

Training for restorative justice work in cases of sexual violence

Marie Keenan*

1. Introduction

It is easy to understand why some people may have reservations about the application of restorative justice (restorative justice) in cases of sexual violence (see *e.g.* Zinsstag, 2017). Yet, European-Commissioned Daphne-funded research¹ undertaken by Estelle Zinsstag and myself with a team from a number of European countries demonstrated that this work is already taking place ‘under the radar’ in many jurisdictions across the globe (Zinsstag & Keenan, 2017). Research also indicates that victims of sexual violence in jurisdictions that do not provide restorative justice services in sexual violence cases as the norm want restorative justice to be made available to them as a matter of choice (see Keenan, 2014). They want restorative justice to be provided by a designated autonomous agency, legitimated and supported by the state and independent of, but working in, collaboration with criminal justice infrastructure. Importantly, these victims want restorative justice in sexual violence cases to be facilitated by well-trained professional practitioners in whom they can trust.

Practice experience indicates that the very same reasons that prompt victims to engage in restorative justice in non-sexual cases also apply in cases of sexual violence – perhaps even more so. These are to enable their voice to be heard and for the impact and aftermath of the trauma to be more profoundly and widely considered. In addition, some victims want their resilience in the face of such wrongdoing to be expressed. They want to ask questions, hear answers and create a more meaningful level of accountability. Daly (2017) summarised victims’ justice interests from a range of empirical sources as participation, voice, validation, vindication and offender accountability-taking responsibility.

Turning attention to admitted offenders, Keenan’s (2014) research found that they would be willing to participate in restorative justice if they were requested to do so. They believed that restorative justice might provide opportunity to repay a moral debt, to contribute towards the healing of the victim and secondary victims, and for apology and expression of sorrow. They too wanted restorative

* Marie Keenan is a lecturer and researcher at the School of Social Policy, Social Work and Social Justice, University College Dublin, a forensic and systemic psychologist and a restorative justice practitioner, Dublin, Ireland. Contact author: marie.keenan@ucd.ie.

1 ‘Developing integrated responses to sexual violence: an interdisciplinary research project on the potential of restorative justice’, Daphne Project JUST/2011/DAP/3350.

justice in sexual violence cases to be facilitated by well-trained professional practitioners in whom they could trust.

There is now a growing body of research evidence that supports the application of restorative justice in cases of severe harm, such as sexual violence (Angel, 2006; Koss, 2013). There is a growing body of research on the benefits of restorative justice for victims of sexual crime, including some case-specific examples (McGlynn, Westmarland, & Godden, 2012), and there is growing interest in how restorative justice in cases of sexual violence can contribute to offender rehabilitation and to desistance from further offending. However, in considering the provision of restorative justice in sexual violence cases, some important principles must apply: (1) No crime victim should ever be forced into an restorative justice meeting with the perpetrator nor should he or she be denied the opportunity to do so if he or she desires (Koss, 2000); (2) No sexual violence perpetrator should be forced into an restorative justice meeting with the person he or she has harmed nor should knowledge of his or her willingness to do so be kept from the crime victim, who ultimately has a choice whether to proceed to the next stage or not. Ultimately, the restorative justice process is a collaborative one between restorative justice facilitators and the parties involved, in which victims and perpetrators must have ownership of and control over the restorative justice decisions that will ultimately affect their lives.

This Note from the Field emerges from my clinical and restorative justice practice with the victims and perpetrators of sexual violence and from my research on restorative justice in sexual violence cases (Keenan, 2014; Zinsstag & Keenan, 2017). The aim of the Note is to suggest the need for particular and specialist training for facilitating cases of restorative justice in sexual violence cases, over and above the 'basic' or 'foundational' restorative justice training that restorative justice practitioners often receive. I know there is a danger in even beginning to speak of particular specialist training for such restorative justice practitioners, and of running the risk of becoming overly prescriptive or constraining in the professionalisation of standards. However, I am suggesting the need for additional specialist training as desirable because of the relational dynamic complexity of sexual violence, the specific power imbalances in that very offence and the highly charged emotional response that this problem elicits in civil society. I am not talking about training or training standards that would be so prescriptive as to inhibit restorative justice innovation or inhibit practice. In this context, particular and specialist training is required in order to help practitioners to identify and respond safely and competently to the risks of re-victimisation, re-traumatisation and the subtlety of the power imbalances that can arise during the very restorative justice process itself. Particular and specialist training is also required to enable practitioners in sexual violence cases to be competent in their responses to the myriad of due process issues involved.

As in all restorative justice, the safety, psychological and emotional needs of sexual violence victims and perpetrators during the restorative justice process must be placed at the centre of practitioners' concerns. While claims about what is good practice or bad practice in restorative justice can rarely be evidence based, given the state of research in the field, the potential for harmful practice in the

area of sexual violence means that we cannot shy away from daring to tread and from having the training standards discussion in this sphere of practice. I hope this Note will add to the conversation on this topic.

In this Note, I will focus solely on victim-offender-mediated dialogue for victims and admitted offenders, but much of what I have to say can be extended to other restorative justice methodologies, such as conferences and healing circles.

In moving forward on that agenda, I will begin by presenting a brief overview of the more common approaches to 'basic' or 'foundation' restorative justice training in Europe. This overview also reflects some training approaches that originated in New Zealand and Australia. While much training is provided by either commercial or not-for-profit organisations, a minority of training programmes are offered at universities and higher institutes of education at certificate, diploma, degree and masters level (see *e.g.* at the University of Ulster, Northern Ireland). Because the content, structures and learning approaches of these varied courses are not immediately or comprehensively available for comparative analysis, there are significant limitations in what can be gleaned. In some ways, this is no bad thing as a comparative analysis of training and restorative justice practices that are not culturally and context specific can run the risk of becoming an oppressive and disempowering initiative in itself. This tension permeates the whole training standards debate: can training standards be developed and internationally applied and regulated without being insensitive to specific contexts or blind to culture? But simply doing nothing about training is not an option either as it leaves open room for bad or incompetent practice that can, in the case of sexual violence at least, become part of another problem.

What is offered, therefore, here are some general thoughts on what I will call 'basic' or 'foundation' restorative justice training just to set the scene. This is a modest offering and by no means exhaustive. I will then go on to outline the three main reasons why particular specialist training is required for restorative justice practitioners who wish to facilitate sexual violence cases, and I will suggest what areas need to be included in such additional specialist training. I will conclude by offering some thoughts on restorative justice in sexual violence cases in which the perpetrator is not a convicted offender.

2. Basic or foundation restorative justice training

There are various approaches to the training of restorative justice practitioners internationally, often underpinned by UN, Council of Europe and EU international instruments (which give good guidance on the foundational values and processes that restorative justice needs to observe) and are generally agreed restorative justice principles and values presented in the theoretical and empirical literature on the subject. Some training courses also tend to focus on one specific way of 'doing' restorative justice, such as victim-offender mediation, restorative conferences or healing circles. In some jurisdictions, training courses are additionally guided by best practice guides for restorative practice, issued by overarching restorative justice bodies that are endorsed by national ministries of govern-

ment (see *e.g.* Ministry of Justice, 2017; Restorative Justice Council, UK, 2011). In some jurisdictions, such as the United Kingdom, the Restorative Justice Council awards a Training Provider Quality Mark for courses that meet a specific benchmark for training standards, in an attempt to set national standards for quality restorative practice.

Most training courses in restorative justice involve some didactic teaching complemented by facilitated discussion, video, and interactive exercises and they employ reflective practice pedagogies based on restorative justice values and principles. Learning is also acquired by role play and by doing. The initial training enables participants to develop the skills to apply restorative practices and restorative justice in community, educational and other conflict situations.

The majority of basic or foundation restorative practices and restorative justice training courses are short (3-5 full days or the equivalent on a part-time basis) and generally taken by individuals who have primary training or experience in a related or other discipline. On completion of the training, practitioners are free to 'do' restorative justice alone or in collaboration with more experienced workers, the latter of which is advocated. In some cases, practitioners return for a one-day top-up course when they have had some practice experience. An additional more advanced training for a further 2 days offers participants an opportunity to develop the knowledge and skills to work as restorative justice practitioners in more complex cases, often involving situations of sexual violence and abuse.

In the research undertaken by Estelle Zinsstag and myself in five jurisdictions in Europe, we found that three primary approaches to training and practice appear to summarise the field, and *inter alia* practitioners have trained in one of these approaches: The Five Question Approach; the Balanced Model Approach and the Eclectic Approach (the latter of which we found to be in practice in most of Continental Europe, such as Belgium, Denmark, Norway, the Netherlands).

The Five Question Approach is based on five questions that have been carefully crafted and developed over time, neatly presented on a card for the reminder of practitioners. One side of the card contains the standardised questions for the victim or the person who has been harmed and the other side contains the questions for the offender or the person who caused the harm. The questions for the victim or person who has been harmed are: What happened and what did you think when you realised what had happened? What have been your thoughts since then? What impact has this incident had on you and others? What has been the hardest thing for you? What do you think needs to happen to make things right? The questions for the offender or person who has done the harm are: What happened? What were you thinking about at the time? What have you thought about since? Who has been affected by what you have done and in what way? What do you think you need to do to make things right? These questions guide the preparation and restorative justice meeting, and practitioners are trained to stick closely to the questions in the entire process. This approach to restorative justice is sometimes regarded as 'the scripted method'. Through facilitated discussion, video and interactive exercises, participants learn practical skills of restora-

tive justice and they practice facilitating restorative methods when working to repair harm and repair fractured relationships.

The Balance Model identifies three stages in the restorative process (Inclusion, Participation and Transformation) and the belief is that each stage requires a different set of skills for the facilitator. The approach to facilitation underpinning the Balanced Model is known as narrative dialogue, and practitioners are taught the skills to develop relationships with participants and to develop the necessary skills to facilitate a narrative dialogue across all three stages of the restorative process. What also distinguishes the Balanced Model of restorative justice and its approach to training is its underpinning commitment to an equal concern for all stakeholders affected by an incident or event involving harm, which is operationalised by attempts to balance the needs and interests of all parties. When an injustice occurs, the Balanced Model attends to three parties; the person or group who suffered the harm, the person or group who is responsible for the harm and their communities. The premise is that unless the needs and interests of each of these parties are addressed to their satisfaction, they will not have an experience of justice (this model is taught at the University of Ulster, Northern Ireland). Often the training focuses on the restorative conference approach to restorative justice. The training is theoretically informed and largely experiential with practice situations and role play scenarios of increasing complexity played out for the duration of the five days of foundational training. There is a strong emphasis on identifying the needs of each party in the restorative justice process. Significant attention is also afforded to trainees identifying and working with the strong emotions that crime can engender. Practitioners are encouraged to work with emotion to allow the emotions be expressed, so that each party can open up to having its needs met. The responsibility of the facilitator in the Balanced Model is to design and facilitate a restorative process tailored to all those most affected by the harm rather than use a prescribed or scripted process and identify participants who fit this approach.

The Eclectic Approach refers to the eclectic range of approaches to training that is in vogue in many European countries and several other jurisdictions. For example, the training of mediator/restorative justice practitioners in Belgium appears to be largely 'in-house'. While some experienced mediators/restorative justice practitioners have received external training, sometimes in collaboration with the strong relationships fostered between restorative justice practitioners and the universities, expertise has largely developed through experience. In Denmark, the restorative justice services largely employ the services of 60 'volunteer' mediators, many of whom have a professional background in mediation. Restorative justice was pioneered in Denmark by some mediators and other medical and justice professionals who trained with international trainers and subsequently developed training modules in restorative justice for other interested parties and professionals. Many practitioners in Denmark have also attended additional training provided by recognised international trainers, whom a network of restorative justice practitioners collectively organises to visit. The National Mediation Service, which provides restorative justice in Norway, has 600 carefully selected volunteer mediators. The volunteer mediators – some of whom have related pro-

professional expertise – are provided with training that consists of an initial 4-day course followed by 6 to 8 weeks of observing mediation practice and a further 3-day course. The mediators are supported through meetings, conferences and individual guidance.

3. Training for facilitators in sexual violence cases

The Zinsstag and Keenan (2017) study of restorative justice in sexual violence cases revealed that facilitators/mediators of restorative justice in cases of sexual violence in Europe include people working in both a professional and volunteer capacity, people with and without a therapeutic qualification and people whose knowledge and experience of sexual violence range from expert to very limited. This is an area that is generally unregulated, although some jurisdictions, such as the Netherlands, are in the process of introducing a register of restorative justice mediators. In Belgium, it was noted that cases of sexual violence are dealt with by selected and generally more experienced mediators who opt to take on more complex and difficult cases. In the Confidential Centres in Belgium, which offer restorative justice and therapy in situations involving child sexual abuse and incest, staff come from a variety of professional disciplines, including psychology, psychotherapy and social work. In general, staff does not have specific restorative justice training.

In Denmark, mediators receive a 1-week general training on restorative justice and sexual violence during the course of their general mediation training, including victim-offender mediation methodologies, introduction to restorative justice, criminal law, police procedures, court procedures and victim support. The mediators who take on cases referred by the police are paid a nominal honorarium for each case they take on. In therapeutic settings providing services for child victims, adult victims and sexual offenders, professional staff from a range of disciplines facilitate restorative meetings, mostly with some restorative justice in-house training and that provided by recognised international trainers.

In Ireland, the primary nongovernmental organisation providing restorative justice in sexual violence cases, which primarily provides therapy and advocacy services for victims and therapy for offenders, are trained in the Five Question Approach, which together with an extensive knowledge of sexual violence and its impact, forms the professional basis for the provision of restorative justice services for sexual violence victims. Individual restorative justice practitioners in Ireland, trained in the Balanced Model or other Narrative restorative justice Dialogical approaches by recognised international trainers, work in sexual violence cases on an ad hoc basis. The Irish Police who offer a modest restorative justice service in sexual violence cases to a youth population are largely trained in the basic Five Question Approach.

In the Netherlands, Perspective Restorative Mediation (previously Victims in Focus) who also offer restorative justice services in sexual violence cases employ professional mediators on a freelance or contract basis. Mediators used to facilitate restorative justice in sexual violence cases by another Dutch service Triptiek,

which focuses on historical cases of sexual violence and abuse, are professional psychologists or psychotherapists.

In Norway, additional training beyond the basic foundation training is available for mediators in relation to sexual and domestic violence. Cases involving sexual or domestic violence would not be assigned to inexperienced mediators and in practice there is a small corps of highly experienced mediators who handle such cases.

In other jurisdictions, practitioners are guided by UN, Council of Europe and EU directives and resolutions on how to act in undertaking restorative justice work in sexual violence cases (see Council of Europe, 1999; European Union, 2012; UN Economic and Social Council, 2002). Some jurisdictions also issue Best Practice Guides for restorative justice in sexual violence cases to accompany national legislation (See *e.g.* Ministry of Justice, 2013).

Summarising the state of the field from the above research, it seems that some practitioners of restorative justice in sexual violence cases have training in restorative justice but not in sexual violence, some have training in sexual violence but not in restorative justice, or minimal training in restorative justice, and some have training in both. It is also apparent that what are regarded as more complex and difficult cases, including sexual violence, are generally allocated to more experienced mediators/restorative justice practitioners whether professional or volunteer, some of whom have a prior primary healthcare, justice or psychotherapy qualification and some who do not.

4. The case for why restorative justice facilitators in sexual violence cases need additional specialist training

4.1 Victims and offenders of sexual violence need assurance that the restorative justice facilitators will be trained to the highest standards and will be well placed to respond to their safety, psychological and emotional needs (the therapeutic dimension)

In order to meet this standard, it is necessary that in addition to acquiring the basic skills of restorative justice work, the facilitators of restorative justice in sexual violence cases have (1) a deep appreciation of sexual trauma and its impact, (2) an understanding of the psychology of the offender and (3) a working knowledge of the dynamics of sexual offending.

Sexual crime is an inherently different type of crime from others, and clinical experience indicates that it shows features that differentiate it from other types of violent crime: the victims of sexual crime often experience potent and debilitating self-blame and take responsibility for the offence; the perpetrator in the majority of cases is someone known to the victim, loved by them and in a trusting position of power in their lives; offenders in the majority of cases have used subtle techniques and strategies to groom and disempower the victim and overcome their resistance; the process of reporting the crime and pursuing justice through the criminal justice system is experienced as traumatic by victims and their families. Victims of sexual crime also sometimes carry shame on behalf of offenders

through a series of complex dynamic relations in which the offender has shifted responsibility for the offence to the victim. Offenders use techniques of minimisation, rationalisation and justification in many cases to rationalise their offending. Betrayal of trust and abuse of power are often core dynamics.

In these circumstances, facilitating restorative justice in sexual violence cases is different from facilitating restorative justice in other types of crime. I have witnessed an otherwise excellent restorative justice facilitator be less than competent in relation to the abuse of power that is at the heart of sexual offending in the preparation of a victim for an restorative justice meeting in suggesting to the victim that she abides by the specifications of the offender regarding a matter of extreme importance to her. The matter related to what she could and could not say regarding the potential meeting and to whom, giving her no choice regarding her wishes *vis-à-vis* those of the offender. In this manner, the power dynamics of the original offence could be replicated in the restorative justice process unintentionally, with the voice of the victim sublimated to that of the offender. In another case, I witnessed another otherwise excellent male restorative justice facilitator unintentionally laugh/smile (possibly in nervousness) at inappropriate moments and make 'off-the-cuff' comments when a female victim of sexual violence was telling her story of sexual assault and why she wanted an restorative justice meeting with the offender. Both situations were corrected. These two illustrations are not to point fingers at the character of these otherwise excellent restorative justice facilitators but to say they were inadequately trained in an understanding of sexual trauma and in the dynamics of sexual violence in advance of facilitating restorative justice in these sexual violence cases. Additional practice skills required by restorative justice practitioners in sexual violence cases also concern restorative justice risk assessments and advanced interviewing techniques for preparatory interviews with victims and offenders. Facilitators of restorative justice in sexual violence cases who do not have these skills, or who do not possess the requisite knowledge of sexual trauma, the psychology of the offender and the dynamics of sex offending, run the risk of practising inadequately or poorly in such cases.

4.2. *The triple role problem for restorative justice practitioners (the ethical dimension)*

The tension between the concern for revenge, condemnation and punishment, for community safety and for the interests of forgiveness and redemption in the aftermath of sexual crime is mirrored not only in the triple focus of the criminal justice system on punishment, rehabilitation and community safety through the 'management of offenders', but also in the triple role problem that befalls restorative justice practitioners too. Ward (2017) identified a dual role problem for restorative justice practitioners in the aftermath of serious crime, but the more I have reflected on his perspective the more I have come to see the challenge as a triple rather than a dual role problem for restorative justice practitioners. Building on and expanding the work of Ward, the triple role problem emerges from the clash between three sets of ethical norms: those associated with community protection, those associated with justice and vindication for victims and those relat-

ed to the offenders' well-being and autonomy. Many practitioners who work with the dilemmas involved with conflicting expectations of and responsibilities towards multiple parties at the same time, especially in forensic work where the conflicting expectations and emotions are often heightened, face this quandary. The challenge is of how to work ethically and transparently with competing ethical norms. Restorative justice practitioners do not escape this dilemma.

Some restorative justice theorists and practitioners might disagree and argue that restorative justice practitioners do not occupy a triple role or have a triple focus, as their focus is on healing the harm and their role is largely procedurally neutral, or at least balanced, in the restorative justice process. This in my view is to be philosophically and professionally naïve and to sidestep important ethical issues at the heart of restorative justice practice, especially in sexual violence cases. According to Ward (2017: 93), the dilemma is this: 'how can practitioners adequately meet their ethical responsibilities to victims of crime and the community, while also assisting individuals who have committed offences to engage in a meaningful process of self-reformation and social restoration' if self-reformation and social restoration are explicitly or implicitly part of the restorative justice imperative? For Ward (2017: 93), 'simply defaulting back to the ethical codes associated with their roles as restorative justice practitioners and agents of reform will not work. It will not work because of the problem of value pluralism and the inevitable conflict between what is owed to victims and the community, versus what perpetrators of crime can justifiably expect.'

Ward (2017) drew attention to these complexities and suggested that there is no simple way to navigate these varying and at times conflicting interests in the aftermath of crime, ever more heightened in the aftermath of sexual crime, partly because of the nature of the crime and partly because of the social revulsion that follows it. However, unless these tensions are addressed, I concur with Ward that restorative justice can result in practices that disregard the legitimate interests of victims, or of those who commit crimes and/or of the community.

This is not the place to consider the merits of Ward's (2017: 103-105) proposals on how to advance and make progress on resolving this dilemma, such as by adopting a six-step moral acquaintance framework procedure. However, it is the place to argue that the additional specialist training for restorative justice practitioners to work in sexual violence cases must be philosophically and ethically rigorous enough to facilitate students to consider reflectively and theoretically these complex fundamental ethical dilemmas.

4.3. The need for public confidence and legitimacy (the legal dimension)

Sexual violence creates needs and interests at public as well as private levels for citizens and the state, of which restorative justice practitioners must be cognisant and well versed in the carrying out of their duties. To a greater or lesser extent, every restorative justice process incorporates the private interests of victims and offenders and the public interests of communities and the law (including due process). If both these public and private interests are not adequately countenanced and respected as part of the imperative, public confidence and legitimacy for restorative justice cannot be guaranteed. While criminal justice has been criticised

for focusing on the public aspects of sexual crime (such as prosecuting wrongdoing, punishing offenders) at the expense of victims, restorative justice has been criticised for focusing on the private interests of victims and offenders, while the public need for punishment and protection is neglected (see Meier, 1998). Restorative justice practice in sexual violence cases must address both, and restorative justice practitioners who are undertaking work in the area of sexual violence must be trained in such perspectives.

Restorative justice cannot be construed as a justice mechanism that is independent of criminal justice in cases of sexual violence if the starting point lies in the commission of a serious act prohibited by penal law (whether reported or not). The rule of law that is based on due process and the laws of evidence also implies that the accountability that follows from the commission of a sexual offence may lead to possible interventions in the defendant's liberty.

Due process consists of a series of rights that are essentially legal protections against a variety of possible abuses occurring during the arrest, interrogation, trial, sentencing and detention of suspects (Nickel, 2007). Due process dictates that those accused of crimes have a right to trial without excessive delay, that the proceedings are fair and open and that the accused would enjoy the presumption of innocence, the right against self-incrimination and the right to the assistance of legal counsel (Nickel, 2007). If restorative justice is to gain legitimacy and public confidence, it must pose no risk to undermining or restricting these moral legal norms or the due process rights of suspects.

The fact that many sexual violence cases will not be dealt with by criminal justice (because of the high attrition rate), but which will still be served by restorative justice services, implies that restorative justice services have to develop and adopt strong and clear internal ethical standards that will provide legal as well as procedural safeguards, and this can be best done by many national umbrella organisations in restorative justice (see Lauwaert, 2008). It must also be required that restorative justice practitioners working with sexual violence cases be trained in such important considerations.

In cases involving non-reported sexual violence cases, additional practice guidelines and policy frameworks are necessary in undertaking restorative justice, and one such model is offered by Project Restore in New Zealand (see Jülich & Landon, 2017). In such cases, the following elements are part of the restorative justice service delivery model: (1) A commitment to participate in sex offender or other necessary therapy on the basis of an assessment for perpetrators who have not been prosecuted; (2) An agreement that would offer recompense to victims (if desired) and specify other behavioural commitments on the part of offenders as the parties and the facilitators deem desirable and (3) Therapy and support services for victim survivors to be made available if required. A three-part approach comprising the restorative justice dialogue and an agreement, sex offender or other therapy for perpetrators, and therapy and support services for victim survivors becomes a 'how it can be done' model in non-reported cases, setting out a possible framework of activity that at the same time must not be prescriptive but can be sufficiently flexible to respond to local conditions. Restorative justice practitioners in sexual violence cases must be proficient thus in advanced interview-

ing skills and in how to work safely and with consideration of legal norms with non-reported sexual violence cases, which is the majority.

5. Conclusion

Restorative justice practitioners who have simply undertaken the basic or foundation training in restorative justice cannot be expected to have the level of understanding required to work in sexual violence cases as set out above. Hence the need for additional specialist advanced training. Without such training, in my view, the practice base for restorative justice in sexual violence cases is weakened and public accountability undermined. In order to gain and secure public confidence and legitimacy for restorative justice in sexual violence cases, restorative justice practitioners must have the requisite training in therapeutic, ethical and legal considerations as set out above.

Nobody in the restorative justice field desires legalistic regulation or to constrain or constrict restorative justice innovation and practice. However, it is possible that in relation to sexual violence cases, we need frameworks on training standards at national level, maybe even international level, which can be managed by local or international umbrella organisations. I am always concerned about the bureaucratisation and professionalisation that such initiatives might herald, and so, this aspect of the discipline must always be held in tension. What Braithwaite (2002: 571) observed in 2002 still applies in my view that the best way to assess whether a restorative justice training programme is up to standard is in regulatory conversations with peers and stakeholders rather than by rote learning from a regulatory rule book. However, some values are so fundamental to justice and to restorative justice that they must always be included. Whatever we do or how we proceed on all of the above must not deter us from continuing to rise to the challenge of providing restorative justice services to victims and offenders in the wake of the human suffering caused by sexual violence.

References

- Angel, C. (2006). *Restorative conferences reduce trauma from crime*. Bethlehem: Restorative Practices Forum, International Institute for Restorative Practices (IIRP).
- Braithwaite, J. (2002). Setting standards for restorative justice. *British Journal of Criminology*, 46, 563-577.
- Council of Europe (1999). Recommendation No. R (99) 19 of the Committee of Ministers to member states concerning mediation in penal matters. Retrieved from: https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=090000168062e02b (last accessed 1 May 2018).
- Daly, K. (2017). Sexual violence and victims' justice interests. In E. Zinsstag & M. Keenan (eds.) *Restorative responses to sexual violence: legal, social and therapeutic dimensions* (pp. 108-139). Abingdon: Routledge.
- European Union (2012). EU Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support

- and protection of victims of crime. Retrieved from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012L0029> (last accessed 1 May 2018).
- Julich, S. & Landon, F. (2017). Achieving justice outcomes: participants of Project Restore's restorative processes. In E. Zinsstag & M. Keenan, (eds.) *Restorative responses to sexual violence: legal, social and therapeutic dimensions* (pp. 192-211). Abingdon: Routledge.
- Keenan, M. (2014). *Sexual trauma and abuse: restorative and transformative possibilities*. Report of a Collaborative Research Study. Dublin: University College. Retrieved from: http://researchrepository.ucd.ie/bitstream/handle/10197/6247/Sexual_Trauma_and_Abuse%3B_Restorative_and_Transformative_Possibilities.pdf?sequence=1 (last accessed 4 February 2018).
- Koss, M. (2013). The RESTORE program of restorative justice for sex crimes: vision, process and outcomes. *Journal of Interpersonal Violence*, 29(9), 1623-1660.
- Koss, M. (2000). Blame, shame, and community: justice responses to violence against women. *American Psychologist*, 55(11), 1332-1343.
- Lauwaert, K. (2008). *Procedural safeguards in restorative justice* (PhD Thesis). University of Maastricht, Netherlands.
- McGlynn, C., Westmarland, N. & Godden, N. (2012). 'I just wanted him to hear me'. Sexual violence and the possibilities of restorative justice. *Journal of Law and Society*, 39(2), 213-240.
- Meier, B.D. (1998). Restorative justice: a new paradigm in criminal law? *European Journal of Crime, Criminal Law and Criminal Justice*, 6(2), 125-139.
- Ministry of Justice (2017). *Restorative justice: best practice framework in New Zealand*. Retrieved from: <https://www.justice.govt.nz/assets/Documents/Publications/restorative-justice-best-practiceframework-2017.pdf> (last accessed 1 March 2018).
- Ministry of Justice (2013). *Restorative justice standards for sexual offending cases*. Retrieved from: <https://www.justice.govt.nz/assets/Documents/Publications/Restorative-justicestandards-for-sexual-offending-cases.pdf> (last accessed 4 February 2018).
- Nickel, J.W. (2007). *Making sense of human rights*. Malden: Wiley-Blackwell.
- UN Economic and Social Council (ECOSOC) (2002). *UN Economic and Social Council Resolution 2002/12: basic principles on the use of restorative justice programmes in criminal matters*. 24 July 2002, E/RES/2002/12. Retrieved from: www.refworld.org/docid/46c455820.html (accessed 4 February 2018).
- Ward, T. (2017). Restorative justice and the dual role problem confronting practitioners. In E. Zinsstag, & M. Keenan, (eds.). *Restorative responses to sexual violence: legal, social and therapeutic dimensions* (pp. 92-107) Abingdon: Routledge.
- Zinsstag, E. (2017). How appropriate is the use of restorative justice in cases of sexual violence? *Scottish Justice Matters*, 5(1), 30-33.
- Zinsstag, E. & Keenan, M. (eds.). (2017). *Restorative responses to sexual violence: legal, social and therapeutic dimensions*. Abingdon: Routledge.