

BOOK REVIEW

David O'Mahony and Jonathan Doak, *Reimagining restorative justice: agency and accountability in the criminal process*. Oxford: Hart Publishing, 2017, 256pp., ISBN: 978-1-84946-056-9 (pbk).

This book comes with some impressive accolades on its rear cover, from some of the top scholars in the field of restorative and criminal justice. Whilst aware that not all books manage to live up to their hype, in this case the book's jacket performed the intended function of whetting my appetite for the engaging read that was to come. As readers of this journal will be aware, David O'Mahony and Jonathan Doak are well-established scholars and researchers in the arena where criminal and restorative justice intersect, with particular expertise in the Northern Irish context. Here they bring their considerable experience and authoritative voices together to consider some very important questions, specifically about the operation of restorative justice in the context of criminal justice processes. The book begins with the premise that developments at the level of restorative justice theory have been outstripped by much more rapid developments in practice, creating a pressing need for new theorisation in respect of both what restorative justice should set out to achieve and how and why it 'works'. The authors' focus is very explicitly on restorative justice as it has come to be embedded within criminal justice processes in a range of Western jurisdictions, although they acknowledge its wider application as an adjunct to criminal justice, in other areas of civil society and in other parts of the world. The book's preface states that it 'proposes a new theoretical lens through which the theory and practice of restorative justice can be analysed' (v). This, then, is an ambitious piece of work.

The book comprises nine chapters, with the key theoretical contribution set out in Chapter 3. Before we get to that, the authors skilfully introduce readers to the field. In Chapter 1, they provide an excellent overview of the main contemporary models of restorative justice in the context of Western criminal justice systems, as well as the development of international standards for restorative justice practice. Chapter 2 offers an overview of theoretical resources for practice which also attends to the longstanding debate about whether restorative justice is best conceived in terms of processes, outcomes and/or values. It concludes that despite broad agreement about the deficiencies of 'standard' criminal justice processes – in particular their failure to 'restore' the key stakeholders – theoretical concepts from the restorative justice literature differ in the extent to which they fit or help to make sense of how and why it can work when it is embedded in 'mainstream' criminal justice processes.

These useful introductory chapters bring us to the book's theoretical 'centre-piece', in Chapter 3. Here they seek to theorise or 'reimagine' (as in the book's title) restorative justice within criminal justice with reference to 'empowerment theory', which has its roots in social psychology. They argue quite persuasively that empowerment theory, with its emphasis on (re)gaining control and enabling democratic participation, speaks directly to the predicaments and needs of vic-

tims and offenders in contemporary Western justice systems, as well as to the 'successful' operation of restorative justice within criminal justice. As they note in this chapter, the idea that restorative justice processes should seek to empower participants is not in itself novel, but the novelty of O'Mahony and Doak's contribution lies in the suggestion that empowerment theory offers a coherent framework for reconceptualising restorative justice processes and outcomes. The chapter proceeds to hone in on what the authors propose are twin 'empowering concepts' (74) of agency and accountability, which they outline on pp. 70-73. These concepts, they suggest, capture what restorative justice processes and outcomes (respectively) should be seeking to realise. Put another way, O'Mahony and Doak argue that the values of agency and accountability should be prioritised as normative goals when restorative justice happens within criminal justice.

Whilst grasping the gist of argument in this chapter, and warming to its neat simplicity, I nonetheless craved a bit more depth. How and where else, for example, has empowerment theory been applied? Are 'agency' and 'accountability' recognised as key concepts by those who have applied empowerment theory in other fields? Ultimately, this is a relatively short chapter, which perhaps relies a little too heavily on a series of figures to convey key ideas and build a theoretical model. Personally, I found these figures difficult to digest, such that I was left wondering whether I had fully grasped the model as the chapter came to a close. Whilst persuaded of the importance of agency and accountability in restorative justice, I was less sure that the three dimensions of processes, outcomes and values could be quite so easily reconciled through deployment of these twin concepts alone.

That said, the agency-accountability framework does perform a very helpful critical function through the remaining chapters, where it is deployed to rethink and re-evaluate the performance of restorative justice in a variety of criminal justice contexts in the United Kingdom, Europe, North America and Australasia. The authors begin this exploration in Chapter 4 where they apply their agency-accountability framework to the extant research on victims' and offenders' experiences of participation in restorative justice, with a view to identifying the main barriers to positive experiences for each of the main parties. O'Mahony and Doak devote the next three chapters to analysing the extent to which agency and accountability are typically realised in restorative justice practices delivered in different contexts. In Chapter 5, they deal with instances of restorative justice 'on the periphery' of criminal justice, including in the contexts of restorative policing, youth offender panels, in prisons and in schemes for adult offenders in New Zealand and in England and Wales. Chapter 6 moves on to consider mediation and other forms of restorative justice in continental Europe, whilst in Chapter 7, the focus is on much better known 'mainstreamed' youth conferencing processes in New Zealand and Northern Ireland. Chapter 8 considers restorative justice and the reduction of recidivism and seeks to make sense of the international research on this issue through the lens of agency-accountability. Here, the authors review what research has revealed about the dynamics of restorative justice encounters and their relationship to recidivism, with reference to studies that have combined the measurement of behavioural outcomes with observations and/or interviews

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with participants. Their rereading of this body of evidence leads them to suggest that restorative justice encounters are more likely to reduce reoffending when they maximise opportunities for the achievement of agency and accountability. Together, Chapters 5 to 8 offer an extremely useful review of a complex body of research and also shine new critical light on 'what we know' about restorative justice in these various contexts.

Finally, Chapter 9 summarises the authors' argument and considers the potential of restorative justice practice guided by agency and accountability as normative goals. Here, they add their voices to the growing call for maximising the potential impact(s) of restorative justice by refocusing it 'at the deeper end of criminal justice' (199), where it is still a relative newcomer in many jurisdictions, but where there are examples of good practice (such as the 'mainstreamed' model of conferencing deployed in New Zealand and Northern Ireland) to be found. They suggest that 'if agency and accountability are to flourish as driving values within criminal justice' (202), then the 'reach' of restorative justice ought to be extended to accommodate more serious offences, rather than being primarily used as a diversionary tactic. However, they recognise that there are some significant barriers to the achievement of that potential, in the form of (in some jurisdictions) a lack of sustainable funding for restorative justice, entrenched legal frameworks for 'doing justice', and cultural resistance, not least among criminal justice practitioners who are accustomed to doing things in a certain way.

O'Mahony and Doak have written a very accessible and enjoyable book, which is intelligently pitched such that it will appeal to both newcomers to the field and aficionados. It is beautifully written, and very well organised, so that it is easy to locate what is useful to the particular reader. It is also a wonderful teaching resource, offering a comprehensive and extremely authoritative overview of the state of restorative justice play in a range of Western jurisdictions. Beyond that immediate (and substantial) utility, the wider success of this book will turn on whether readers are persuaded, firstly, by the central thesis that restorative justice is rightly located in a framework of 'mainstream' criminal justice, and secondly, whether they find the agency-accountability framework proposed by O'Mahony and Doak overly reductionist or beautifully simple.

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