

## NOTES FROM THE FIELD

# Framing the relationship: victim support and restorative justice

Antony Pemberton\*

## 1 Introduction

For the readers of this journal, the idea that restorative justice is in the interests of victims is probably too obvious to need much argument. The way restorative justice should recast our perspective on crime and the response to crime centres the shift from a negative, punitive reaction to the offender's behaviour to a reaction that seeks to undo or mitigate the harm suffered by – as a crucial priority – the victim. That is the 'changing' of the 'lenses' to which Howard Zehr (1990) referred in his classic work.

This self-evidence stands in some contrast to the mixed reaction to restorative justice from organisations supporting the interests of victims as well as the ambivalence of international victims' instruments to the issue of restorative justice. As to the latter, the 2012 European Union Victims' Directive has positive words to say about restorative justice, but its main relevant provision, Article 12, concerns 'Safeguards in restorative justice' rather than a positive obligation to provide restorative justice (see Lauwaert, 2013). The 2011 Istanbul Convention seems even less positive. The only relevant article 48 actively prohibits 'mandatory alternative resolution processes, including mediation and conciliation', for gender-based violence (see Varona, 2022). That *mandatory* resolution processes would be a clear violation of the principle of voluntariness in restorative justice notwithstanding, the tone of the article is difficult to interpret as supportive. Indeed, the phrasing is reminiscent of the more general perceived complexity of restorative justice in cases of gender-based violence, including partner violence and sexual violence (see already Stubbs, 2002). It also serves to highlight a recurring theme in the restorative justice literature that misgivings are based on a misunderstanding or mischaracterisation of restorative justice. Varona (2022), for instance, criticises Spanish legislation for relying on five 'false legal assumptions'.

The focal point of this article is the relationship between victim services and restorative justice across European contexts. I do not intend to offer any thoroughgoing attempt to survey this landscape, but instead will more modestly attempt to marshal the literature on the framing of social problems within social movements to suggest a potentially illuminating typology of this relationship. An

\* Antony Pemberton is Professor at the Leuven Institute of Criminology, KU Leuven, Belgium, and Senior Researcher at the Netherlands Institute for the Study of Crime and Law Enforcement (NSCR), Amsterdam, The Netherlands.

Corresponding author: Antony Pemberton at [antony.pemberton@kuleuven.be](mailto:antony.pemberton@kuleuven.be).

interesting starting point for this article is the 2002 chapter 'Mediation in Europe: paradoxes, promises and pitfalls', from our dearly departed colleague and friend Elmar Weitekamp. In the article he analysed the development of forms of restorative justice in European countries, considering the overlapping but also rival development of victim support organisations. According to Weitekamp (2002), one of the driving forces behind the rediscovery of restorative justice is the unenviable position of victims in modern criminal justice systems. A well-organised victim support system would cut off some of that need: 'One could argue in this context that a good victim support system compensates for the evils done to victims by the judicial system' (2002: 151). According to Weitekamp, this creates the situation where the development of victim support and restorative justice would have an inverse relationship: in countries with an advanced victim support system, restorative justice lags. Mediation and/or conferencing thrives where victim support has not yet sufficiently worn down the sharp edges of criminal justice.

It does make sense that a strong victim support system coexists with a weak restorative justice system, since the needs of the victim are taken care of by a variety of different services and, therefore, the ill treatment and disregard of the needs of victims through the traditional courts becomes less apparent (Weitekamp, 2002: 151).

I will not attempt a full-blown evaluation of Weitekamp's hypothesis about the direct and inverse relationship between victim support and restorative justice but will instead argue that a more complicated relationship is likely to be more parsimonious with experience across jurisdictions. For one thing, I think that the manner in which victim support and restorative justice understand themselves and each other is considerably more varied. This will depend on the manner in which they frame the problem to which they are responding, the content and nature of their proposed solution and the extent to which their framing of themselves and others offers possibilities for cooperation or, alternatively, makes them seem antagonistic or irrelevant (see for a somewhat similar approach Pali & Maglione, 2023). The approach offered by framing within social movements can be useful to this end. I will describe several features of this perspective, before applying them more fully to the situation of victim support and restorative justice.

In doing so, I will suggest that the relationship between victim support and restorative justice can be understood as one of *competition*, *antagonism*, *irrelevance*, *cooperation* and/or *synergy*. Given the relatively small space of this contribution, I cannot offer a whole-scale analysis of these ways of understanding the relationship between victim support and restorative justice or present a full-blown account of the existing patterns of this relationship across jurisdictions. Drawing on a relatively small number of examples I instead seek to sketch a number of different possibilities for understanding this relationship and stress the extent to which social constructions of victim support, restorative justice and their relationship are likely to play in this. In doing so, my aim is explicitly normative: that there is much

Antony Pemberton

to be won by a cooperative or even synergetic relationship between victim support and restorative justice.

## 2 Streams and frames

### 2.1 *The streams model*

Weitekamp's thoughts cohere with Kingdon's (1984) so-called streams model. The streams model is a theory of political agenda-setting. Multiple solutions can fit the same social problem. There is a stream of social problems and a stream of viable solutions to those problems, which are linked together by social gatekeepers. By bringing together a problem and a solution the gatekeeper can put the issue on the public and/or political agenda. And – as Weitekamp also points out – once a particular solution is deployed, it occupies the potential space of other solutions. This also happens because the existing solution will also be used as a measure for adjacent problems.

Weitekamp seemed to recognise that this might be an all too simple model of reality (see more extensively Richards, 2009). A key point is that the characteristics of the social problem are not always fixed and depend in part on the solution offered, as well as on characteristics of the gatekeeper. For example, Weitekamp found that victim support organisations might be less likely to cast victims' issues in terms of criminal justice reform and a different way of dealing with the suspect or offender. They may opt for better services outside of the justice process, independent of the detection of a suspect. This makes this perspective less likely to conflict with criminal justice, while also creating difficulties in presenting a united front with social actors for whom the (functioning of) the criminal law is the problem: for instance, those seeking reform of criminal processes and/or abolition of incarceration. Nor are the solutions always the same, even if they bear the same name. Case in point: Weitekamp referred to *Täter-Öpfer Ausgleich* (offender-victim mediation) and the victim support organisation *Weisser Ring* in his native Germany. He had some misgivings about the way these organisations presented the victim's interests. He had qualms about the order of offender and victim in *Täter-Öpfer Ausgleich*, while he found *Weisser ring* to pit the interests of victims *against* those of suspects and offenders.

### 2.2 *Frame strategies and alignment*

Without having to follow his analysis here, the features that Weitekamp describes can be well captured by the concept of framing: 'the process of culling a few elements of perceived reality and assembling a narrative that highlights connections between them to promote a particular interpretation.' (Entman, 1993: 52; see also Entman, 2007). Unlike Kingdon's (1984) stream of problems and solutions, framing points to the social, narrative construction of problems and solutions and the connections between them. This also points to a different and more dynamic role for the so-called gatekeepers. They not only connect problems and solutions but shape them through their interpretation. The notion of framing has become increasingly intertwined with theorising about social movements. Not only because

of what they do, but also as an explanation of what they are and how they understand themselves, their objectives and their constituency (Benford & Snow, 2000; Best, 2008). Indeed, this socially constructed interpretation applies not only to the connection between problem and solution but also to the identity of the social movement itself. Frames are a focal point for social movements that strive to achieve acknowledgment of social problems and to improve the lot of those suffering its consequences (e.g. Benford & Snow, 2000). The frame is instrumental in mobilising constituencies, to achieve and structure third-party support and delegitimise opposition. The frame offers the possibility to dictate the terms used to discuss the problem, thereby also supplying material to counter or indeed pre-empt opposing perspectives.

Framing issues is a key component of the exercise of power in democracies (Entman, 2007). Political actors, including the media, are not so successful in telling the public what to think but are considerably more successful in 'telling people what to think about' (e.g. Entman, 2007). In doing so, the movement can opt for different strategies (Benford & Snow, 2000): *diagnostic* framing, i.e. what is the cause of a social problem and who should be held responsible/is to blame; *prognostic* framing, i.e. suggest a solution or course of action and/or *motivational* framing, i.e. moving the potential supporters into action.

A key issue in this process is frame alignment (Benford & Snow, 2000; Snow, Rochford, Worden & Benford, 1986). It is the process of gaining acceptance for a particular social movement's position by a wider audience, which involves connecting the social movement's frame to existing meta-narratives in society. This usually occurs in one of four forms. In frame *bridging*, the movement reaches out to those already known to be predisposed to similar issues. One liberal or conservative cause can be linked to well-known staples in their respective canons. Frame *amplification* entails emphasising core values that the movement shares with potential supporters to mobilise them into action. The latter two involve situations in which the social movement's frame is (to a degree) at odds with that of the wider audience. Frame *extension* concerns expanding and adapting the movement's frame to overcome this divide, while frame *transformation* entails the more radical attempt to reshape the audience's frame. Intra-movement debates about the preferred course of action often revolve around the best way to approach frame alignment: the division between the 'radical' or 'idealist' wing and the 'moderate' or 'realist' wing can be mapped on to frame transformation versus frame extension (Benford, 1993). The radicals/idealists fear that frame extension entails the risk of a pyrrhic victory, with success coming at the cost of watering down the aims of the movement, while the moderates or realists will perceive the goal of frame transformation in the wider audience too tall an order for the movement to achieve. By and large, both assessments are correct (Gamson & Meyer, 1996). In most cases frame transformation, especially of entrenched norms, values and narratives, is highly unlikely. With frame extension, even more moderates are drawn into the fold and upon success of this strategy power considerations will increasingly play a role, both within the movement and as an attraction to new recruits. It is not for nothing that the cohesion of social

movements is often predicated on *a lack* of success: remaining idealists or radicals will often leave or be nudged out on the road to triumph.

### **2.3 Opportunity structure and counter-frames**

The extent to which social movement framing will succeed or fail can be understood in terms of the (changes in) societal opportunity structure (Best, 2008). A good example of this is a particularly newsworthy event or series of events that focuses attention on a societal issue. Within criminology there is, for instance, a tradition that views such flurries of media attention with scepticism, in lieu of being a so-called moral panic (Cohen, 1972). Of course, there are also many instances of newsworthy events, bringing social problems with a stronger factual basis to public awareness (for instance Polletta, 2006); recent examples are #MeToo and Black Lives Matter.

The latter also points to the extent to which shifts in the availability of or familiarity with societal master frames is part of the opportunity structure of social movements (Snow & Benford, 1992). Such a master frame articulates a broad orientation that can be applied to many issues. In cultural analyses of late modernity, a variety of relevant master frames have been identified, for instance risk (Beck, 1992), therapeutic constructs (Furedi, 2004) and indeed victimhood itself (Campbell & Manning, 2018). Social movements may be more or less successful in framing the social problem they seek to address in terms of risk or the extent to which it addresses emotional or mental health issues and/or recasting the constituency they represent as victim of injustice.

Finally, there are also political opportunities. Changes in the national political landscape, for instance, or the influence of supranational actors present potential possibilities for social movements. Parties with a platform conducive to victim-oriented reform or the influence of the European Union in the area of criminal justice are relevant cases in point.

Of course, changes in the opportunity structure can also threaten the position of a social movement. Political and cultural trends can run counter to the movement's positions and might offer other movements the opportunity to promote counter-frames (Chong & Druckman, 2013) that can challenge the diagnostic, prognostic and motivational components of the movement's frame. Such counter-frames can seek to alter societal perception of a social issue by connecting it to a different master-frame or by extending a frame to reduce acceptance of different ways of viewing and tackling a problem. Viewed comparatively, such a counter-frame may have already become entrenched in both a cultural or institutional sense and therefore restrict the possibilities for social movement to advance their position across contexts. Such competition can also take the shape of adversarial framing (Knight & Greenberg, 2011), in which attempts are likely not only to present one's frame as better but also to discredit the movement associated with another frame.

### 3 Complexities in the relationship between victim support and restorative justice

#### 3.1 *Competition*

The counter-frames suggested in the foregoing is what Weitekamp seemed to have in mind in his description of the relationship between victim support and restorative justice. In his analysis, victim support and restorative justice provide counter-frames for the problems facing victims. In different jurisdictions, victim support had already been able to capture the societal issue of victims of crime and frame it as a matter of services for victims. An upshot of this is to limit the extent to which the problems facing victims would be viewed as a matter of the limitations or even the failure of criminal justice (diagnostic framing), reducing the felt need for reform as well as the way restorative justice would offer a solution (prognostic framing). It would also limit the extent to which the constituencies supporting victims would find common cause with other societal movements seeking to reform criminal procedure (motivational framing).

In Weitekamp's analysis, the relationship between victim support and restorative justice can be viewed as one of *competition* (Levin, 2005). The success of each movement depends on the extent to which they are successful in framing their preferred solution in relation to the needs of victims of crime. Put differently, each presents a different and competitive prognostic frame to address these needs. In turn, these different solutions are also likely to suggest different diagnoses as well as a different relationship with other social movements.

Such competition can also involve attempts to position one's preferred solution as a better or more effective as other solutions. A well-known example of this in the relationship of restorative justice and victim support is the 'Restorative practices typology' of McCold and Wachtel (2003). In this presentation at the World Criminology Congress in Rio de Janeiro, they set out a distinction between programmes deemed 'fully restorative', 'mostly restorative' and 'partly restorative', with the practices involving victim, offender and community – for instance family group conferencing – deemed to be 'fully restorative'. Victim services were deemed to be 'partly', given their focus on the victim only. It is important to note here that this distinction was based on claims lacking empirical merit, like

The very process of interacting is critical to meeting stakeholders' emotional needs. The emotional exchange necessary for meeting the needs of all those directly affected cannot occur with only one set of stakeholders participating (McCold & Wachtel, 2003: 3).

which also centre on the questionable assumption that victims would participate in restorative practices to achieve the same outcomes as they would through victim services (see also below). This is further compounded by the fact that their own preferred solution is framed as 'fully restorative', preferable to others. Such framing presents restorative justice as a competitor to victim services, which appear to serve as a second, or even third, best solution.



### 3.2 *Antagonism*

Such blanket claims about the superiority of restorative justice or restorative practices as a means to improve victims' well-being are not likely to do much to achieve support from victim support organisations. Indeed, it might contribute to an atmosphere where mutual framing of restorative justice and victim support is not merely competitive but indeed *antagonistic*. In other areas of public policy Knight and Greenberg (2011) found that adversarial framing involves discrediting the adversary on five different reputational dimensions, which they summarise thus: 'practices, moral character, competence and qualifications, social associations, and real versus apparent motivations' (p. 323). It is well beyond the scope of this contribution to evaluate the full extent to which such reputational discrediting takes place in the relationship between victim support and restorative justice. Undoubtedly, this will not reach the heights of the particularly politically contested issue – climate change and climate scepticism – that Knight and Greenberg discuss, in which the adversary is diagnostically framed as part of the problem. Nevertheless, the restorative practices typology sketched above is one example of an apparent adversarial claim about the practices involved in restorative justice and victim support.

Other examples are not difficult to find. A careful analysis of Richards (2009) reveals that victim support organisations might find a focus on restorative justice to deflect attention from key concerns, opening the idea that opposing them is warranted on the grounds that more pressing matters deserve our attention. One issue that is a mainstay of organisations involved in victim support is that for most victims, the offender is unlikely to be apprehended and that it is this majority that has been neglected by criminal justice authorities (see already Reeves & Mulley, 2000). The worry is then that restorative justice's focus on the relationship between the victim and the offender will reinforce rather than counter this particular hierarchy in victims. A different issue is that victim support organisations might disagree with the way restorative justice portrays victims' interests as antithetical to punitive responses of the criminal justice system (Pemberton, 2012). Instead of seeing restoration and retribution as opposites, victims of severe crime and their supporters are more likely to see sufficient punishment as a prerequisite for any form of restoration. Restorative justice may then be charged with using victims in the interest of offenders.

The tension between victim support and restorative justice is on particularly clear display for certain groups of victims, for instance in cases of gender-based violence. Here the restorative justice narrative about community and the over-punitive response to the offender can be perceived as contrary to reality (Acorn, 2004; Stubbs, 2002). Instead of an overemphasis on punishment in public discourse and an overly punitive system, the community has for too long been too lenient towards perpetrators of domestic and sexual violence. Too often they get away with their acts with impunity. The feminist movement in several countries is therefore more likely to be opposed to than supportive of restorative justice, even though it is generally critical of the functioning of the criminal justice system (see also Pemberton, Kuijpers, Winkel & Baldry, 2009). However, the favoured solution to perceived shortcomings is often sought in increasing recognition of the public

nature of gender-based violence and a larger involvement of law enforcement and criminal justice, rather than a restorative alternative.

Antagonism can also run the other way. For instance, Nils Christie once addressed the Symposium of the World Society of Victimology, causing quite a stir with the suggestion that victim movements are possible handmaidens of law-and-order policies (Christie, 2010). This echoes the earlier criticism offered by Robert Elias (1993) of the shortcomings of the victim advocacy movement, in their co-option in an increasingly punitive criminal justice agenda in the United States, as well as the manner that Weitekamp (2002) worried about the position of some of the victim support organisations in Europe. Each of these authors suggested that in this way victim services could hamper rather than aid the plight of victims.

Similarly, victim support organisations may be viewed as too protective or even paternalistic towards victims (Bolívar, 2015; Van Camp & Wemmers, 2016) with regard to their participation in restorative processes. This is visible in concerns about the extent to which victim support organisations are willing to inform and/or refer victims to restorative schemes, but more clearly in situations where organisations supporting certain victims' interests are seen to be actively involved in prohibiting restorative justice (Varona, 2022). This is understood to be the case in different jurisdictions for forms of gender-based violence.

Some of the aforementioned issues are mirror images of each other and also highlight the extent to which the opportunity structure for restorative justice and victim support might not always cohere. For instance, one may have misgivings about law-and-order campaigns and find that references to victims are likely Victimological in Name Only (VINO, see Pemberton, 2009). Nevertheless, they do often highlight victims' issues and thereby present opportunities for victim support organisations to capitalise on public sentiment, which seems unlikely for restorative justice (Pemberton, 2023). The same is true for the media attention certain high-profile cases of victimisation might attract. This can often be marshalled to improve the position of victim support and victim policy, and the type of cases involved might be less, or at least less obviously, amenable to the goods restorative justice has to offer.

### 3.3 Irrelevance

Richards (2009) also observes a different possible relationship, of which I have seen some evidence in the Belgian situation (Pemberton, 2023). Restorative justice might be most readily accepted in relatively low-level impact crime involving juvenile offenders. It is also for this audience that positioning victims' interests as a *choice between* restoration and punishment, as suggested in Heather Strang's (2002) classic work *Repair or revenge?* makes the most victimological sense. Often, the damage done to victims can be fully repaired, and it is clear in what manner the offender might contribute to this. In Belgium, juvenile justice policy is now fully focused on restoration (Aertsen, 2021).

Two points are relevant here. In the first instance, the restoration ('*herstel*') that is intended here encompasses more than restorative justice, also including community service and other alternative forms of adjudication (Aertsen, 2021). Second, the victims of such crimes are often not the main concern of victim support



organisations or victim policy (Pemberton, 2009). That is not to say they are irrelevant but that victim support will – as a rule – be focused on victims of more severe forms of crime, often involving adult offenders. These are also the victims for whom presenting a *choice between* restoration and retribution is not at all self-evident and indeed does not appear to be in their interests (Pemberton, 2019).

Taken together, this means that a framing of restorative justice as primarily a more constructive means to deal with the cases of juvenile offenders can come with the unintended cost of making it seem more or less irrelevant to victims' interests. That is what seems to be occurring in Belgium now: simultaneously with the centring of restorative justice in juvenile justice, new victim policy documents lacked reference to restorative justice (Aertsen, 2020). Put differently, the political opportunity structure presented an opportunity to frame restoration as the key purpose of the juvenile justice system. It did so by a form of frame *extension*, in which also other constructive means in the reaction to juvenile crime come under the heading of restoration. However, at this moment it seems to come with the price that this blurs the boundaries between restorative justice and modalities of community service, which may be understood as a watering down of the frame of restorative justice. It also appears to make it seem less relevant or even irrelevant to the plight of victims. The latter point centres on the way doing this seems to diagnostically frame restorative justice in terms of the problems confronting the treatment of juvenile offenders, rather than improving the plight of victims.

### 3.4 Cooperation/synergy

Each of the aforementioned ways of framing the relationship between victim support and restorative justice spotlights the possibility of tension between restorative justice and victim support. The choice to do so is deliberate, not because such tension is inevitable or in some way preferable. Instead, I intend to suggest that this is in large part caused by (choice of) framing strategy, as well as to question whether such framing is in the interests of victims. In my view much of the difficulty arises from viewing victims' needs and interests as homogeneous and static (see also Pemberton, 2019), which might translate into blanket claims about the extent to which restorative justice is the preferred way to meet these needs and interests. However, available evidence suggests that victims' needs and interests show considerable variability between individual cases, between forms of victimisation and over time (Pemberton & Vanfraechem, 2015), which means that the use of restorative justice processes for victims is better understood as context-dependent and contingent on victims' individual and developing needs and desires. This is even more so, given that the purpose and nature of restorative processes also varies: criticism levelled at pre-sentence forms of mediation for cases involving domestic violence need not have the same purchase on complementary or post-sentence restorative justice practices.

Acknowledgment of these features opens more possibilities for framing the relationship between victim support and restorative justice in terms of cooperation and even synergy. The Netherlands is a case in point of what such cooperation can entail. Slachtofferhulp Nederland (SHN: Dutch Victim Support) has participated in restorative programmes for the past 25 years, and although the organisation has

by no means always been or been perceived to be a cheerleader for restorative justice, it has maintained a generally positive stance over that period. This is most clear in the close connection to sister organisation Perspectief Herstelbemiddeling (PH: Perspective Restorative Mediation), which also translates into a close working relationship. This is visible in the proportion of referrals from SHN to PH, which outnumbers other organisations in the Netherlands (Perspectief Herstelbemiddeling, 2023).

There is much more that could be said about this, for instance in interpreting the relative reach of SHN – between 500,000 and 1 million victims annually – and the number of annual mediations PH reports – 1,200 in 2022 – but instead I would also like to highlight the ways in which cooperation can also extend into the policy agenda and, in turn, offer restorative justice to capitalise on changes in the opportunity structure associated conducive to victim policy. Elsewhere I have argued that SHN has proved capable of harnessing political opportunities in Dutch society to make considerable advances in the victim's position, while steering clear of doing so in a manner that undermines the position of suspects or offenders (Pemberton, 2023). Restorative justice is one part of that agenda, which also incorporates other services and rights for victims. This highlights the nature of restorative justice as a worthwhile possibility for victims but also underlines that the extent to which this is the case depends on the perspectives of the individual victim and centres the voluntariness involved in participation. Such a framing of the relationship between victim support and restorative justice is, in my view, most parsimonious with the evidence and the values underlying restorative justice. It also shields restorative processes from criticism concerning their victim orientation and releases campaigns for restorative justice from any need to provide evidence of its superiority to other victim-oriented measures.

#### 4 Conclusion

Two decades later, Weitekamp's analysis of the relationship between restorative justice and victim support remains an interesting thought-piece. Weitekamp suggested victim support and restorative justice to be competitors. Weitekamp saw restorative justice and victim support responding to the same victimological undercurrent with different solutions, with existing victim support organisations cushioning the critique of the criminal justice system and thereby crowding out restorative justice.

It is a good starting point for reflection, although I believe the relationship between victim support and restorative justice across jurisdictions to be considerably more complex. Different frames, frame strategies, opportunity structures, might in large part determine the way restorative justice and victim support find common cause and cooperate or alternatively work at cross purposes or even view each other with suspicion or as adversaries. Beyond competing in solutions for the same problem frame, victim support organisations' and restorative justice advocates' view of the societal issue they are tackling can differ, and even be at odds with each other. In the latter instance, as is visible in certain jurisdictions

Antony Pemberton

concerning gendered forms of violence, the relationship might be characterised by adversarial framing. Elsewhere, frame extension might lead restorative justice to be viewed largely as a solution for relatively low-impact crimes, such as with juvenile offenders. These cases will not form the bread-and-butter of victim support organisations, which are often focused on more severe forms of victimisation. This would then entail a risk of restorative justice seeming irrelevant to victim policy. Antagonism and irrelevance might seem to be different frame relationships. However, it is not difficult to see that the two could also be combined in a narrative in which restorative justice is fine as a diversionary measure for juveniles but should be barred from more severe cases, particularly in which the offender might be in a position to pressure the victim.

The pressing question this article invites is how to foster cooperation and synergy between victim support and restorative justice, given that I earnestly believe this is in the best interests of victims. This draws on the acknowledgment that Weitekamp's premise need not be accepted. Victim support and restorative justice both have the best interests of victims at heart, but this does not mean they should be viewed as competitors. Recognising that victims' needs are heterogeneous and dynamic and that this also correlates with the extent to which victim support and restorative justice will meet these needs already underlines the fact that framing the relationship between their services as a *choice* would be erroneous. Many victims will want and need both, for different reasons and at different points in the aftermath of their experience. But viewing the relationship in terms of cooperation and synergy is likely to bring more advantages. For instance, at the level of service provision, working ties, referral and cooperation can ensure that information about restorative justice reaches victims at appropriate junctures in their process, while in shaping the policy agenda restorative justice is more likely to be included in proposals to improve the plight of victims.

Achieving or maintaining such synergy can also draw on the framing literature. It has been my own experience in discussions with like-minded colleagues that any difficulty in the relationship between restorative justice and victim support is suggested to be solved by better explaining one's position, or even trying to convince the other party of one's views. Instead, the framing literature suggests that a more compelling strategy will depart from the vantage point of the other's frame (Snow et al., 1986). This offers opportunities for successful frame bridging. To what elements in the other's frame might one connect, and what elements in one's frame might amplify division rather than create synergy? I very much hope that this contribution serves in a small way the latter goal.

## References

- Acorn, A. (2004). *Compulsory compassion: a critique of restorative justice*. Vancouver: UBC Press.
- Aertsen, I. (2020). Evoluties in het slachtofferbeleid 2000-2020. *Panopticon*, 41(3), 328-344.
- Aertsen, I. (2021). Evoluties in het Vlaams herstelrechtelijke beleid sinds 2000. *Tijdschrift voor Herstelrecht*, 21(1), 36-50. doi: 10.5553/TvH/1568654X2021021001005.

- Beck, U. (1992). *The risk society: towards a new modernity* (transl. M. Ritter). Thousand Oaks: Sage.
- Benford, R.D. (1993). Frame disputes within the nuclear disarmament movement. *Social Forces*, 71(3), 677-701. doi: 10.2307/2579890.
- Benford, R.D. & Snow, D.A. (2000). Framing process and social movements: an overview and assessment. *Annual Review of Sociology*, 26, 611-639. doi: 10.1146/annurev.soc.26.1.611.
- Best, J. (2008). *Social problems*. London/New York: Norton.
- Bolívar, D. (2015). The local practice of restorative justice: are victims sufficiently involved? In I. Vanfraechem, D. Bolivar & I. Aertsen (eds.), *Victims and restorative justice* (pp. 203-238). London: Routledge.
- Campbell, B. & Manning, J. (2018). *The rise of victimhood culture. Microaggressions, safe spaces and the new culture wars*. Cham: Palgrave.
- Chong, D. & Druckman, J.N. (2013). Counterframing effects. *The Journal of Politics*, 75(1), 1-16. doi: 10.1017/S0022381612000837.
- Christie, N. (2010). Victims movements at a crossroad. *Punishment and Society*, 12(1), 155-172. doi: 10.1177/1462474509357978.
- Cohen, S. (1972). *Folk devils and moral panics: the creation of mods and Rockers*. Hamondsworth: Penguin.
- Elias, R. (1993). *Victims still. The political manipulation of crime victims*. London: Sage.
- Entman, R.M. (1993). Framing: toward clarification of a fractured paradigm. *Journal of Communication*, 43(4), 51-58. doi: 10.1111/j.1460-2466.1993.tb01304.x.
- Entman, R.M. (2007). Framing bias: media distribution in the distribution of power. *Journal of Communication*, 57(1), 163-173. doi: 10.1111/j.1460-2466.2006.00336.x.
- Furedi, F. (2004). *Therapy culture. Cultivating vulnerability in an uncertain age*. London: Routledge.
- Gamson, W.A. & Meyer, D.S. (1996). Framing political opportunity. In D. McAdam, J.D. McCarthy & M.N. Zald (eds.), *Comparative perspectives on social movements: opportunities, mobilizing structures, and framing* (pp. 275-290). Cambridge: Cambridge University Press.
- Kingdon, J.W. (1984). *Agendas, alternatives, and public policies*. Boston: Little, Brown.
- Knight, G. & Greenberg, J. (2011). Talk of the enemy: adversarial framing and climate change discourse. *Social Movement Studies*, 10(4), 323-340. doi: 10.1080/14742837.2011.614102.
- Lauwaert, K. (2013). Restorative justice in the 2012 EU Victims Directive: a right to quality service, but no right to equal access for victims of crime. *Restorative Justice: An International Journal*, 1(3), 414-425. doi: 10.5235/20504721.1.3.414.
- Levin, D. (2005). Framing peace policies: the competition for resonant themes. *Political Communication*, 22(1), 83-108. doi: 10.1080/10584600590908456.
- McCold, P. & Wachtel, T. (2003). *In pursuit of paradigm: a theory of restorative justice*. Paper presented at the XIII World Congress of Criminology, Rio de Janeiro, Brazil. Retrieved from <https://www.iirp.edu/images/pdf/paradigm.pdf> (last accessed 29 March 2024).
- Pali, B. & Maglione, G. (2023). Discursive representations of restorative justice in international policies. *European Journal of Criminology*, 20(2), 507-527. doi: 10.1177/14773708211013025.
- Pemberton, A. (2009). Victim movements: from varying needs to diversified criminal justice agenda's. *Acta Criminologica*, 22, 1-23.
- Pemberton, A. (2012). Too readily dismissed? A victimological perspective on penal populism. In H. Nelen & J.C. Claessen (eds.), *Beyond the death penalty* (pp. 105-120). Antwerpen/Portland: Intersentia.

Antony Pemberton

- Pemberton, A. (2019). Time for a rethink: victims and restorative justice: annual lecture in restorative justice. *The International Journal of Restorative Justice*, 2(1), 13-33.
- Pemberton, A. (2023). De problemen van slachtoffers, de oplossing van herstel? De grillige ontwikkeling van slachtofferhulp en herstelrecht in België en Nederland. In T. Daems, A. Pemberton, S. Pleysier & D. Van Daele (eds.), *Strafrechtelijk beleid in vergelijkend perspectief: een blik op de lage landen* (pp. 129-152). Antwerpen: Boom Juridisch Antwerpen.
- Pemberton, A., Kuijpers, K.F., Winkel, F.W. & Baldry, A.C. (2009). A nuanced position: restorative justice and intimate partner violence. In F.W. Winkel, P.C. Friday, G.F. Kirchhoff & R.M. Letschert (eds.), *Victimization in a multidisciplinary key: recent advances in victimology* (pp. 411-465). Nijmegen: Wolf Legal Publishers.
- Pemberton, A. & Vanfraechem, I. (2015). Victims experiences and their need for justice. In I. Vanfraechem, S. Bolivar & I. Aertsen (eds.), *Victims and restorative justice* (pp. 15-47). London: Routledge.
- Polletta, F. (2006). *It was like a fever. Storytelling in protest and politics*. Chicago: University Chicago Press.
- Reeves, H. & Mulley, K. (2000). The new status of Victims in the UK: opportunities and threats. In A. Crawford & J. Goodey (eds.), *Integrating a victim perspective within criminal justice* (pp. 125-146). Aldershot: Ashgate.
- Richards, K. (2009). Taking victims seriously? The role of victims' rights movements in the emergence of restorative justice. *Current Issues in Criminal Justice*, 21(3), 302-320. doi: 10.1080/10345329.2009.12035847.
- Snow, D.A., Rochford, R.B., Worden, S.K. & Benford, R.D. (1986). Frame alignment processes, micromobilization, and movement participation. *American Sociological Review*, 51(4), 464-481. doi: 10.2307/2095581.
- Snow, D.A. & Benford, R.D. (1992). Master frames and cycles of protest. In A.D. Morris & C.M. Mueller (eds.), *Frontiers in Social Movement Theory* (pp. 133-155). New Haven: Yale University Press.
- Strang, H. (2002). *Repair or revenge? Victims and restorative justice*. Oxford: Oxford University Press.
- Stubbs, J. (2002). Domestic violence and womens safety: feminist challenges to restorative justice. In H. Strang & J. Braithwaite (eds.), *Restorative justice and family violence* (pp. 42-61). New York: Cambridge University Press.
- Van Camp, T. & Wemmers, J.A. (2016). Victims' reflections on the protective and proactive approaches to the offer of restorative justice: the importance of information. *Canadian Journal of Criminology and Criminal Justice*, 58(3), 415-442. doi: 10.3138/cjccj.2015.E03.
- Varona, G. (2022). Dancing the legal prohibition of restorative justice in intimate partner violence against women: flamenco beats as encounter. *The International Journal of Restorative Justice*, 5(3), 323-337. doi: 10.5553/TIJRJ.000137.
- Weitekamp, E.G.M. (2002). Mediation in Europe. Paradoxes, problems and promises. In A. Morris & G. Maxwell (eds.), *Restorative justice for juveniles* (pp. 145-160). Oxford: Hart Publishing.
- Zehr, H. (1990). *Changing Lenses: a new focus for crime and justice*. Scottsdale: Herald Press.