



Australian
National
University

Australia's Experience in Implementing *Restorative Justice*

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Restorative Justice



With thanks to Rob Seward



**Because crime hurts,
justice should heal**

Restorative Justice seeks an opportunity for all stakeholders affected by an injustice to discuss how they have been hurt by it, to heal those hurts, repair relationships, take responsibility for reform, prevent recurrence and enhance the capabilities for human flourishing of those affected.

So Restorative Justice is about:

- Dialogue
- Active Responsibility
- Healing
- Building Relationships
- Building Human Capabilities
- Prevention of future injustice

Canberra Restorative Justice Unit Values

- **Safety**
- **Accountability**
- **Empowerment**
- **Healing**



Passive Responsibility

Active Responsibility

Start by asking:

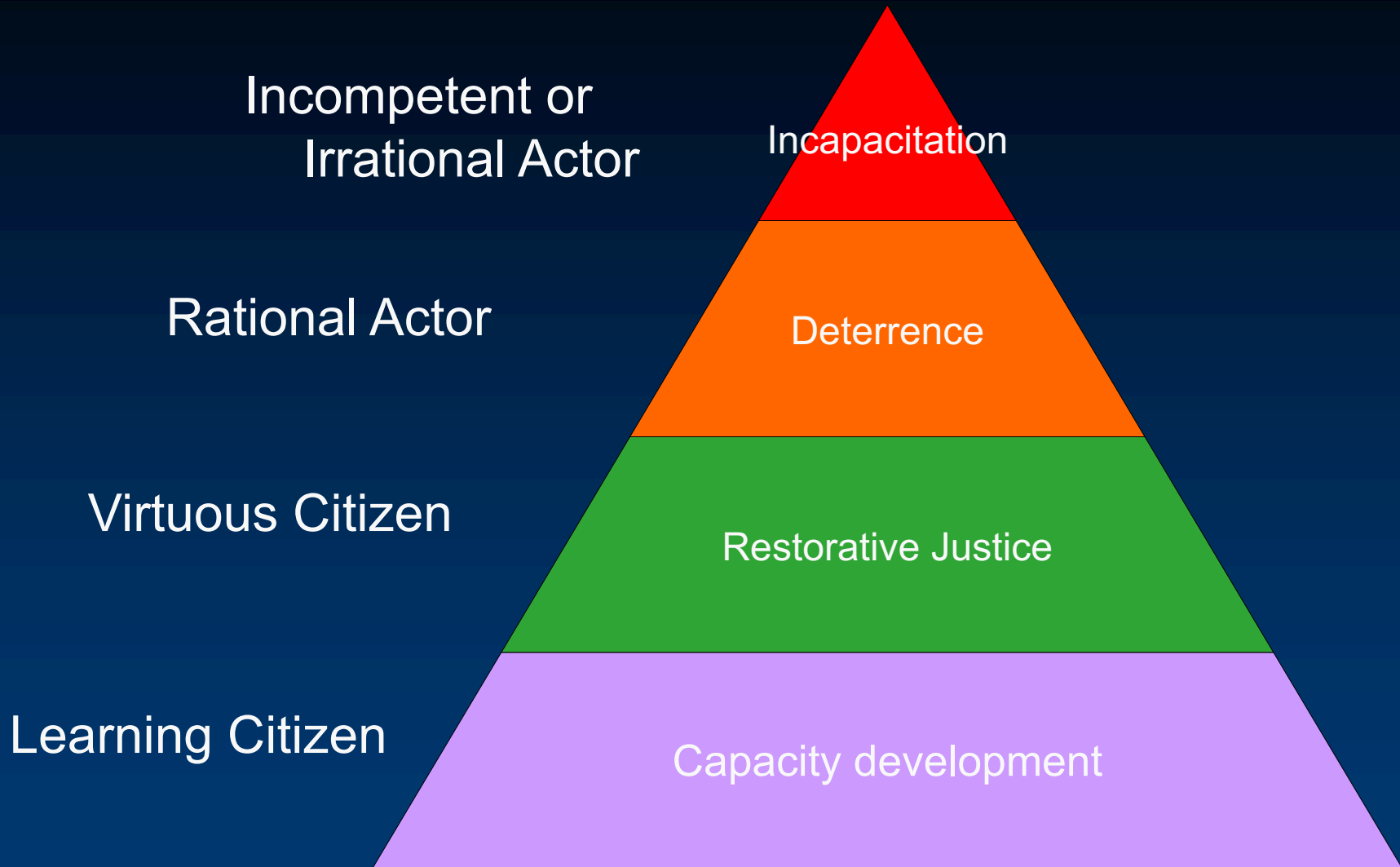
What's working in this community to deliver justice and conflict resolution to people?

What are the circumstances where ***adat*** delivers justice and conflict resolution in this community? How restorative is that ***adat***?



For John Braithwaite
publications on
Restorative Justice:
johnbraithwaite.com

Assumption



Strang H, Sherman LW, Mayo-Wilson E, Woods D, Ariel B 2013. *Restorative Justice Conferencing (RJC) Using Face-to-Face Meetings of Offenders and Victims: Effects on Offender Recidivism and Victim Satisfaction. A Systematic Review*. Campbell Systematic Reviews. (also published in *Journal of Quantitative Criminology* 2014).

Latimer J, C Dowden and D Muise 2001 *The Effectiveness of Restorative Justice Practices: A Meta-Analysis*, Ottawa, ON: Department of Justice.

Bonta J, R Jesseman, T Ruge and R Cormier 2006 'Restorative justice and recidivism: promises made, promises kept?', in Dennis Sullivan and Larry Tiff (eds.), *Handbook of Restorative Justice: A Global Perspective*, London: Routledge.

Braithwaite, J 2002 *Restorative Justice and Responsive Regulation*. New York: Oxford University Press.

David B Wilson, Ajima Olaghere,
Catherine S Kimbrell 2017
*Effectiveness of Restorative Justice
Principles in Juvenile Justice: A
Meta-Analysis*, US Dept of Justice.



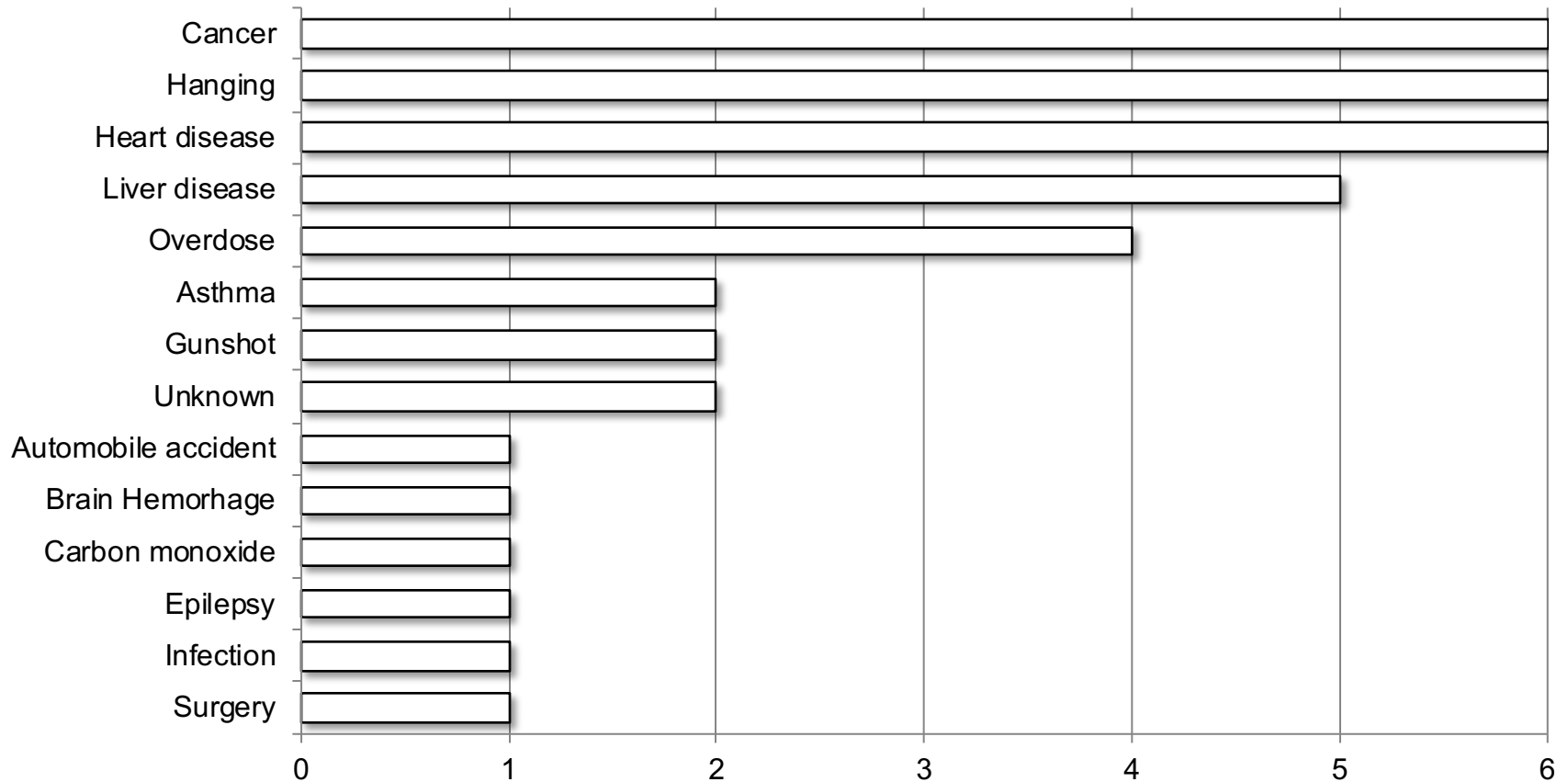
Angel, Caroline M., Lawrence W. Sherman, Heather Strang, Barak Ariel, Sarah Bennett, Nova Inkpen, Anne Keane, and Therese S. Richmond. "Short-term effects of restorative justice conferences on post-traumatic stress symptoms among robbery and burglary victims: a randomized controlled trial." *Journal of Experimental Criminology* 10, no. 3 (2014): 291-307.

Sherman, L and H M Harris 2014 'Increased death rates of domestic violence victims from arresting vs. warning suspects in the Milwaukee Domestic Violence Experiment (MiDVE)', *Journal of Experimental Criminology*.

Free online

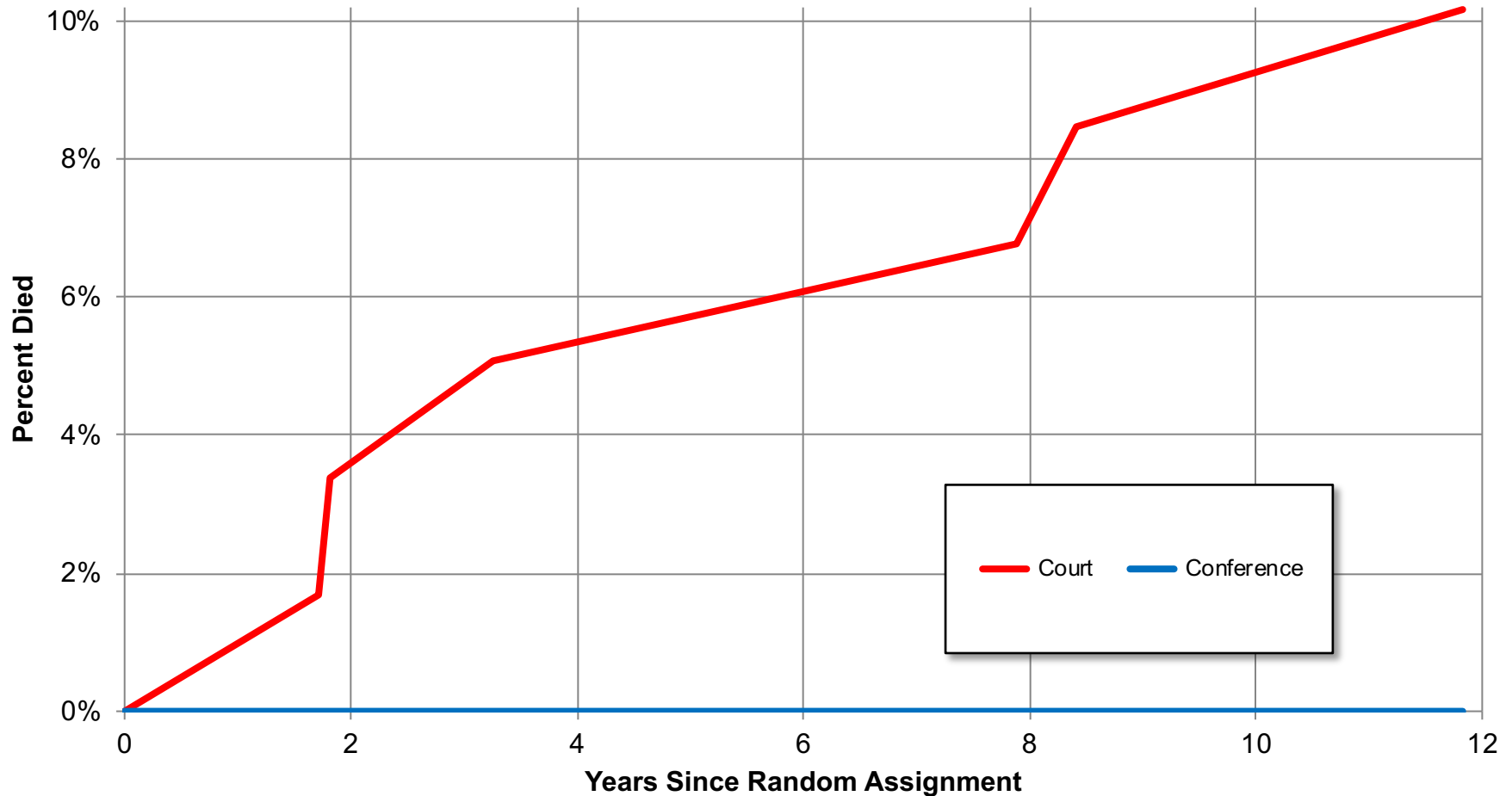
Causes of Death

Sherman/Strang Canberra RJ Experiments





Survival Analysis: Canberra Violence experiment: Angel, Barnes et al



Reducing the Bangladesh prison population through paralegals and restorative justice conferences that got more than 7000 people released from prison.

J. Braithwaite (2015) 'Paralegals Changing lenses', *Restorative Justice: An International Journal* 3(3), 311-324.

Implementing the agreement as an outcome

Effect sizes tend to be stronger for violent and serious offenders

This is a reason so many of the weakest effect sizes are for juvenile offenders

Lawrence Sherman and Sword of Damocles effects

Imbalances of power and restorative justice

Net widening as an outcome of concern

But some virtues of restorative police cautioning