

scottish justice matters

Volume 5 | Number 1 | April 2017



RESTORATIVE JUSTICE

A MODEL APPROACH

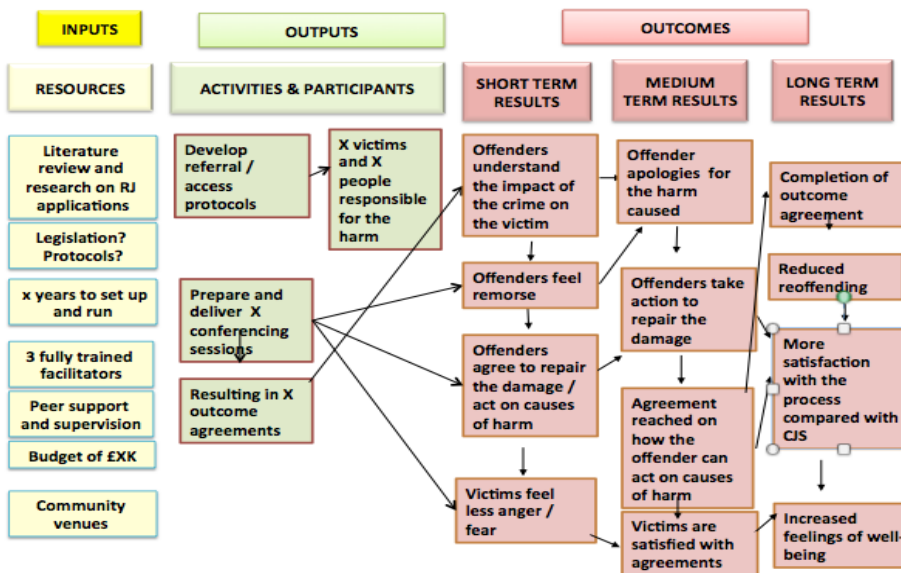
Catherine Bisset on the potential to use logic model evaluations for restorative justice

THERE IS growing evidence that restorative justice offers a powerful alternative to the traditional criminal justice system in some circumstances. Champions have claimed that for the most part, face-to-face encounters between victims and offenders give participants access to a higher quality of justice: but how do we test these bold claims? I am going to argue that using logic model evaluations may help.

Logic models: popular, intuitive and useful

I wonder if logic models are popular because they are so intuitive. Every goal-oriented action we take whether it is shopping, travelling or cooking, is driven by an implicit logic model that assumes our actions will result in outcomes.

Logic models that describe interventions are graphic representations showing how it is supposed to work to achieve results. Logic models are also extremely handy if you are *designing* an intervention as they set out, in graphic form, what needs to happen for short, medium and longer term outcomes to occur: in theory at least. Below is a fairly simple logic model of a fictional restorative justice intervention illustrating this.



What are logic model evaluations?

After drawing up your logic model you then collect data from the real intervention to explore if the intervention actually worked as intended. The type of questions that can be addressed by logic model evaluations are,

- ❖ Were there sufficient resources to run the programme as intended?
- ❖ To what extent did participants engage?
- ❖ Was the intervention delivered as intended?
- ❖ How many participants achieved intended outcomes?

Advantages

Unlike their experimental cousins that tend to compare whether there is a real difference in long term outcomes achieved by treatment group and a control group, logic model evaluations measure if a range of shorter term outcomes materialise as a direct result of activities or processes.

As longer term outcomes such as reconviction rates are often measured years after experiencing an intervention, they are influenced by a mind-boggling range of external variables. Unless you have a control group then it is tricky to attribute long term change to the intervention. Control groups are not easy to construct in criminal justice because most interventions are voluntary, court-mandated or have to be provided to everyone who is eligible.

More fundamentally, longer term social outcomes such as reducing reoffending can only be sustained if a range of interventions, policies and judicial practices work together to achieve them, so it does not seem to make sense for a solitary intervention to be held responsible for such a complex outcome. Evaluations of individual interventions should be about measuring their *contribution* to reducing reoffending and this is what logic model evaluations do.

A logic model for restorative justice

There does not appear to be single definition of restorative justice, except that advocates do seem to agree that its aims and processes are completely distinct from the traditional adversarial criminal justice system. It is perhaps surprising that there are not more detailed logic models or theories of change in the literature, especially as the process itself is explicitly goal-oriented.

Even if reducing reoffending is an outcome of interest, there are a wider range of potential outcomes to map out.

For victims, outcomes could range from satisfaction with the process, reduced stress, increased confidence in the justice system and increased well-being. For offenders to achieve an ultimate outcome of reduced offending it is assumed that they must first achieve intermediate goals such as acknowledge the impact their actions on the victim and restitution to repair the damage caused. There could also be outcomes for the community such as empowerment in being able to respond to offending themselves.

These restorative outcomes do not ‘just happen’ so setting out the theory of change might help stakeholders to understand how restorative processes should work.

Using logic model evaluations for restorative justice

The sheer range of potential outcomes makes it obvious that using an experimental method *on its own* will only measure change through a very narrow lens. In fact, the singular focus on whether it reduces reoffending will ignore important outcomes for victims and family members, who are arguably the main focus of restorative justice.

Logic model evaluations are very well suited to evaluating restorative justice as they are flexible enough to measure a variety of restorative outcomes for multiple participants. The logic model itself provides a very handy framework from which we can develop evaluation questions and indicators.

Exploring if what you did made any difference

Robust logic model evaluations do not just explore whether outcomes occurred: they also test whether there is a relationship between processes and outcomes. The question of cause and effect is an important one for restorative justice because there are other factors that could influence change. For example, ‘non-restorative’ processes that could impact on victim satisfaction could be if victims received information about their case or help from other victim support services. If we are fairly confident that restorative processes are responsible for outcomes, we can begin to make the case for the added value of restorative approaches.

But how can we explore cause and effect without a control group? Well, there are a few methods that could help. We could simply ask ‘successful’ participants what factors they attribute to change to (although this method is vulnerable to self-attribution bias). Another way is to check if there is a pathway from intermediate outcomes to longer term outcomes, or we could compare the outcomes of those who completed with those who dropped out. These methods cannot ‘prove’ cause and effect but they can reduce the likelihood that the results were caused by external factors.

Another major advantage of logic model evaluations over experimental methods is they can identify poor practice. We know that non-statistically significant results from Randomised Controlled Trials (RCTs) for evidence-based rehabilitation programmes are often explained by poor delivery (or small sample sizes): but if results are misinterpreted as signalling that the underlying theory is flawed we risk throwing the baby out with the bathwater.

The centrality of engagement

Victim, offender and community involvement are said to define the restorative justice approach. Some go further by asserting that restorativeness is a function of victim

participation. However experimental approaches do not tell us anything about the role that participants play in achieving outcomes. In contrast, logic model evaluations see participation as a central aspect of interventions, not least because levels of participation helps us explore cause and effect. If participants who engage more intensely with the process achieve consistently better outcomes compared with those who engage less intensely, then it is likely that engagement with the process was partly responsible for those outcomes rather than external factors.

‘They may have succeeded anyway’: self-selection bias

A real challenge facing all evaluations of criminal justice interventions is self-selection bias. Restorative justice is voluntary and offenders are only eligible if they admit responsibility for the offence. Even if you construct matched control groups for offenders and victims, groups cannot usually be matched on motivation to change. This means that any differences between the treatment group and the control could be explained by levels of motivation rather than because of the intervention itself. It is because of this bias that some outcome measures, for example the percentage of restitution agreements achieved, are not very insightful as this is likely to be high if people are motivated to reach a settlement anyway. It is the perceived *satisfaction* with the agreements that is a more meaningful outcome for restorative justice. It also highlights the need to use qualitative measures as well as quantitative ones to explore the benefits of this approach. However, the reality is that logic model evaluations do struggle with selection bias as much as quasi-experimental ones.

Measure what you get rather than get what you measure

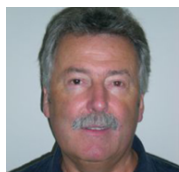
You have probably gathered by now that some of the aims of restorative justice can be tricky to define and measure. Counting the number of restitution agreements or determining if reparation has happened are both relatively easy to measure. However, emotional changes such as whether victims feel forgiveness are not so easy to capture. The danger with not specifying the more ‘woolly’ outcomes is that restorative justice could become defined by what can be measured rather than by what it actually achieves. The ability to measure the less concrete outcomes such as emotional change are important if stakeholders are to fully understand what restorative justice does for all participants.

Let the people speak

The ultimate strength of any social theory is determined by how accurately it captures the reality of people who are subject to it. Restorative justice theory makes bold assumptions about the needs of people affected by crime. Its validity as a social theory must be grounded in empirical evidence offered by those most affected by crime: victims, communities and offenders. Although logic models results are often messier than experimental results and harder to communicate to stakeholders, logic model evaluations could build a body of evidence to give stakeholders a deeper insight into how restorative justice is actually experienced by the people who it effects the most.

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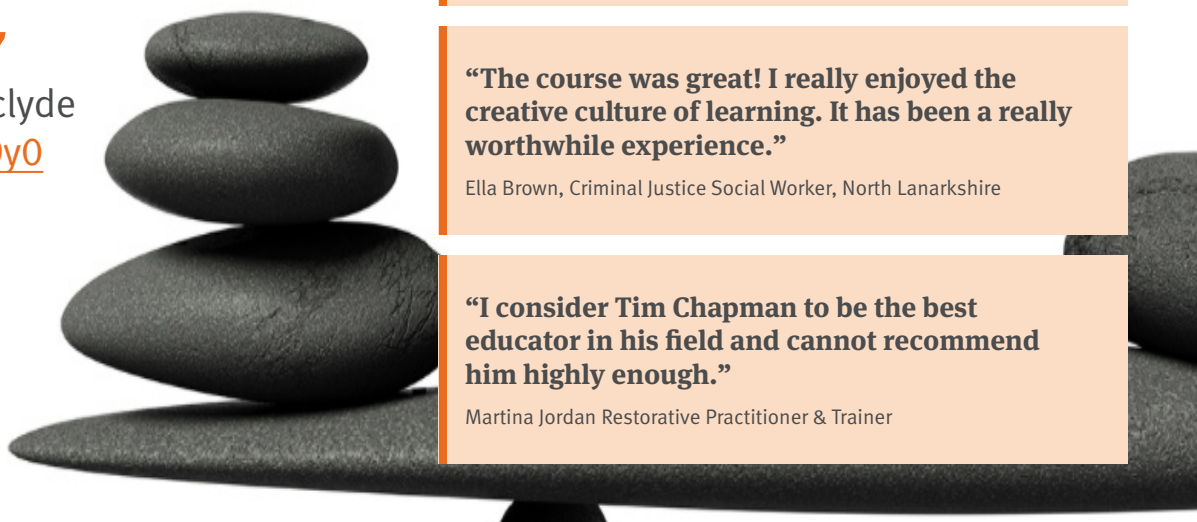
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20 April 2017	Edinburgh	RJ and desistance
15 June 2017	Glasgow	RJ and homicide
October (tbc)	Day conferences	

Further events to be announced.

www.scottishinsight.ac.uk/Programmes/Learningfromotherplaces/RestorativeJustice.aspx

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