

VICTIM-CENTRED COMMUNITY-BASED RESTORATIVE JUSTICE PILOT FOR SEXUAL VIOLENCE

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Background:

Few survivor-victims of sexual violence make a formal complaint to the police. The traumatic impact of the traditional criminal justice system also contributes to a significant attrition in case numbers. Most cases do not proceed to trial and fewer still result in a conviction. Traditional criminal justice processes cannot be easily reformed without doing harm to basic defendant rights. This study evaluates an innovative justice process, originally termed “restorative justice”, offered by SECASA in Victoria. Such innovative processes have been the focus of significant criticism by feminist authors, however little evaluative data exists.

Methods:

This is a mixed methods study of those who have participated in the SECASA process. With the consent of participants, demographic data is collected from client files. Interviews are conducted with survivor-victims, those who are regarded as being responsible for harming them, support persons and facilitators of the process. Participants also complete a survey containing Likert scale questions designed to capture their views of aspects of this justice process.

Results:

The study is not yet complete. These are interim results.

The process contains few of the defining elements of “restorative” justice but does contain the necessary elements of a justice process. A critical element of this process is enhancement of survivor-victim agency. The process can operate independent of the traditional criminal justice system and alongside it. Despite the fact that there is no capacity to enforce participation, offenders do agree to participate. The offender may not necessarily be the person the survivor-victim wishes to involve in the process. A punitive outcome for the offender or person responsible for harm is not necessary for the process to be effective. Unless safeguards are put in place, there is a risk that this process could return sexual and family violence to the private domain.

Conclusion:

There is little empirical evidence available on the impact of innovative justice options for survivor-victims of sexual and family violence. Models need to be developed and

tested to determine if they do, in fact, provide a workable addition to the traditional criminal justice process.

Disclosure of Interest Statement:

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