

## BOOK REVIEW

**Estelle Zinsstag and Marie Keenan (eds.), *Restorative responses to sexual violence: legal, social and therapeutic dimensions*. London: Routledge, 2017, 306pp., ISBN: 9781138641310 (hbk), 9781315630595 (ebook).**

The applicability of restorative justice in sexual violence cases was brought to the fore some twenty years ago and has been the subject of debates ever since. However, this topic is still under-researched. Therefore, the book *Restorative responses to sexual violence: Legal, social and therapeutic dimensions* edited by Estelle Zinsstag and Marie Keenan presents a valuable contribution to the development of the theoretical and applied fields of restorative justice. The collection reflects on both theoretical and empirical insights into the potentials of restorative justice in the field of sexual violence. It offers a better understanding of restorative justice practices and their implications and relevance in responding to sexual violence despite still-existing challenges and reservations expressed by many scholars, practitioners and jurisdictions, which results in a very slow entry of restorative justice into formal legal and criminal justice systems in cases of sexual violence worldwide.

The collection comprises thirteen chapters organised into two main parts: theoretical and conceptual perspectives, and justice and therapeutic perspectives. The contributors are internationally recognised experts in the field of restorative justice and sexual violence; these are scholars, researchers and practitioners from various countries and backgrounds (criminology, victimology, psychology, psychiatry, law, social work, etc.); thus, the book is an interesting piece of work for an international audience.

The collection begins with providing a framework for discussing the potential of restorative justice in sexual violence cases. The book editors elaborate on the basic concepts—sexual violence and restorative justice—and point to the theories on the suitability of restorative justice in responding to sexual violence. It is relevant to emphasise that the contributors focus on sexual violence against women and children, since they represent most of the victims of this type of crime. Although sexual violence is broadly understood for the purpose of the book, contributors mainly discuss applying restorative justice in cases of child abuse, sexual assault, rape and wartime sexual violence, but not, as pointed out in the introductory part, in cases of sex trafficking or sexual violence with the use of new technologies. Nevertheless, the book content can be easily transferred into these contexts as well, and also to other forms of gender-based violence, which is an added value.

Part I starts with Godden-Rasul's chapter in which she reflects on the way the harm of rape of women is conceptualised, how these conceptualisations can be utilised in restorative justice and how this affects the capacity of such programmes in meeting victim-survivor's needs and experiences (Chapter 1). To contribute to the repairing of harm, she argues, restorative justice must address not only individual, but also social justice interests of victim-survivor. In Chapter 2,

while exploring the potential of a restorative justice framework, Pali draws attention for the need to address sexual violence as a complex phenomenon and argues, therefore, for an integrated response that covers different perspectives – notably, feminist, abolitionist, social harm and restorative perspectives. Chapters 3 and 4 provide arguments for and against restorative justice in sexual violence cases, reflecting on the relationship between restorative justice and the criminal justice system, as well as on the legal challenges in reconciling these two approaches. While the authors suggest the need to combine both approaches, in a complementary or integrated way, particularly in cases of wartime sexual violence and transitional justice, Keenan, in Chapter 3, makes an important point: restorative justice mechanisms should also exist and function independently of criminal justice, which is relevant for sexual violence cases that are not reported to the police or which do not end in criminal conviction. Even then, legal, procedural and confidentiality safeguards need to be met, and practice guides and policy frameworks need to exist. Co-existence of formal and informal justice mechanisms is particularly relevant in cases of large-scale violent conflicts, which often include extreme forms of sexual violence. Ward brings discussion on the dual role of restorative justice practitioners who have to often balance well the confronting interests of victims, offenders and communities in restorative justice and conflicting ethical goals emerging from this task (Chapter 5). He proposes a six-step moral acquaintance framework procedure that can help practitioners and policy makers in addressing this problem and address any ethical conflicts created by dual roles. The final chapter in this part of the book is written by Daly (Chapter 6), who suggests a model for assessing and comparing justice mechanisms, the ‘Victimisation and Justice Model’. Daly argues for an evidence-based development of restorative justice in sexual violence cases, but in so doing, she stresses that measuring victim’s satisfaction with restorative justice is not enough to conclude on his/her experience of justice. This approach is rather narrow, and, as suggested by Daly, researchers should focus on five victims’ justice interests: participation, voice, validation, vindication and offender accountability/taking responsibility.

The second part of the book begins with two Chapters (7 and 9) in which Daly and Wade, and Julich and Landon demonstrate the applicability of the ‘Victimisation and Justice Model’ in comparing the impact of different justice mechanisms. Daly and Wade compared the impact of youth restorative conferencing and judicial sentencing on the justice interests of victims involved in cases of sexual violence among siblings. On the other hand, Julich and Landon used the given model to analyse twelve sexual violence cases referred to the restorative programme facilitated by the ‘Project Restore’ in New Zealand from the victim’s-survivor’s perspective. Both studies found that, when it comes to victims/survivors, most of the desired outcomes related to victims’ justice were achieved through restorative justice. McGlynn, Downes and Westmarland discuss findings from their study that also focuses on victims’-survivor’s perspective on justice, including recognition, voice and consequences (Chapter 8). Although the justice interests of victims-survivors are rather complex, this study also revealed that restorative justice offers some opportunities to better meet the justice interests of victims-survivors

than criminal justice, most notably, active participation and more control over the process seem rather relevant for empowering victims/survivors. The study suggested that not all the victims of sexual violence wanted to see their perpetrators imprisoned, which is relevant since victims' interests in general and of those most vulnerable in particular are often used for advocating harsher penal policy (penal populism). Lopez and Koss bring an example of one practical restorative justice programme 'Restore', pointing to differences between therapeutic jurisprudence and restorative justice with therapeutic elements (Chapter 10). They suggest that victims' justice interests and victims' well-being issues should be viewed and evaluated separately, while primary attention should be given to victims' justice interests.

Chapter 11 gives a reflection on the role of the community of care in restorative programmes in cases of child sexual abuse. It brings two cases of child sexual abuse from the Belgian mediation service 'Alba'. Based on their analysis, Beck, Bolivar and Vanseveren argue that, in such cases, one person/participant, while being the community of care for the victim, may well play other important roles in the same process. For example: a mother of a victim could be seen as an indirect victim, she suffers because her daughter is hurt; at the same time she is a member of the community of care for the victim since she supports her daughter in the aftermath of a crime and in the restorative justice process; she may also consider herself as a part of the community of care of the offender, since she is, for example, his aunt and she is concerned about his well-being, too; finally, she may also be involved as a member of the responsible community. Thus, the authors correctly conclude that

addressing child sexual violence requires a holistic view that (a) understands the social and relational context in which this offence occurs, and (b) identifies stakeholders' and their communities of care's resources in order to face its consequences in the short and long run (244).

In general, they argue, restorative justice approach is tailored to the needs of victims, since it usually encompasses complex relationships, past or even present, between the victim and the perpetrator, who were or still are in a particular relationship (partners, siblings, parent/child, etc.); thus, it offers a space to bring together parties to address such complex relationships and relational dilemmas. Restorative justice can help a victim to regain control over her life which is important for healing and transiting from a victim to a survivor. On the other hand, as put by Woessner, restorative justice can be beneficial to offenders too. In Chapter 12, he shows how restorative justice can contribute to offenders' rehabilitation and support desistance and enhance his accountability, but he rightly so stresses that this field needs to be further explored. Finally, in Chapter 13, Wager and Wilson give an idea of involving survivors of sexual violence as volunteers in restorative justice programme called 'Circles of Support and Accountability', presenting findings of their empirical study. This programme puts emphasis on victim's-survivor's agency, which is important for maintaining their resilience and self-manage potential risks to their psychological well-being.

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Although there are both pros and cons of applying restorative justice in sexual violence cases, this book proves that sexual violence is to be considered as one field where restorative justice could be applied. It could be seen as a complementary and additional justice mechanism to the criminal justice system, but it can be also applied as an alternative to the traditional legal mechanisms. This collection shows how beneficial restorative justice can be for victims in particular. But, as suggested in relevant international treaties, such as the EU Victims' Rights Directive, there is a need for a set of conditions and safeguards in order to protect victims from re-victimisation and secondary victimisation, even in restorative justice practices. In this respect, training of facilitators is one of the main preconditions for applying restorative justice in sexual violence cases. Facilitators need to be well trained not only in restorative justice, but also to understand the complicated context of sexual violence, which is characterised by a power-imbalance, which may provide opportunity for the offender to re-victimise his victim. They need to be trained to rebalance these special dynamics and to deal with the case in its complexity, in a holistic and integrated way. As pointed in the concluding thoughts, 'clear-cut response models are not desirable' (292). Along with that, Keenan, Zinsstag and Aertsen provide recommendations and guidelines for applying restorative justice in sexual violence cases which could be used in different settings.

To conclude, this is really a 'brave edited collection' as pointed by Sandra Walklate, one of the book reviewers. It links well theory and practice, as well as legal, social and therapeutic dimensions of restorative justice approaches to sexual violence. Therefore, this is an accessible and informative collection that would be interesting and useful for different audiences: scholars, researchers, practitioners, policy-makers and students. It is a collection with a look into the future: it provides a basis for re-imagining and enhancing existing restorative justice programmes in sexual violence cases, for thinking of developing new programmes, and it opens new fields for research into the applicability of restorative justice in sexual violence cases.

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