



# Can Restorative Justice Help to Repair the Harms of Hate Crime?

The EStAR project Webinar  
Restorative Justice Solutions for Hate Crime

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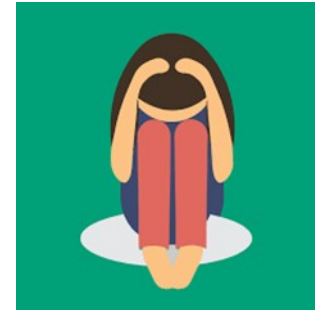
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# Presentation outline

- The key process variables in RJ practice central to assisting the recovery of hate crime victims
- Challenges to inclusive dialogue faced by practitioners
- Techniques to prevent re-victimization and ensure equal participation
  
- For your reference:
  - Statistics: Do targeted communities support the use of RJ?
  - Practices: Where is RJ being used for hate crime in the UK?
  - Research: References to research findings

# What needs to be repaired?

- Studies have shown that hate crimes are more likely to cause heightened levels of:
  - Fear
  - Anxiety and depression
  - Anger
  - Shame
- These emotional reactions lead to:
  - Avoidance and withdrawal
  - Changing appearance or mannerisms
- Feeling powerless and marginalized in society





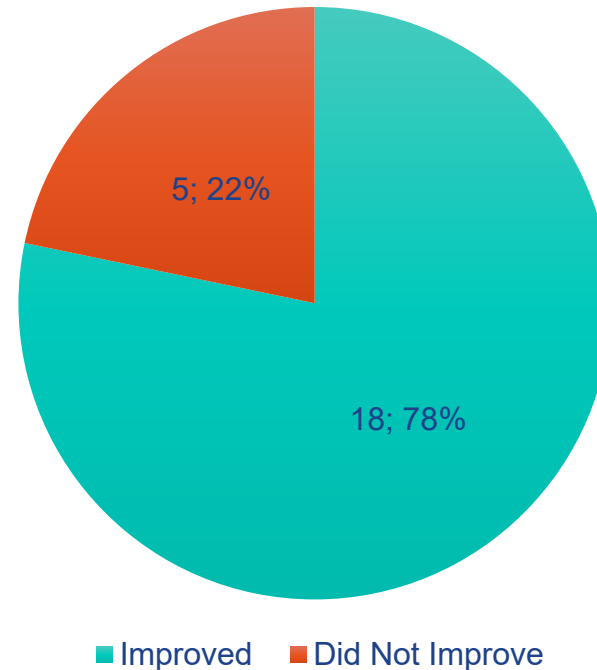
# Can RJ help repair the harms of hate crime?

Research study looked at restorative practices used to address hate crimes including:

- Southwark Hate Crime Mediation Service's "Hate Crime Project"
- Oxford Youth Justice Service implementation of RJ conferences as part of Referral Orders for young offenders
- Devon and Cornwall Police's use of "restorative disposals" for hate crime offences

# Can RJ help repair the harms of hate crime?

**FIGURE 1: Number of victim-complainants who stated mediation directly improved their emotional wellbeing**



# What parts of the process were most helpful?: the key process variables

- **“Story telling”** :
  - Explaining to the other party how they felt
  - Being able to explain how the incident had affected their life
  - Talking about the effects of prejudice and hatred – forming their own narrative
  - Providing a “voice” previously denied of many minority victims
- Feeling **supported** by the mediator who listened to their story

# Talking about identity

- ◉ *They [victims] went to great lengths telling me about their own family history and who of their own family members they'd lost during periods of time [referring to the Holocaust], and showing me memorabilia in the house, paintings... done by relatives who were no longer with us, very personal stuff... Their identity was very, very important to them. And they went to lengths to tell me how proud they were to be Jewish. And they certainly want to maintain and hang on to that identity and those roots.*

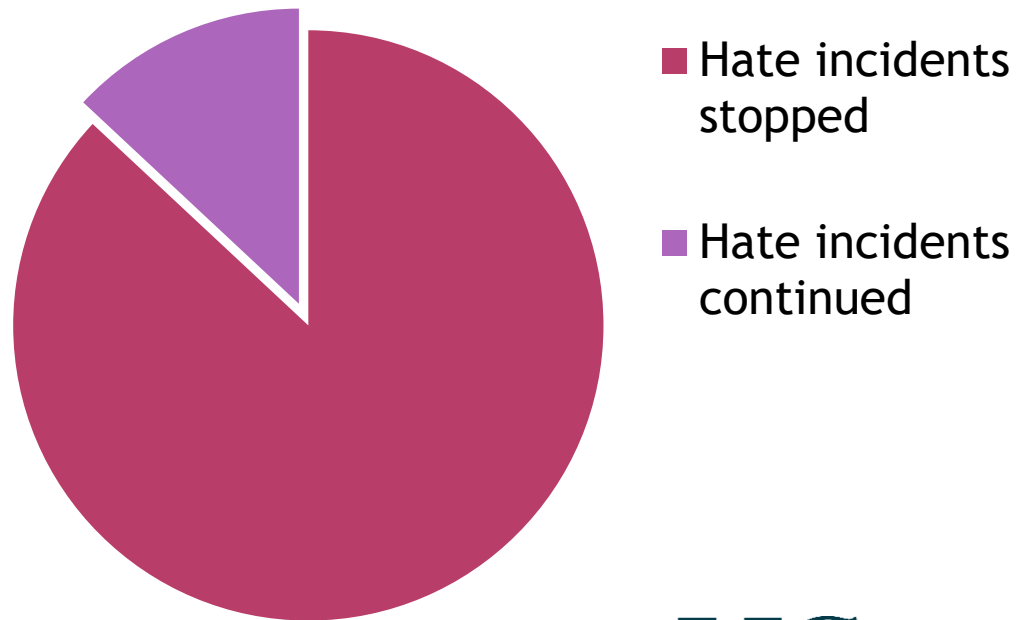
# Promises of desistance

- Obtaining **assurances of desistance**
  - Agreements stating that the incident(s)/dispute would stop
  - Observing perpetrators kept to the agreement before victims could recover fully



# Preventing re-victimisation

- Figure 2: 19 out of 23 cases of hate incidents/and or other forms of abuse stopped



# Challenges to inclusive dialogue

- Empathic divides and paralanguage
- Offenders who deny they are prejudiced (or behaved so)
- Deep-seated prejudices
- Power-imbbalances and the risk of re-victimisation
- Existing societal inequalities

# Avoiding re-victimization

- If RJ is not administered in line with RJ values and principles may cause more harm
  - Key is preparation of inclusive dialogue based on non-domination
- Must have adequate training both on RJ and hate crime
  - Several days training required (knowledge of identity difference helps)
- Implement indirect mediation where appropriate
- Independent and impartial facilitator or at the very least police officers specialising in RJ rather as part of their general duties

# Do targeted communities support the use of RJ for hate crime?

- ◉ **6 out of 10 respondents preferred RJ over an enhanced penalty as an intervention for hate crime**

# Some RJ programmes running specifically for hate crime in the UK

- **Restore DiverCity** – run by Sussex Police and used to respond to both “low level” offences which are disposed of out of court and also offences where the offender has gone to prison
- **Southwark Hate Crime Project** – run by Calm Mediation Service, London responding to conflicts amongst community members that involve prejudice-based incidents
- **Restore Respect** – run by the University of Sussex to address hate incidents/crimes between students on campus  
[https://www.sussex.ac.uk/studentlifecentre/issues/restore\\_respect](https://www.sussex.ac.uk/studentlifecentre/issues/restore_respect)
- **Why Me?’s** programme to support criminal justice institutions to use RJ for hate crime: <https://why-me.org/access-to-justice-delivering-restorative-justice-for-hate-crime/>

# References to research

- Empirical findings on use of restorative justice for hate crime: [\*Hate Crime and Restorative Justice: Exploring Causes, Repairing Harms\*](#)
- Summary of book findings can be found here: [\*Repairing the harms of hate crime: towards a restorative justice approach?\*](#)
- Findings on LGBT+ people's perceptions of RJ v's enhanced punishments: [\*Enhancing punishment or repairing harms? Perceptions of sentencing hate crimes amongst members of a commonly targeted victim group\*](#)
- Findings on community impacts of hate crime: [\*The Sussex Hate Crime Project: Final Report\*](#)
- Interested in how RJ addresses offending behaviour? See: **Walters, Mark (2014) *Restorative approaches to working with hate crime offenders*. In: Chakraborti, Neil and Garland, Jon (eds.) *Responding to hate crime: the case for connecting policy and research*. The Policy Press, Bristol** (contact me for copy).