

Restorative justice could dramatically cut domestic violence recidivism

reader comments

41 with 33 posters participating

Share this story

Domestic violence accounts for a huge portion of the violent crimes and homicides committed in the US. According to the US Department of Justice, around a fifth of non-fatal violent crimes between 2003 and 2012 were committed by a partner or family member of the victim. The CDC reports that more than half of the women murdered between 2003 and 2014 were killed by intimate partners.

How can domestic violence be reduced? Offenders are often sentenced to treatment that tries to prevent reoffending, but rates of recidivism are still high. A new approach drawing on what's called "restorative justice" could help to reduce the rate of future offenses, according to a paper in *Nature Human Behaviour* published this week.

Restorative justice focuses responses on addressing the social harms caused by an offense. Compared to a standard treatment program, the restorative justice approach halved arrest rates over a period of two years. There's a lot more research needed, but restorative justice could offer a promising approach.

All manner of sins

Domestic violence includes any kind of violence that occurs within a household. Intimate partner violence—including spouses, boyfriends, and girlfriends—accounts for around three-quarters of overall domestic violence, with siblings, parents, other family members, and even roommates making up the rest.

Getting a clear picture of domestic violence is tough, as people in severely abusive relationships are thought to be less likely to respond to surveys, and data from the criminal justice system depends on violence being reported. Surveys tend to show that men and women are equally likely to be violent with a partner, but additional research suggests that violence by men is more likely to result in severe injuries and fatalities.

There are also complicating factors beyond the severity of violence, like whether the violence occurred in the heat of an argument or whether it was part of a larger pattern of an individual trying to control and limit the behaviors of their partner.

People convicted of domestic violence in the US are often required to get treatment that's intended to reduce the chance of further violence in the future. Most commonly, this is a "batterer intervention program" (BIP), which tries to help offenders learn nonviolent responses. There are thousands of these programs in the US, and they can be quite different; some incorporate cognitive behavioral therapy, anger management, and treatment for substance abuse. But research on their effectiveness has found somewhat mixed results.

Involving the victim

Restorative justice is a concept that has been gaining ground

over the past few decades. Rather than a focus on just punishment for a crime, or even treatment for the offender, the idea behind restorative justice is to bring in the perspective of the victim and focus on the harm caused by the crime. The typical restorative justice program brings together victim and offender in a conversation, with a mediator or group of volunteers and supporters, to discuss how the offender can make amends and be held accountable.

This approach has often been used for cases like theft, but it's trickier for domestic violence. For one thing, many states forbid involving the victim of domestic violence in any interventions, because it's thought to put the victim at risk. But restorative justice initiatives have been springing up, often outside of the criminal justice system.

Domestic violence researcher Linda Mills and her colleagues wanted to see whether a restorative justice-inspired approach would be more effective than a standard intervention program by itself. They worked with Salt Lake City officials to find people sentenced to treatment for domestic violence misdemeanors in 2012 and 2013, and randomly assigned all 222 eligible people to two different treatment groups.

One group had the standard treatment: 18 weeks of 90-minute BIP sessions. The other group had 12 weeks of BIP, plus another six weeks of a treatment that drew on restorative justice principles—although victims did not always choose to participate. The researchers followed up on everyone for two years.

Mills and her colleagues focused on two different measures of reoffending. First, they counted arrests. Some people in both groups had been arrested multiple times, and some had no arrests. On average, both groups had less than one arrest per person, but the rate for the restorative justice group was about half of the BIP-only group. They also looked at how severe the offenses for those arrests were and found similar

results: the “severity score” for the BIP group was around twice as high as for the restorative justice group.

No easy fixes

Restorative justice has the advantage of translating easily to a wide range of different contexts. While BIP has often focused on male perpetrators and female victims, restorative justice can be more flexible, which means it might be more suitable for addressing the broad range of relationships and factors in domestic violence.

But because domestic violence is so complicated, there might also be limitations to this approach. This research focused only on people convicted of misdemeanor domestic violence—would restorative justice work as well in cases of aggravated assault? Is it as effective for perpetrators of coercive control as for people who lash out only in a fight? Figuring that out means not just more research on restorative justice, but also research that tries to get a better understanding of the domestic violence landscape as a whole.

Mills and her colleagues also point out that 24 months is not a particularly long time—longer studies would be helpful. And it would be interesting to work out what precisely about the restorative justice approach was so effective, they suggest. Figuring that out could help to develop restorative justice programs that are more tailored and relevant to the complex nature of domestic violence.

If you need help or resources on domestic violence, contact the National Domestic Violence Hotline on 1-800-799-SAFE (7233) or at www.thehotline.org.

Nature Human Behaviour, 2018. DOI: 10.1038/s41562-019-0724-1 (About DOIs).

<https://arstechnica.com/?p=1574353>