

# Restorative Justice for Juveniles

*Conferencing, Mediation and Circles*

Edited by

ALLISON MORRIS

and

GABRIELLE MAXWELL

Institute of Criminology

Victoria University of Wellington

New Zealand



• H A R T •  
PUBLISHING

OXFORD – PORTLAND OREGON

# Contents

|                             |    |
|-----------------------------|----|
| <i>List of Contributors</i> | ix |
|-----------------------------|----|

## PART 1 SETTING THE SCENE

|                  |   |           |
|------------------|---|-----------|
| <b>Chapter 1</b> | <b>Introducing Restorative Justice</b>  | <b>3</b>  |
|                  | <i>Daniel Van Ness, Allison Morris and Gabrielle Maxwell</i>                            |           |
| <b>Chapter 2</b> | <b>On Restoration and Punishment: Favourable Similarities and Fortunate Differences</b> | <b>17</b> |
|                  | <i>Lode Walgrave</i>  |           |

## PART 2 DESCRIBING RESTORATIVE PRACTICES

|                  |  |            |
|------------------|--|------------|
| <b>Chapter 3</b> | <b>Primary Restorative Justice Practices</b>   | <b>41</b>  |
|                  | <i>Paul McCold</i>   |            |
| <b>Chapter 4</b> | <b>Conferencing in Australia and New Zealand: Variations, Research Findings and Prospects</b>                        | <b>59</b>  |
|                  | <i>Kathleen Daly</i>   |            |
| <b>Chapter 5</b> | <b>Restorative Justice and Family Group Conferences in England: Current State and Future Prospects</b>               | <b>85</b>  |
|                  | <i>Jim Dignan and Peter Marsh</i>  |            |
| <b>Chapter 6</b> | <b>Conferencing in South Africa: Returning to Our Future</b>   | <b>103</b> |
|                  | <i>Ann Skelton and Cheryl Frank</i>  |            |
| <b>Chapter 7</b> | <b>Victim Impact of Meeting with Young Offenders: Two Decades of Victim Offender Mediation Practice and Research</b> | <b>121</b> |
|                  | <i>Mark S Umbreit, Robert B Coates and Betty Vos</i>   |            |
| <b>Chapter 8</b> | <b>Mediation in Europe: Paradoxes, Problems and Promises</b>   | <b>145</b> |
|                  | <i>Elmar G M Weitekamp</i>   |            |
| <b>Chapter 9</b> | <b>Circle Sentencing: Part of the Restorative Justice Continuum</b>  | <b>161</b> |
|                  | <i>Heino Lilles</i>  |            |

**PART 3 CRITICAL ISSUES IN RESTORATIVE JUSTICE**

- Chapter 10** **Justice for Victims of Young Offenders: The Centrality of Emotional Harm and Restoration** 183  
*Heather Strang*
- Chapter 11** **Just Cops Doing “Shameful” Business? Police-led Restorative Justice and the Lessons of Research** 195  
*Richard Young*
- Chapter 12** **Aboriginal Youth and Restorative Justice: Critical Notes from the Australian Frontier** 227  
*Harry Blagg*
- Chapter 13** **Family Group Conferences and Reoffending** 243  
*Gabrielle Maxwell and Allison Morris*

**PART 4 WHAT NEXT FOR RESTORATIVE JUSTICE?**

- Chapter 14** **Implementing Restorative Justice: What Works?** 267  
*Allison Morris and Gabrielle Maxwell*
- Index* 283