

Book Review

Daniela Bolívar

Restoring Harm: A Psychosocial Approach to Victims and Restorative Justice

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Reams have been written about the victim's position in restorative justice (RJ), but empirical studies remain surprisingly scarce. Conducting longitudinal studies with vulnerable victims of crime is especially fraught with difficulties, yet Bolívar has overcome many hurdles to base this comprehensive analysis of victim-offender mediation on data of a rare quality.

Bolívar interviewed 50 victims before they participated in victim-offender mediation, then completed follow-up interviews with 36 of them. A further 74 victims filled in a questionnaire beforehand, of which 60 completed a second questionnaire at the end of the restorative process. Notably, this method gave her the opportunity to interview victims who wished to communicate with the offender but were unable to do so, as well as to compare victims' stated expectations with their experiences. The studies were conducted in Spain and Belgium, with people who had most often been victims of physical assault. Based on the data, as well as a review of the literature (Chapter 1), Bolívar documents victims' experiences, from their reactions to the crime (Chapter 2), and their expectations of mediation (Chapter 3), to their post-mediation attitudes (Chapter 4).

In Chapter 1, Bolívar lists measures which have previously been used to assess whether RJ processes benefit victims – including satisfaction, a reduction in post-traumatic stress disorder symptoms, closure, a decrease in negative emotions or an increase in positive ones, meeting justice needs and procedural justice needs, and changing the meaning that victims ascribe to the crime. She then challenges whether these measures are sufficient to identify potential negative effects and to determine whether RJ is appropriate for all victims, particularly in the absence of long-term measures and RJ research which is often subject to self-selection bias. She is especially critical of 'satisfaction' as a measure of the benefits victims may experience, and she writes that we need a better measure of the psychosocial aspects of their experience.

In Chapter 2, Bolívar details the effects of crime on the participants, highlighting two aspects of the 'social' in psychosocial that have often been overlooked in accounts of criminal victimisation. First, because victims perceive crime to be 'wrong' as well as 'harmful', Bolívar argues that the reactions of the community and society are more important to crime victims than other victims (e.g., of natural disasters). This argument is continued in the Epilogue where she further explores the role of victim relationships with the offender and with their communities, which she states have been missing from theories of trauma and victimisation. Second, although participants in this study had been victims of relatively minor crimes, many of them described experiencing significant social stigma. This had considerable impact on the participants, which Bolívar notes as an important social aspect of victim experience that has often been overlooked, particularly for minor offences.

Next, Bolívar explores in depth victims' views of the offence, the offender, the victims' role in the offence, and the relationship between them, to which it would be impossible to do justice here. I do, however, recommend looking at Figure 2.1 to understand the significance she ascribes to the relationship between victim and offender. In this chapter, Bolívar also reports how her participants responded when asked the meaning of 'restoration'. She identifies three categories of change that victims seek in 1) their own internal feelings, including safety, understanding the offence, and regaining a normal life, 2) their feelings about the offence or offender, including compensation, getting the case closed, ensuring the offender does not reoffend, and punishing the offender, and 3) their feelings about their social environment, including feeling recognised.

In Chapter 3, Bolívar describes her participants' motivation for wishing to communicate with the offender. Participants often mentioned, for example, that they wanted to 'let the offender know the

impact' and to 'see the offender taking responsibility' (p. 164). An interesting discussion in this chapter concerns whether victims can be harmed by the offer of mediation. All the interviewees said they were pleased to have been given the opportunity even when they chose not to participate, although we cannot rule out the possibility that those who were upset by the offer did not take part in Bolívar's research. However, several of the victims were not happy that the facilitator had contact with the offender first, perceiving it as a lack of neutrality. If all victims were informed about the possibility of mediation at the point of reporting the crime, Bolívar reasons, this would allow for mediation to be initiated by either the offender or the victim at any stage, without there ever being a case in which the offender knows about it before the victim does.

In Chapters 4 and 5, Bolívar builds her 'psychosocial model of restorative justice'. Nestled in among a multitude of organising schemas, we find the three main changes she identifies as occurring over time for victims: their perceptions of the offence and offender, the victims' own coping strategies, and their degree of social support. Bolívar describes various aspects of each type of change, but most are focused on what she calls *constructing meaning*. This, she writes, occurs primarily through discovering the extent to which the offender's act was intentional, and through victims coming to understand their own role in the offence.

Bolívar uses these findings to return a cautious but optimistic verdict on the benefits of mediation for victims. Her findings, she writes, support the idea that victims derive closure, but not healing, from the process. Victims' negative emotions sometimes decrease, but she found little evidence of an increase in positive emotions. Victims experienced a sense of procedural justice, but they did not tend to have experienced empowerment in its broader sense. She concludes that the victims she interviewed rarely experienced 'restoration' through mediation, and therefore she proposes that:

The main value of RJ is not the therapeutic effects this could or could not produce, but to serve as a mechanism to solve a wrongful act. In other words, 'healing' should not be considered the main objective of RJ but rather justice and procedural outcomes.
(p.335)

This book makes a valuable contribution precisely because the participants are victims of common crimes, who have been neither horrendously traumatised nor completely unaffected. Studies with victims of very minor crimes committed by young people, tend to find victims participating for the benefit of the offender (Doak and O'Mahony, 2006), and so it is hard to identify the mechanisms by which victims benefit, if they do at all. On the other end of the spectrum, some researchers focus on transformative cases and the therapeutic effects that some victims experience (Bolitho, 2017). Bolívar's measured and meticulous approach to describing, exploring, and theorising about what goes on in the middle ground, is precisely what makes it important.

If I were to find fault with the book, then, it would only be that there are too many organising schemas. Bolívar catalogues the effects of crime on victims, their motivation for participating, the effects of participating and a vast number of potential influences at each stage, resulting in so many categories that I wondered whether victims' experiences are simply so diverse that it is not possible or worthwhile to categorise them at all. Bolívar's attempt to document factors that influence victim motivation and RJ outcomes seems especially futile, because there are far too few victims within each of the subgroups to be able to draw causal inferences. Having said this, however, competing theories are often built on no evidence at all, so Bolívar's lists of potential influences are a useful contribution to theory building, and have their place in setting the agenda for future research. I was convinced by Bolívar's book that categorising and organising victims' experiences is indeed a worthwhile endeavour.

In summary, this is an excellent book and I highly recommend it to anyone interested in victims' experiences of mediation. It covers so much material that it is a little dense, but as it separately documents each stage in the victim-offender mediation process, the chapters could also be read individually. The book does a fantastic, measured job of outlining what mediation did and did not

achieve for a group of victims, and it contributes important insights to our broader understanding of victims' needs and perceptions of justice.

References

- Bolitho J (2017) Inside the restorative justice black box. *International Review of Victimology* 23(3): 026975801771454. DOI: 10.1177/0269758017714549.
- Doak J and O'Mahony D (2006) The vengeful victim? Assessing the attitudes of victims participating in restorative youth conferencing. *International Review of Victimology* 13(2): 157–177. DOI: 10.1177/026975800601300202.