

RESTORATIVE JUSTICE VOLUNTEERS' PERCEPTIONS OF EFFECTIVE FACILITATORS

Karen A. Souza & Mandeep K. Dhimi, University of Cambridge

Abstract

There is a growing interest in community-based restorative justice (RJ) initiatives. These RJ programs often rely on community volunteers to perform tasks that include facilitating meetings between victims and offenders. The present study asked 72 RJ volunteers to provide their opinions on what constitutes a 'good' and a 'bad' RJ facilitator. Volunteers reported that having adequate skills was the most important aspect of being a good facilitator, while the qualities of a bad facilitator were being judgmental and dominating in the RJ process. An understanding of the qualities of effective facilitators can inform strategies for the recruitment and training of volunteers in community-based RJ initiatives.

Key Words: Restorative Justice, Facilitators, Conferencing, Community Justice

Introduction

Community-based restorative justice (RJ) initiatives have multiplied rapidly since their inception in the early 1970's, and are increasingly being integrated into mainstream criminal justice practices. RJ departs from traditional views of crime and justice by transforming the way in which we conceptualize these terms through a "restorative lens" (Zehr, 1995). Rather than referring to crime as an act violating the law and resolving it through a court battle with the State, crime is re-defined as a violation of interpersonal relations among victims and offenders as well as other members of a community. The RJ process thus focuses on reconciling these relationships by ensuring that all individuals who are affected by crime, as well as relevant stakeholders, are directly involved in the justice process and outcome. RJ provides a platform for this to occur via face-to-face meetings (i.e., conferences or mediations) between victims, offenders and community members. These meetings are facilitated by a trained individual in a safe and supportive setting.

As RJ initiatives continue to expand, there is a greater need to examine the quality and efficacy of the services that RJ programs provide, especially for the agencies that refer

cases and provide financial support to these programs. In addition to the standard measures of a program's success (e.g., recidivism rates), RJ initiatives can be evaluated on the merits of the community volunteers who develop and run these programs. In turn, we can determine the extent to which volunteers are able to carry out their program's objectives of addressing the root causes of crime and helping to heal the harms that resulted from it by tending to the needs of those who were harmed. The present paper focuses specifically on RJ facilitators whose role is to oversee the RJ process from intake to post-conference. As such, facilitators deliver the core service of RJ programs and thus, play a pivotal role in the RJ process.

Facilitators in RJ Programs

The term 'facilitator' is synonymous with 'community justice coordinator,' and 'convenor,' and these terms are often used interchangeably (Sharpe, 1998). The facilitators' primary responsibilities are fourfold: preparing victims and offenders to meet, convening the conflicting parties, facilitating the restorative process, and monitoring restitution agreements that result from conferencing. In more serious cases or cases that involve a large number of participants, more than one facilitator may be present to play a supporting role. Although the RJ process can differ considerably depending on the type of program employed, the fundamental principles that RJ programs advocate generally remain the same. In particular, one of the defining features of conferencing is the group dynamic, which serves to reflect the broader social impact of crime. The general aims of conferencing are to promote consensual decision making in responding to crime, rebuild relationships, and strengthen community bonds (Zehr, 1995). These principles are derived from philosophical views of various faiths and practices of indigenous cultures worldwide, which include accountability, forgiveness, reparation, healing, and reintegration (Hadley, 2001).

The Facilitators' Role during the RJ Process

The RJ process typically unfolds in four stages; these are intake, preparation for conferencing, conferencing, and follow-up. Given that the tasks and responsibilities of facilitators differ within each of these stages, this requires them to possess a particular level of knowledge and various skills which often need to be acquired through specialized training (Souza & Dhami, in press).

Stage One: Intake

After a case has been referred to RJ by the police, prosecution or the court, the first task of the facilitator assigned to the case is to contact the victim(s) and offender(s) involved and invite them to separately attend an intake meeting. Intake meetings are an essential part of the RJ process to enable facilitators to assess the suitability of a case for conferencing. In cases where circumstances preclude the possibility of a meeting, intake can occur via telephone.

The purpose of intake meetings is threefold. First, facilitators provide victims and offenders with information about the aims of RJ and the conferencing process, and

describe the potential implications of conferencing. Thus, facilitators need to be knowledgeable about the core principles and practices of RJ. Facilitators may also be asked specific questions about the case and so they need to be familiar with the details of the case beforehand. Second, from the facilitators' perspective, one objective of intake meetings is to identify the emotions and particular needs of each party involved by understanding their involvement in and experience of the harm. Thus, facilitators need to be compassionate as well as have strong reflective listening skills. Finally, intake meetings enable facilitators to build rapport and trust with victims and offenders in order to secure their further involvement in the process. Thus, attributes of the facilitator that may help foster this relationship include being open, receptive and non-judgmental (Umbreit, Vos, Coates & Brown, 2003).

Stage Two: Pre-conference Preparation

Once facilitators decide that a case is suitable for conferencing, and the victim and offender voluntarily agree to partake in the process, the facilitators' next task is to prepare them for the actual conference. Often, key support persons are also invited to partake in the process and so must also be briefed.

This preparatory phase is crucial to the success of the conference as it involves thorough consideration of the risks involved for each party (Umbreit et al., 2003). This includes ensuring that offenders accept full responsibility for the offence and are committed to making amends. It can also include providing support to victims, and helping victims allay feelings of anger and fear and develop effective ways of communicating their emotions. Here, it may be beneficial for facilitators to understand the phases of trauma (e.g., grief, denial, loss) and the impact of post-traumatic stress (Umbreit et al., 2003).

The facilitators' job is to encourage victims and offenders to consider what they want to gain from the conference (e.g., begin the process of healing and rehabilitation, respectively) and to help them devise a plan to achieve these goals. However, facilitators must do this without prescribing any actions for either party. It is difficult to discern when a case is ready for conferencing and so preparation can take weeks or even months.

Stage Three: The Conference

The role of the facilitator during conferencing is primarily to chair the meeting insofar as to elicit the dialogue among the participants and maintain the integrity of the process (Dignan et al., 2006). This is achieved for example by presenting the key issues that need to be addressed, re-focussing discussion that has veered off-track (without trivializing what has been said), and more importantly, ensuring the safety of each participant. Some RJ programs employ the use of standardized scripts to structure the meeting by prescribing certain elements of the conference, such as the order of the speakers, and to steer the dialogue.

Generally, RJ conferences begin with the facilitators' introduction of the participants and the format of the process. Early on, the facilitator must set the stage for the process to

unfold by creating an atmosphere that is conducive to dialogue. This is fostered by the rapport that he or she developed with each party during the preparatory stages. Offenders usually speak next, giving their account of the incident and explaining why they committed the act. It is important that facilitators maintain an unconditional positive regard for offenders here, particularly in more serious cases where emotionality can be heightened. Following this, victims have the opportunity to tell the offender directly their experience of the offence in terms of how they felt during and afterwards, and the harms they sustained from it. One particular challenge for facilitators here is in maintaining a balanced dynamic between the participants to ensure that all parties are able to express themselves freely without fear of censure. Other challenges that facilitators face include avoiding interfering with the process (e.g., interrupting the flow of the dialogue) and coercing aspects of the conference by imposing their views. Therefore, it is important for facilitators to be unbiased and non-judgmental in conferencing.

In the final part of the conference, the facilitators' role is to aid victims and offenders in jointly developing a restitution plan. The facilitators' role here is to ensure that all parties are given equal opportunity to contribute to the decision-making. The contracts' terms and conditions are documented in detail so that it is clear what the restitution action is (e.g., monetary compensation with a specified sum), what the duration of the schedule for completion is, and who will manage the contract until it is fulfilled. Discussions of future expectations may also ensue which can be constructive to the victims' healing process and the offenders' rehabilitation. Thus, it would be useful for facilitators to have knowledge about various community resources such as substance abuse programmes and victims' support groups. In this respect, interpersonal and networking skills would be beneficial for facilitators to establish contacts at the agencies and organizations that offer such services.

Stage Four: Follow-up

Post-conference, facilitators are sometimes required to follow-up cases to monitor the offenders' progress in fulfilling the terms of their contract. This is important in fostering the continued healing of victims and reminds offenders of their commitments. Facilitators can reconvene the parties for example if the victim is dissatisfied with the offenders' compliance with the restitution contract, although this is a rare occurrence (Umbreit, 1995).

Given the important role that facilitators play in RJ programs, there is surprisingly limited research on how they contribute to the RJ process. In the above, we have described the tasks and responsibilities that facilitators carry out. In the present study, we explore some of the characteristics that comprise a good and a bad RJ facilitator, from the perspective of RJ volunteers themselves.

Method

Respondents were 72 RJ volunteers (19 males, M age = 54.47 and SD = 13.34, and 56 females, M age = 51.82 and SD = 14.30) from 12 RJ programs. Volunteers' length of service in RJ ranged from one month to 10 years (M = 2.73, SD = 2.22). Eighty-eight

percent of volunteers had received facilitator training, and they reported being "somewhat experienced" in their role (M = 4.33 on a 7-point scale where 1 = *not at all experienced* and 7 = *extremely experienced*, SD = 1.87).

Volunteers were individually presented with a self-completion questionnaire asking about their experiences in RJ. Their responses to three of the questions are pertinent to the present paper. Specifically, volunteers were asked two open-ended questions that required them to provide their opinions on what constitutes a 'good' and a 'bad' facilitator. The third question asked volunteers to rate the importance of the facilitators' role to the RJ process on a 7-point scale (anchored at 1 = *not at all important*, 4 = *somewhat important*, and 7 = *extremely important*).

Findings and Discussion

RJ volunteers perceived facilitators as being a fairly important part of the RJ process with a mean rating of 5.87 (SD = 1.10) on the importance scale. Table 1 shows the proportion of responses provided by RJ volunteers on what constitutes a good and a bad RJ facilitator. The most highly cited attribute of a good facilitator was having adequate skills and being prepared for conferencing. Other qualities of a good facilitator that were stated were being objective and non-judgmental, and having positive personal traits. In terms of the qualities of a bad facilitator, the most commonly cited characteristics were being judgmental and biased, and being imposing and dominating. Having inadequate skills and being unprepared for conferencing were also listed as traits of a bad facilitator. There were no significant differences in the responses of volunteers who had more or less experience in working for an RJ program, nor were there significant differences in volunteers' responses with regards to having obtained facilitator training or not.

Table 1: RJ Volunteers' Perceptions of Effective Facilitators

Item	Percentage of Responses
Characteristics of a good facilitator:	
Adequate skills/being prepared	40.06
Objective/non-judgmental/impartial	30.56
Personal traits	22.22
Believes in program principles/practices	.04
Characteristics of a bad facilitator:	
Opinionated/judgmental/biased	32.86
Imposing/dominating	31.43
Inadequate skills/lack of preparedness	21.43
Having a personal agenda	.07
Personal traits	.06

These findings raise several interesting points. First, the most highly regarded attributes of a good facilitator generally represents dynamic, external forces (i.e., skill level and organization), while being a bad facilitator involves internal and more static descriptors (i.e., judgmental and biased). While the former can be improved upon through further training, the latter is more problematic as these are often ingrained attributes. This highlights the importance of screening potential volunteers for RJ programs to assess their suitability for particular roles and ensuring that volunteers receive training that is role-specific.

Wilson (2001) posits that facilitators who have the most restorative impact tend to employ a non-directive approach to conferencing and facilitate with minimal interference. In turn, the converse should be true such that facilitators who are imposing and dominate the conference will hinder the RJ process. Our findings substantiate this claim in that RJ volunteers recognize these traits as being characteristics of a bad facilitator.

While the present study offers a preliminary view of the attributes that constitute an effective RJ facilitator, future research should expand on our categories representing good and bad facilitators by capturing the precise dimensions of each category. For instance, facets of "adequate skills" can be divided into those related to tangible skills (e.g., administrative skills related to organization and planning) and more internal abilities such as interpersonal and leadership skills. Positive personal traits can also be expanded to encompass elements related to attributes (e.g., open-mindedness), attitude (e.g., motivation), and values (e.g., accountability and fairness). Identifying the relative importance of these characteristics, and distinguishing between those that are more or less static versus dynamic can help inform volunteer recruitment strategies as well as training programmes.

In some RJ programs (often not community-based), criminal justice professionals such as police and probation officers serve as facilitators. Thus an interesting area of future research would be to compare professionals' and volunteers' perceptions of the attributes of effective RJ facilitators. Demonstrating that professionals and volunteers have similar views on this important issue can not only serve to reduce any reservations that criminal justice professionals may have about the competence of community RJ volunteers (Dhami & Joy, 2007), but it may also serve to reduce any concerns of law enforcement bias in the use of professionals as RJ facilitators (Dignan et al., 2006).

Another area of future research is to examine facilitators' effectiveness from the perspective of conference participants (i.e., victims, offenders and community members). Given that each of these groups probably have distinct motivations, needs and expectations for participating in RJ, they are likely to differ in their perspectives of the qualities of good and bad facilitators. It is crucial that RJ programs retain facilitators who are able to meet the needs and expectations of these individuals.

Finally, in order to increase widespread community support and participation in RJ initiatives, it is necessary to first clarify who the community comprises. Definitions of community are often based on geographical proximity and social status, and so "out-groups" become unempowered and underrepresented (Souza & Dhami, in press). Thus, in order to ensure that all groups including those who are marginalized and disadvantaged are represented in the RJ movement, it is essential that recruitment strategies also promote community diversity and inclusiveness.

In sum, community-based RJ initiatives offer a practical and viable way of responding to crime and victimization. However, in order to establish their credibility with statutory agencies that serve as gatekeepers for funding and case referrals to RJ programs, it is necessary to promote the credibility of the volunteers who provide these services (Dhami & Joy, 2007). This can be accomplished by identifying the types of people who volunteer for RJ programs and the skills and qualifications that they provide. While volunteers can help bridge the gap between service and community, a better understanding of their contributions can improve their collaborative relations with other justice agencies.

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Biographical Note

Karen A. Souza, MA, is a Research Assistant at the Institute of Criminology, University of Cambridge. Her research interests include sentencing, community justice interventions, and prisoner assessment.

Mandeep K. Dhami, PhD, is a Senior Lecturer at the Institute of Criminology, University of Cambridge. Her research interests include legal decision making, psychology of imprisonment, and restorative justice.