where child welfare models predominate (Arthur, 2004; Pitts, 2005), Canada’s Youth Criminal Justice Act includes both ‘get tough’ measures and opportunities for restorative responses (Denov, 2004; Erickson & Butters, 2005; Hillian et al 2004). Like their counterparts in the United States (Bazemore & Schiff, 2005; Varma, 2006) and Britain (Arthur, 2004; Barnett & Hodgson, 2006; Field, 2007; Gillen & McCormack, 2007), Canada’s youth justice policy makers may be attempting to reconcile public pressure to “get tough” on youth crime with simultaneous but contradictory pressure to protect “the best interests of the child” (Denov, 2004; Roberts, 2003). In the face of negative public perception and generally “political and reactive” responses, there is urgent need to examine and document the outcomes of the few opportunities afforded by governing legislation for “exemplary and promising” (Merlo & Benekos, 2003) alternatives to the increasingly dominant punitive sanctioning approaches.

To contribute to the discourse on finding more appropriate responses to needs of victims, the primary purpose of this study is to compare the effects of restorative versus conventional justice approaches on people who had been harmed by a young person. The research was conducted in collaboration with a restorative justice program in Calgary. Following a brief description of retributive and restorative paradigms as well as pertinent research, we will describe the restorative justice program undertaken by Calgary Community Conferencing, the process of specifying variables for the study, and finally the methods, results, and implications of this research.
Contemporary Paradigms in Youth Justice

Underpinning contemporary discourse on youth justice initiatives are two models that offer different definitions of wrongdoing, processes and outcomes. These paradigms include the retributive and restorative models. The retributive model codifies wrongdoings into systems of abstract rules associated with particular consequences assumes that wrongs are discrete events to which some true and universal meaning can be assigned (Hudson, 1998; Llewellyn and Howse, 1999). This process focuses on a search for “facts” that will irrefutably establish the innocence or guilt of the alleged wrongdoer (Zehr, 1990). Once guilt for wrongdoing has been established, its consequences are predetermined (Van Ness and Strong, 1997), which suggests an underlying assumption that there is a "standard average victim" (Hudson, 1998, p. 241) and that the harm caused by the wrongdoing can be generally known. During the sentencing process the wrongdoer becomes a passive recipient of his punishment which is intended to deter him from future wrongdoing (Llewellyn and Howse, 1999). This strategy suggests that the essence of the wrongdoer, that which caused him or her to commit the wrong, can be best addressed when experts respond with appropriate sanctions.

The principles and practices of the retributive model are individualistic in nature. They focus almost exclusively on the wrongdoer, removing him or her both from the context of the wrongdoing and from others affected by his or her actions. Not only are the needs of those who have been impacted by the event considered irrelevant, but so are the relationships among all involved. Once guilt has been established, the wrongdoer and person harmed are typed (Freedman and Combs, 1996) as criminal and victim respectively. Hudson (1998) and others have noted the stigma associated with being classified as criminal or victim (Bazemore, 1998; Llewellyn and Howse, 1999; Van Ness and Strong, 1997) and have argued that this stigma has "generalized deleterious, and often irreversible consequences" (Hudson, 1998, p. 249). Finally, by isolating this person from those affected by the harm, punishment denies the wrongdoer the opportunity to understand how those harms affected other people's lives and to become accountable for those harms.

In contrast, the restorative model offers a relational response to wrongdoing, focusing on the relationships that have been harmed and what needs to be done to repair those relationships. Here, the problem is not circumscribed to the individual responsible for the harm in question, but the relationships between that person and those affected by the harm (Bazemore, 1998; Llewellyn and Howse, 1999; Zehr, 1990). Ideally, these relationships are characterized by social equality, that is, by "equal dignity, concern and respect" (Llewellyn and Howse, 1999. p. 25). The doing of wrong indicates that social equality has been upset. The emphasis on negotiated rather than on guilt-proving facts recognizes that all involved in the process, including the person who wronged, were affected by the wrongdoing in some way. Acknowledgment of the harm by the person who wronged has been described as a "crucial step towards their taking responsibility and being accountable for their actions" (Llewellyn and Howse, 1999. p. 29). It opens a space for that person to experience empathy for the person(s) harmed and to feel the need to redress the harm (Bomaine, 1998; Llewellyn and Howse, 1999). While there is some variability in the structures used for facilitating this process (Immarigeon, 1999; Van Ness
and Strong, 1997), conferencing models emphasize the voluntary inclusion of anyone affected by the wrongdoing and the need to provide a safe forum for truth-telling, encounter, and a negotiated reparation agreement (Llewellyn and Howse, 1999).

The potential benefits of the restorative model have not resulted in a great deal of attention in terms of empirical research. As Gumz & Grant (2009) have noted such limited attention may be potentially due the challenges presented by the diversity of community-based approaches with different programs offering, “unique organization, structure, and participant involvement” (p. 123). The scarcity of studies centering victim outcomes seems contradictory to the consistent claim that a main benefit of restorative approaches is their helpfulness to victims. Criminal victimization has been described as “one of the most stressful human experiences” (Green & Pomeroy, 2007). While a percentage of victims seem to recover quickly and permanently from the offence, others suffer financial, physical, social and/or psychological consequences. Quantitative and qualitative studies provide evidence that symptoms in the aftermath of victimization range from mild distress to severe mental health conditions (Green & Pomeroy, 2007; Herman, 2005; Orth & Maercker, 2004). For example, criminal victimization has been linked to subsequent development of post-traumatic stress disorder, depression, substance abuse and panic across a number of studies (see review by Kilpatrick & Acierno, 2003). Such serious consequences may be more likely among victims of violent crime, but there is evidence that recovery is associated with the victim’s perceptions and beliefs, regardless of the specific characteristics of the harm. The potential for such debilitating consequences argues for evaluative studies of restorative justice programs to focus as much on victim outcomes as on offender recidivism.

**Calgary Community Conferencing Restorative Justice Program**

Calgary Community Conferencing (CCC) has been in existence since 1998, operating as a partnership between the municipal youth justice system, the local public school board, and several non-governmental agencies. In the program’s first eight years of existence, facilitators convened over 275 conferences with approximately 500 young people responsible for harms, 450 victims, and 1,000 supporters. According to typologies developed to encompass the wide variations in restorative justice practices, Calgary’s program could be classified as a group conferencing (Bazemore & Schiff, 2005; McCold, 2001) or perhaps as a victim-offender mediation and dialogue (Umbreit, Coates & Vos, 2007) model. The program focuses on misbehaviors that have had significant impact on the youth responsible and/or on the victim. The agency’s procedures are fully described elsewhere (Sharpe, 2003). Key elements include the young person’s admission of guilt that results in a referral to the program through either youth court or a public secondary school; voluntary participation of young people, victims, and supporters of each; and pre-conference preparation of all participants. A conferencing specialist facilitates the face-to-face meeting among all involved; toward the end of the meeting, the offender (and supporters) typically develops a restoration agreement that is then considered, and often adjusted, by the victim (and supporters). In the spirit of restorative practices generally (Shapland et al., 2006), the Calgary program tailors its procedures to fit specific offender and victim circumstances. Indeed, school-referred situations often have no identified
offender or victim and instead involve mutually hostile engagement among a group of young people that has erupted in a crisis event resulting in a referral to conferencing by a school authority. Conferences in these situations vary considerably from what might be considered the norm.

**Specification of Variables**

Bazemore and Schiff (2005) advocate “theories of intervention” or logic models as one way restorative programs can specify and make sense of their intended participant outcomes. Long term goals of restorative programs can conceptualized as their eventual, or ultimate, dependent variables and typically include reduced recidivism among offenders, long term healing among victims, and enhanced safety within communities. These variables, however, are difficult to operationalize in meaningful and valid ways, and are generally beyond the scope of agency-based research efforts. Immediate and intermediate goals that theoretically and logically predict the long term outcomes are potentially more measurable by restorative programs. Furthermore, exploration of these intermediate goals may help address “deeper” questions regarding how restorative practices actually affect longer term, or ultimate, benefits (Abrams, Umbreit, & Gordon, 2006). Understanding the variables that theoretically lead to victim recovery would not only facilitate nuanced discussion about restorative justice theory, but also contribute to enhanced program design and delivery.

The long term goals of Calgary’s program reflect the usual restorative goals of reduced reoffending, victim healing, and community safety. The program’s intermediate goals were developed through consideration of existing theoretical and empirical literature, the conferencing experiences of program staff members, and research interviews with participants and stakeholders. Two rounds of qualitative data collection occurred. Initial interviews with 42 participants and stakeholders helped to identify intermediate outcomes (Calhoun & Borch, 2002). Subsequent interviews with 23 victims and offenders confirmed and enriched the description of these outcomes (Calhoun 2004; Calhoun & Daniels 2005; Pelech & Calhoun, 2005). The lengthy and complex process of literature review, reviewing conferencing experiences, and collecting and analyzing qualitative data from relevant stakeholders eventually resulted in the specification of intermediate outcomes across three main domains – accountability, relationship repair, and closure – with multiple variables/outcomes identified within each domain.

This study addresses the following general research question, “Among victims who experienced a harm committed by a young person, what different effects are associated with participating in a restorative compared to a conventional justice response?” Using a quasi-experimental design that allowed for statistical control of select pre-intervention differences, the victims were compared on nine variables across the three domains of accountability, relationship repair, and closure. Given that empirical study of these particular variables has not been previously attempted, clarity about their conceptual meaning is addressed through a review that briefly describes and locates each variable within existing literature.
Victims’ perception of offender accountability

Calgary’s restorative justice program defined a four-part model of victims’ perceptions of offender accountability. Theoretically, healing is positively correlated with the strength of victims’ beliefs that the offender has assumed responsibility for the harm, experienced empathy for their (the victims’) experience, expressed remorse, and taken initiative to redress the effects of the harm. It is important to note that how victims perceive the relative genuineness of an apology is both complex and may differ greatly from the perceptions of those responsible for harm (Choi & Severson, 2009). The first component, the young person’s assumption of responsibility for the harm, means that the youth clearly ‘owns up to’ the behavior he or she performed. According to a victim interviewed as part of the previous qualitative research:

“He just said that it was his fault and he instigated the matter. So, in my view, that’s taking responsibility for it.”

Victims described feeling “relieved”, “glad,” and “happy” when the young person assumed such responsibility, which appears to be consistent with academic literature (Herman, 2005; Petrucci, 2002; Wright, 2002). Based on a study of almost 300 restorative conferences with adult offenders, Shapland and her colleagues (2006) observed that, on the few occasions conferences broke down or were unsatisfying to victims, the offender denied or partially denied responsibility for the harm. Retraumatization of the victim may during a restorative process if the offender denies responsibility (Wemmers & Cyr, 2005). Attribution theory offers a potential explanation for the importance to the victim of the offender’s assumption of responsibility in that, unless the offender assumes responsibility (Maercker & Muller, 2004; Petrucci, 2002; Strang et al., 2006)

Believing the offender empathizes with their experience may also be associated with victims’ long term healing. In a review of 46 studies, Umbreit, Coates, and Vos (2002) found that victims frequently connected satisfaction with a restorative justice process to having the opportunity to talk about the harmful event and the pain it caused. In a qualitative study, victims emphasized how important it was to be heard and have their hurt understood by offenders (Lovell, Helfgott, & Lawrence, 2002). An expression of sincere remorse from the offender may also support the victim’s recovery from the harmful incident. Some empirical evidence documents this relationship. For example, victims in one study identified offender remorse as “essential to the healing process” (Lovell, Helfgott, & Lawrence, 2002, p. 264). In a separate study, some victims thought genuine offender apologies unlikely but remorse was a “fervent wish” for others (Herman, 2005).

The final aspect of accountability in the Calgary model involves the young person committing to a consensually agreed upon plan intended to redress the harm caused to the victim. The word ‘redress’ is deliberately used to emphasize the impossibility of completely ‘righting the wrong,’ which is in keeping with other formulations of the construct (Fields, 2003; Umbreit, Coates, & Vos, 2007; Zehr, 2002). While not intended to be equivalent, the conceptual definitions of “redress” and “compensation” are similar. One study indicates that, for victims, compensation may be indicative of offender remorse
and helps to facilitate forgiveness of the offender (Ristovski & Wertheim, 2005). A victim interviewed in the Calgary program’s earlier qualitative study connected remorse and redress, as follows:

“You can't replace that but can you show me remorse?”... You want people to say sorry at least. I mean very simplistically, it makes a difference if you show remorse.”

Furthermore, compensation has been documented as one of the few correlates of reduced feelings of revenge among victims of violent crime (Orth & Maercker, 2004). It has also been empirically related to victims’ satisfaction with a justice process (Fields, 2003; Morris & Maxwell, 1997; Umbreit & Bradshaw, 1999).

**Relationship repair**

Conventional Western approaches to criminal justice are notoriously disinterested in the qualitative experiences of victims. One consequence of the assumptions underlying the criminal justice system is the belief that victims’ interests are fairly represented by the state. The restorative justice approach is explicitly based on the belief that wrongdoing represents at least equally, if not more importantly, harm to social relationships as it does violation to states’ codes of law. Respectful interaction is considered valuable in and of itself in restorative approaches (Coates, Umbreit & Vos, 2003; Umbreit, Coates & Vos, 2007). These approaches are intensely concerned with the relationship between people harmed and people responsible for harms.

The establishment or re-establishment of respectful relationships is an important goal of most restorative justice processes and programs (Bazemore & Schiff, 2001; Braithwaite, 2002; Roche, 2006; Zehr, 1990). In the Calgary model, victim healing is theorized to be associated with the belief that the offender understands the impact of the harm. “Mattering” to the system officials and the offender was of utmost important to victims in Herman’s (2005) study of a small sample of survivors of sexual abuse. This sense of personal significance may arguably be accomplished if the victim experiences the offender as respectfully and significantly understanding of the impact of the incident.

The process facilitated by Calgary’s restorative program is intended to not only help the victim feel understood and respected by the young person responsible for the harm, but also to facilitate the victim’s understanding of and respect for the youth. As described in the literature (Hogeveen, 2005; Sprott, 2003) and documented through our interviews with conferencing participants, the public (including victims) tends to hold fairly one-dimensional or flat perspectives on young offenders (e.g., ‘juvenile delinquents’ or ‘monsters’). Contrary to this popular opinion, it is not unusual for youth responsible for misbehavior to be suffering multiple challenges of their own, including poor parenting, previous victimization, and problems with peers and in school (Latimer, Kleinknecht, Hung & Gabor, 2003).
Interviews provided qualitative evidence that victims who participate in a restorative process often experience meaningful change in their understanding of the young person. For example, one victim stated that, after the restorative conference:

“I realized that they that they [the offenders] weren't like bad people who went around bothering people. I realized that they were just they were normal people who do normal things.”

This victim attributed the change as follows: “after I told my story and they told theirs, we all understood each other which I think helped a lot. I think without understanding you can’t really get to know a person really well.”

Some theoretical literature also connects victim healing and understanding the young person. For example, Varma’s (2006) investigation found that participants’ perceptions of young offenders were modified when they had specific information on individual offenders. According to Ristovski and Wertheim (2005), victims who exhibit high empathy toward their offenders are presumably more likely to experience forgiveness, although this hypothesis was only partially supported in their empirical study conducted with non-victimized subjects who rated written crime scenarios. A relationship between empathy for the offender and forgiveness is suggested by Armour and Umbreit (2006), who also connect empathy to reduced vengefulness. The combined evidence suggests it is not unreasonable to expect healing to be advanced as the victim develops a multi-dimensional understanding of the offender.

**Closure**

In addition to offender accountability and relationship repair, Calgary’s conferencing model specifies ‘closure’ as an intermediate outcome domain. The word “closure” has been popularly used to describe getting over a negative event or putting a negative event behind oneself. In the Calgary model, the concept of closure has a different meaning, one directly tied to the results of our interviews with victims who had participated in a restorative conference. Although these participants almost invariably used the term “closure,” analysis of the interviews indicated an interpretation different from the popularly held notions. In the Calgary model, closure includes two dimensions: having the impact of the event acknowledged and having a sense of hopefulness for the future. In our interviews with victims who participated in conferencing, these experiences were often evident. Victims described feeling “relief,” “not having anything to worry about anything,” like “I could forget it more and live on a little easier,” and “like all the dust was settled” after completing the restorative process.

The victim’s experience of closure has received some attention in the restorative justice literature. Authors refer to helping victims “move on” or “feel free” from troubling emotions associated with the harm (Herman, 2005; Lovell, Helfgott, & Lawrence, 2002; Petrucci, 2002), and to restoring victims to “normal” (Bonta, Wallace-Capretta, Rooney, & McAnoy, 2002, p. 320) or to “their condition before the crime” (Olson & Dzur, 2004, p. 143). Following review of 46 studies of victim-offender mediation programs, Umbreit,
Coates, and Vos (2002) report that “numerous victims were consumed by the need for closure” (p. 3) and imply that victim satisfaction with the restorative process was associated with a sense of having achieved this outcome.

The closure construct remains inconsistently defined in the academic literature. In Calgary’s model, closure for victims includes two components: acknowledgement of the impact of the harm and a sense of hopefulness for the future. Acknowledgment can help victims avoid feeling unsupported and misunderstood and, instead, assist their recovery through indicating unconditional acceptance (Maercker & Muller, 2004). Furthermore, acknowledgment may help to release feelings of revenge, although empirical evidence of this connection is lacking (Orth & Maercker, 2004). Freed from negative feelings of anger and revenge, the victim may be more able to feel hopeful about the future. There is some evidence of the relief victims feel if fear about future harm is alleviated (Strang et al., 2006). The construct “hopefulness for the future” may be related to victims’ ability to regain a sense of safety after a harm.

Existing theoretical and empirical literature provides some support for the Calgary’s program theory of intervention. That is, victim healing has been positively associated with belief that the offender has been held accountable for the harm, relationship repair, and closure. In the research study described below, a total of nine variables across these domains operationalize outcomes the program ideally hopes to achieve with victims harmed by the misbehavior of a young person. The program was interested in investigating the relationship between the victim scores on these variables and participation in restorative compared to conventional justice processes.

**Method**

**Measures**

The nine variables examined in the current study were operationalized by rationally-derived measures based on the results of the program’s earlier qualitative efforts to identify intermediate participant outcomes. The construction of measures was necessitated after review of existing tools in the victimization literature revealed none that seemed to provide valid operationalization of the specific variables identified by Calgary’s restorative justice program. A major disadvantage of this approach is that the constructed scales lack standardization, so confidence in their validity and reliability is necessarily tentative. On the other hand, the process of measure construction included both deductive (i.e., examining extant theoretical and empirical literature) and inductive (i.e., generating variables of interest and items to include in scales through participant interviews and staff reflection on conferencing experiences) strategies, which likely enhances their face and content validity. The psychometric efficacy of standardized measures applies only with respect to the variables they were designed to measure. Given the choice between using standardized measures of variables that are only remotely related to the variables in which they were interested or constructing their more direct (though non standardized) measures, the Calgary restorative program staff chose the latter.
The construction of scales to measure the nine variables built on the project’s earlier process of specifying intermediate program outcomes. That is, examination of those results resulted in the generation of numerous potential items. A repetitive process of consultation between principle investigators and program staff members eventually resulted in draft measures that staff judged satisfactory in terms of face and content validity. Individuals estimated to have about the same level of literacy as intended study participant pilot tested the scales and final modifications were made based on their feedback.

The measures constructed for the study each had multiple items to which participants indicate extent of agreement on 6-point Likert-type scales. About one-third of the items were worded in the negative. On the final study questionnaire, items on each scale were randomly dispersed throughout instead of occurring in blocks. The variable names, number of items in the scale, and example items are presented in Table 1.

<table>
<thead>
<tr>
<th>Domain</th>
<th>Variable</th>
<th>No. of items</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offender Accountability</td>
<td>Offender Responsibility</td>
<td>6</td>
<td>The young person owned up to his/her part in the incident.</td>
</tr>
<tr>
<td></td>
<td>Offender Empathy</td>
<td>10</td>
<td>The young person is able to put him/herself in my shoes and understand what I feel.</td>
</tr>
<tr>
<td></td>
<td>Offender Remorse</td>
<td>8</td>
<td>The young person regrets what s/he did.</td>
</tr>
<tr>
<td></td>
<td>Offender Redressed Harm</td>
<td>8</td>
<td>The young person has made up for what s/he did wrong.</td>
</tr>
<tr>
<td>Relationship Repair</td>
<td>Offender Understands Impact</td>
<td>5</td>
<td>The young person has a good idea how much I was effected by the incident.</td>
</tr>
<tr>
<td></td>
<td>Experiencing Respect</td>
<td>6</td>
<td>I think the young person is someone I can admire.</td>
</tr>
<tr>
<td></td>
<td>Experiencing Understanding</td>
<td>9</td>
<td>The young person responsible for this incident probably has problems in his/her life, just like we all do.</td>
</tr>
<tr>
<td>Closure</td>
<td>Experiencing Acknowledgement</td>
<td>6</td>
<td>I’ve had meaningful ways to tell my side of the story about the incident.</td>
</tr>
<tr>
<td></td>
<td>Experiencing Hopefulness for Future</td>
<td>7</td>
<td>I feel like the incident is finished and I can move on.</td>
</tr>
</tbody>
</table>
The Impact of Restorative and Conventional Responses to Harm on Victims: A Comparative Study

Participants
The research team experienced multiple problems recruiting sufficient numbers of participants for the study, particularly of victims who experienced the restorative justice intervention. The rigorous consent process we were ethically obligated to undertake, particularly when victims were of minority age, provides one explanation for the difficulty recruiting participants. Victims are not ‘officially’ a part of the school and youth court systems; their confidentiality required utmost protection, adding additional complexity to the recruitment process. Victims were contacted by court or school personnel, who inquired about initial interest in participating in the research. Even after victims had consented to have names released to the research team, we experienced difficulties making telephone contact to arrange pre- and post-test meetings. Difficulties were compounded when the victim was a minor and we needed consent from both the youth and his/her parent or legal guardian. As we proceeded through the years of data collection, we tried several strategies to recruit participants and experienced multiple changes to the research team composition. Unfortunately, these changes likely resulted in some recording errors; the figures regarding the total number of victims referred to the project (but not the total who eventually participated) are probably somewhat underestimated.

A total of 173 victims indicated initial interest in participating in a research project regarding the harm they had experienced. Of these, 55 proceeded through a restorative process (48 referred to the restorative program from youth court and 7 from schools) and 118 received the ‘conventional’ services offered to victims whose offenders are being disciplined through the educational or justice system (113 related to youth court referrals and 5 to school referrals). Pre-tests were completed with 18 victims proceeding to a restorative conference (33%). Between pre- and post-test, 4 dropped out of the study, leaving 14 victims who experienced the restorative justice intervention (25% of the initial referrals, 78% of the individuals who initially agreed to be part of the study). Among victims experiencing a conventional justice response, pre-tests were completed with 75 (64%), after which 20 dropped out, leaving 55 who completed pre- and post-tests (47% of the initial referrals, 73% of original participants).

Among victims who experienced the restorative response, reasons for initial non-involvement and attrition between pre- and post-tests included disinterest or the research team’s inability to make timely contact. Victims who experienced a conventional justice response were generally more receptive to initial involvement in the study (i.e., almost two-thirds of referrals agreed to initial involvement), although some were disinterested and some we were unable to contact. Among this group, a unique reason for drop out between pre- and post-test was the belief that, since “nothing had happened” since the pre-test, completing a post-test seemed senseless. Post-tests for two of the conventional justice participants were missing a page; these participants were subsequently dropped from the analysis so that the number of participants in this group totaled 53. Information on study participants is presented in Table 2.
Table 2
Participant Information

<table>
<thead>
<tr>
<th></th>
<th>Conventional Justice (N=53)</th>
<th>Restorative Justice (N=14)</th>
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<tr>
<td><strong>Referral Source</strong></td>
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<tr>
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<td>Female</td>
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<td>9</td>
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<tr>
<td><strong>Age</strong></td>
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<td>14-19</td>
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<td>5</td>
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<td>20-29</td>
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<td>3</td>
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<td>30-39</td>
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<td>40-49</td>
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<td>50-59</td>
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<td>7</td>
</tr>
<tr>
<td>Violence</td>
<td>26</td>
<td>6</td>
</tr>
<tr>
<td>Both property &amp;</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>violence</td>
<td></td>
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</tr>
</tbody>
</table>

1 Missing data on one conventional justice participant on age and offence type

Victims in the restorative justice group received the community conferencing intervention described above. Furthermore, those who were court-referred were aware that the young person responsible for the harm would be returning to youth court for disposition. Youth court judges in Calgary use discretion in their decision regarding the extent to which restorative conference outcomes affect final sentencing. Victims who experienced a conventional justice response experienced a harm by a young person proceeding through a school or court process. Although these youth would have indicated some admission of responsibility for their behavior, they would have either not received or not been interested in a referral to conferencing. The victim participants in the conventional justice group may have been spoken with by a school or justice official as the disciplinary action for the young person was decided upon (e.g., victims are generally contacted for input into the pre-sentence report required prior to disposition in youth court cases). They may have also received a referral to counseling or to a victim service agency. Reflecting typical contemporary responses to victims, it is unlikely that additional school- or justice-based intervention occurred with the participants in the conventional justice group.

Procedure
The study used a pre-test post-test non-equivalent comparison group design. Potential study participants were people harmed by a youth who had admitted wrongdoing; that
youth was experiencing a disciplinary process through school or youth court and may have been referred to Calgary’s restorative justice program. Victims who indicated initial interest in research involvement to a school or justice official were referred to the research team. When contact could be made by a research team member, the study and the process of informed consent were fully described. If the victim chose to proceed, a meeting time was arranged for written consent and pre-test completion. When post-tests were complete, the participant received $20 as a token thank you. Length of time between the date of harm, referral to research, date of pre-test, and date of post-test varied considerably among participants.

Results
Measurement Analysis
The dependent variables were subjected to reliability analyses (internal consistency) for both pre- and post-test scores. For this purpose, we used the Cronbach’s alpha to estimate the reliability of the scales. Cronbach’s alpha estimates reliability through providing the average all possible split-half reliabilities included a multiple item test and generates a correlation coefficient. Following analysis of item-total correlations, items found to reduce alpha were removed from their respective scales. Initial number of items per scale, number of items removed, and final internal consistency estimates are reported in Table 3.

Table 3
Cronbach’s Alpha for Variable Scales (N=67)

<table>
<thead>
<tr>
<th>Domain</th>
<th>Scale</th>
<th>No. of Items Removed (Pre/Post)</th>
<th>Items Remaining (Pre/Post)</th>
<th>Cronbach’s Alpha</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountability</td>
<td>Offender Responsibility</td>
<td>1/1</td>
<td>5/5</td>
<td>.76/.84</td>
</tr>
<tr>
<td></td>
<td>Offender Empathy</td>
<td>0/0</td>
<td>10/10</td>
<td>.78/.90</td>
</tr>
<tr>
<td></td>
<td>Offender Remorse</td>
<td>0/0</td>
<td>8/8</td>
<td>.90/.93</td>
</tr>
<tr>
<td></td>
<td>Offender Redressed Harm</td>
<td>0/0</td>
<td>8/8</td>
<td>.79/.86</td>
</tr>
<tr>
<td>Relationship repair</td>
<td>Understand Impact</td>
<td>1/1</td>
<td>4/4</td>
<td>.85/.91</td>
</tr>
<tr>
<td></td>
<td>Experience Respect</td>
<td>0/0</td>
<td>6/6</td>
<td>.89/.92</td>
</tr>
<tr>
<td></td>
<td>Experience Understanding</td>
<td>1/0</td>
<td>8/9</td>
<td>.83/.88</td>
</tr>
<tr>
<td>Closure</td>
<td>Experience Acknowledgement</td>
<td>0/0</td>
<td>6/6</td>
<td>.72/.86</td>
</tr>
<tr>
<td></td>
<td>Hopefulness for the Future</td>
<td>1/0</td>
<td>6/7</td>
<td>.91/.90</td>
</tr>
</tbody>
</table>
Initial reliability analyses on the scales indicated need for minimal item removal. Internal consistency alphas were, as expected, somewhat lower at pre- than post-test. Pre-test alphas ranged from .72 (Experience Acknowledgment) to .91 (Hopefulness for the Future). At post-test, alphas ranged from .84 (Offender Responsibility) to .92 (Hopefulness for the Future and Offender Remorse). Even at pre-test, but especially by post-test, these reliability estimates are within the range acceptable for applied research in the social and behavioral sciences (Kline, 1999 reports a generally accepted $\alpha = 0.80$). Overall, the Cronbach’s alphas support confidence in the consistency of the scales; somewhat mitigating the problem associated with using non-standardized measurement instruments.

**Pre-test analyses**

Pre-test analyses were used to test for differences between the conventional and restorative justice groups prior to intervention. For this purpose we compared mean scores on each scale utilizing a T-test for two independent groups. This is particularly important given the quasi-experimental nature of the research design, which provides no control for extraneous variables that could explain differences at post-test. The analyses included comparison of mean scores on each variable (Table 4) as well as comparison of mean scores by age, gender and type of offence.

<table>
<thead>
<tr>
<th>Domain</th>
<th>Variable</th>
<th>Restorative Justice (N=14) Mean (SD)</th>
<th>Conventional Justice (N=53) Mean (SD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountability</td>
<td>Offender Responsibility</td>
<td>3.56 (1.11)</td>
<td>2.89 (0.94)*</td>
</tr>
<tr>
<td></td>
<td>Offender Empathy</td>
<td>3.23 (0.81)</td>
<td>3.03 (0.79)</td>
</tr>
<tr>
<td></td>
<td>Offender Remorse</td>
<td>3.88 (1.21)</td>
<td>3.36 (1.11)</td>
</tr>
<tr>
<td></td>
<td>Offender Redressed Harm</td>
<td>2.88 (1.09)</td>
<td>2.65 (0.93)</td>
</tr>
<tr>
<td>Relationship</td>
<td>Offender Understands Impact</td>
<td>3.09 (1.14)</td>
<td>2.74 (1.15)</td>
</tr>
<tr>
<td>repair</td>
<td>Experience Respect</td>
<td>3.08 (0.86)</td>
<td>2.62 (1.23)</td>
</tr>
<tr>
<td></td>
<td>Experience Understanding</td>
<td>3.48 (0.71)</td>
<td>3.13 (1.08)</td>
</tr>
<tr>
<td>Closure</td>
<td>Experience Acknowledgment</td>
<td>4.05 (0.60)</td>
<td>3.98 (0.96)</td>
</tr>
<tr>
<td></td>
<td>Hopefulness for the Future</td>
<td>4.01 (0.90)</td>
<td>4.10 (1.21)</td>
</tr>
</tbody>
</table>

* $p < .05$
As indicated by Table 4, there was only one significant difference between the conventional and restorative victim groups prior to the intervention on the measured variables. Similarity between groups at pre-test was expected, as the victims themselves had restricted opportunity to select a restorative process. That is, only victims connected with young people who had been referred and then agreed to a restorative process would be given the option of participating in a restorative conference. The division of the study’s participants into groups reflects choice on the part the restorative group, but little choice on the part of the conventional group. It is not unreasonable to assume that, had they been given a choice, a number of victims in the conventional group might have opted for a restorative process. Therefore, scores on variables related to their own healing might be expected to be roughly equivalent between conventional and restorative justice participants.

To further examine extraneous variables that may explain observed differences at post-test, pre-test scores were analyzed by gender, age, and type of offence. Males scored significantly higher than females on the two variables related to closure: Experiencing Acknowledgment ($t(64) = 2.53, p < .05$) and Hopefulness for the Future ($t(64) = 2.02, p < .05$). Females scored significantly higher than males on Experiencing Respect ($t(64)=2.28, p < .05$) and Experiencing Understanding ($t(64)=2.60, p < .05$). Age was significantly negatively correlated with two variables: Experience Acknowledgment ($r = -.28, p < .05$) and Offender Redressed Harm ($r = -.27, p < .05$). The negative correlations indicated that as age increased, scores on the variables decreased. With respect to offence type, initial ANOVAs indicated significant differences on two variables. Subsequent post hoc analysis (Scheffé) indicated that, on Hopefulness for the Future, individuals reporting victimization by both violent and property offences were significantly lower than those victimized by violent offences only. On Offender Redressed Incident, victims harmed by both violent and property offences and victims harmed by property offences only scored significantly lower than victims harmed by violent offences.

Differences at post-test
The differences among participants on extraneous variables would, ideally, be statistically accounted for during post-test analyses. In this study, disproportionate distribution into groups of the already small sample makes comprehensive analysis impossible. To respond to the challenges posed by this dataset, we utilized an Analysis of Covariance (ANCOVA). While an ANCOVA is quite similar to the Analysis of Variance (ANOVA) it allows for control of pre-test differences. We employed ANCOVA to detect post-test differences while controlling for the differences noted above for each of the scales. When using ANCOVA the variables that are controlled by removing their effect (i.e., variance) in the resulting model (Tabachnick & Fidell, 2001). Differences in the covariates and comparison groups are interpreted using T-tests. Reported below in Table 5 are differences at post-test with, when appropriate, one covariate.
### Table 5

*Differences Between Restorative and Conventional Groups at Post-test*

<table>
<thead>
<tr>
<th>Domain</th>
<th>Variable</th>
<th>ANCOVA F</th>
<th>t for Covariate Differences (covariate)</th>
<th>t for Group Differences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountability</td>
<td>Offender Responsibility</td>
<td>37.59*</td>
<td>6.19* (Pre-test)</td>
<td>4.16*</td>
</tr>
<tr>
<td></td>
<td>Offender Empathy</td>
<td>-</td>
<td>-</td>
<td>6.31*</td>
</tr>
<tr>
<td></td>
<td>Offender Remorse</td>
<td>-</td>
<td>-</td>
<td>5.79*</td>
</tr>
<tr>
<td></td>
<td>Offender Redressed Harm</td>
<td>20.41</td>
<td>2.01* (Offence Type)</td>
<td>6.17*</td>
</tr>
<tr>
<td>Relationship repair</td>
<td>Offender Understands Impact</td>
<td>-</td>
<td>-</td>
<td>5.88*</td>
</tr>
<tr>
<td></td>
<td>Experience Respect</td>
<td>15.55*</td>
<td>2.99* (Gender)</td>
<td>4.34*</td>
</tr>
<tr>
<td></td>
<td>Experience Understanding</td>
<td>10.60*</td>
<td>3.39* (Gender)</td>
<td>2.82*</td>
</tr>
<tr>
<td>Closure</td>
<td>Experience Acknowledgment</td>
<td>4.99*</td>
<td>-0.88 (Age)</td>
<td>3.02*</td>
</tr>
<tr>
<td></td>
<td>Experience Hopefulness for the Future</td>
<td>5.47*</td>
<td>- (Age) 2.57*</td>
<td>2.11*</td>
</tr>
</tbody>
</table>

Differences were apparent on all variables between the group of victims experiencing conventional justice processes compared with the group of victims experiencing restorative justice processes. On three variables, pre-test analyses revealed no significant differences (or relationships) between groups, gender, type of offence or age. For these variables – Offender Empathy, Offender Remorse, and Offender Understands Impact, final analysis involved a *t*-test of group differences on post-test scores. For Offender Responsibility, significant existing differences between groups were controlled through co-varying by the pre-test score. Gender differences were controlled on Experience Respect and Experience Understanding, and Age relationships were controlled on Experience Acknowledgment and Experience Hopefulness for the Future. Offence type, shown to be related to scores on Offender Redresses Harm, was conflated from 3 to 2 categories. Earlier analysis had indicated that victims who had experienced property and both (property and violent) types of offences did not differ significantly on Offender Redresses Harm, while both differed significantly on the variable with victims who experienced violent offences. Based on this analysis, victims who had experienced property and both (property and violent) offences were grouped together; the resulting ANCOVA examined
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differences at post-test on Offender Redresses Harm, controlling for differences by offence type.

Discussion

Although they must be interpreted with extreme caution, the results of this study tentatively suggest that, compared with victims who experience a conventional response to the harm, victims who experience a restorative program achieve more positive outcomes. Theoretically, it could be argued that these outcomes would contribute to the long term goal of victim healing. Perhaps more important was the example set by the participatory and collaborative process utilized in the design and development of this project, including the operationalization of central concepts in the restorative model such as accountability, relationship repair and closure.

However, the current study is far from an ‘ideal’ experiment. Indeed, as Presser and Van Voorhis (2002) have noted, threats to internal validity of quasi-experimental studies have been common in this domain of field research. However, such studies can be useful provided, “Researchers in less auspicious scientific circumstances can compare changes in restorative program participants with changes in persons who experienced other interventions as long as they ensure similarity between comparison and experimental groups” (p. 179). Clearly, efforts were made in this study to achieve this goal.

Given the small sample size and unbalanced groups complicating the analyses of the study’s findings, results should be interpreted with considerable caution. Because there is no way of knowing the extent to which the sample represents victims who experience a restorative or conventional response after experiencing harm, generalizability is extremely constrained. Cause and effect inferences are limited by the lack of design control over extraneous independent variables that might be responsible for differences between groups of victims who experienced conventional versus restorative justice processes. Incorporating a pre-test with the quasi-experiment allowed some statistical control over extant differences between the groups. However, statistical analysis was complicated by the small sample size and disproportionate distribution of participants into comparison groups. Finally, the use of non-standardized measures reduces confidence in their psychometric efficacy, which is only slightly mitigated by the strong internal consistency analysis results.

Conclusion

At a minimum, these promising though tentative findings, which point to improved outcomes for victims, argue for ongoing research into ‘intermediate outcome’ variables like those specified by Calgary’s restorative justice program. While the findings are modest, this project offered a community-driven collaborative model of research that is consistent with the relational aims of the restorative paradigm, one that may contribute to the development of new instrumentation for testing and use in future research. Further study of similar program innovations with larger samples may ultimately result in greater attention by policy makers and the continued development of enhanced restorative responses to the needs of victims.
References


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Hogeveen, B.R. (2005). ‘If we are tough on crime, if we punish crime, then people get the message.’ Constructing and governing the punishable young offender in Canada during the late 1990s. Punishment and Society, 7(1), 73-89.


