RJ4ALL
PUBLICATIONS

COLLAPSING THE CRIMINAL LABELS OF DOMESTIC VIOLENCE:

A SOCIAL & RESTORATIVE JUSTICE APPROACH

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Restorative Justice for All
Redistributing Power through Education

RJ4All Publications

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RESTORATIVE JUSTICE SERIES

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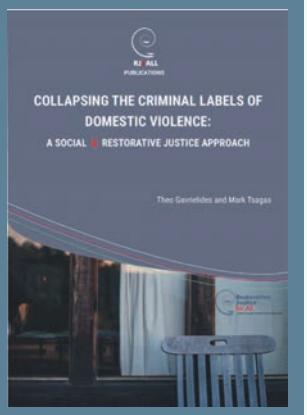
RJ4All Publications is non partisan, but motivated by its values. We aim to advance research, academic rigour and public understanding of social harm, social inequality and alternative ways of restoring peace and crime. Ultimately, we want to affect positive change in society, and have a real-world impact.

All our publications are indexed by EBSCO Information Services and are available to over 170,000 universities and government departments from around the world. They can also be downloaded from **www.rj4all.info** and Kindle.

RJ4All Publications and our Restorative Justice Series are fully committed to ethical publication practice, and have a strict Publications Ethics Guidelines that we adhere to. RJ4All Publications and its Journals are guided by our **Editorial Board and International Advisory Board**. Their membership includes some of the most prominent academics, researchers and practitioners in the area that we publish.

Authors interested in publishing their work with RJ4All Publications should get in touch with the Editor-in-Chief, Dr. Gavrielides.

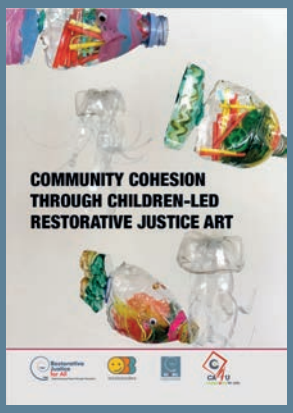


RJ SERIES no 10

Gavrielides, T. (2019)

Collapsing the Criminal Labels of Domestic Violence: A Social & Restorative Justice Approach, London: RJ4All Publications. ISBN 978-1-911634-15-7

Domestic violence is a pervasive problem that has plagued most societies throughout history; affecting women, men, boys and girls alike, in a myriad of different ways. Typically, how the issue is conceptualised, addressed, resolved hinges greatly on cultural norms, formal and informal practices of conflict resolution and legal frameworks. This ebook addresses the sensitive and controversial topic of using restorative justice in cases of domestic violence. Through an evidence-based manner, it purports to bring forward new insights and reflections acquired through recent fieldwork with victims, offenders and restorative justice practitioners. Most importantly, it makes these firm assertions while recognising the need for caution and without disregarding potential opposing arguments.



RJ SERIES no 9

Laura, D. et al (2019)

Community cohesion through children-led restorative justice art, London: RJ4All Publications. ISBN 978-1-911634-14-0

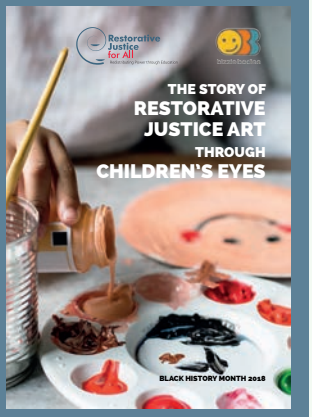
This unique e-book presents the results of the children-led project Culture and Art for Unity (CA4U that was carried out by RJ4All in partnership with Bizzie Bodies from September 2018 until April 2019 giving to 22 children access to art workshops every Friday after school. The project had two objectives in mind. First, to create a fun and educational space for local children who could not afford to attend art classes outside of school, increasing in this way not only their skills, but also their awareness around issues of equality. They were mixed with children of different backgrounds, races, socio economic status and abilities. The second objective was to use their work to get local people to talk. Indeed, one of the key principles of restorative justice is dialogue. Something as innocent and as creative as our children's art became the best prompt for getting parents, teachers, policy makers and local organisations to talk.

RJ SERIES no 8

Gavrielides, T. (2019)

Safeguarding and Empowering Victims: Training manual on restorative justice in the Victims' Directive. London: RJ4All Publications. ISBN 978-1-911634-09-6

This e-book is part of the RJ4All Restorative Justice Series. It also forms part of the RJ4All›s accredited e-course «Safeguarding and Empowering Victims»
This training manual aims to provide assistance to crime victims and practitioners focusing on safeguards and best practice when implementing restorative justice.
This training handbook has been designed with the following target groups in mind independently of their location. The manual uses the Victims' Directive (Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA) as its legal and theoretical framework for achieving its objectives.
The manual includes information on the rights of the victim, a definition of restorative justice, case studies illustrating safeguarding issues and a victim assessment guide.

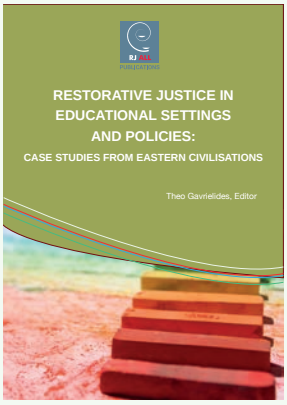


RJ SERIES no 7

Gavrielides, T and et (2018).

The story of restorative justice art through children's eyes, London: RJ4All Publications. ISBN 978-1-911634-08-9

At RJ4All, we strive for a more cohesive society by distributing power through educational activities, awareness raising and user-led projects. This e-book is the result of our latest "Restorative Art through children's eyes project" leading to a unique exhibition, led by our children. The project falls within our wider partnership programme with local art club, Bizzie Bodies, titled "Culture and Art for Unity" and is supported by Southwark Council as part of Black History Month. The project is founded upon the belief that culture and art can bring people together and encourage community cohesion. We use restorative justice values such as equality, involvement in decision making, inclusion and empowerment, to support our children to lead on the art creation, and through their work increase cultural awareness.



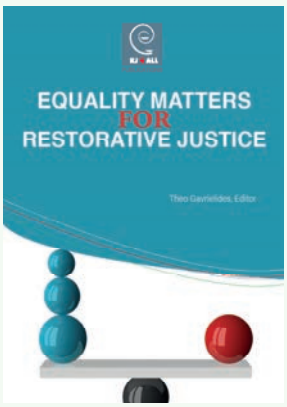
RJ SERIES no 6

Gavrielides, T. and Wong, S.G.D (2019).

Restorative Justice in Educational Settings and Policies: Case studies from Eastern Civilisations, London: RJ4All Publications. ISBN 978-1-911634-07-2. RRP £9.99

Edited by two leading restorative justice scholars from the West and East, this unique book bridges a gap in the literature by bringing together new evidence on the application of restorative practices in educational settings. The book has two aims. First, it builds a bridge between the restorative justice world in the East with that of the West. The volume demonstrates how similar the theoretical and practical experiences are in the two sides of the world. It presents us with evidence of what works in policy, research and practice and allows us to make comparisons for the future. Secondly, the book challenges restorative justice which is often seen through the narrow lenses of the criminal justice system.

"It is arrogant indeed to think that schools in the west have all the answers and we are somehow more advanced in our thinking and practice. The scope of the chapters in this book travails many of the issues that face schools and systems everywhere. This book is highly recommended for anyone practicing, studying or legislating restorative justice in educational settings. Restorative practice is who we are, not what we do!" Margaret Thorsborne, Restorative practitioner, trainer, facilitator and author.



RJ SERIES no 5

Gavrielides, T. (2018)

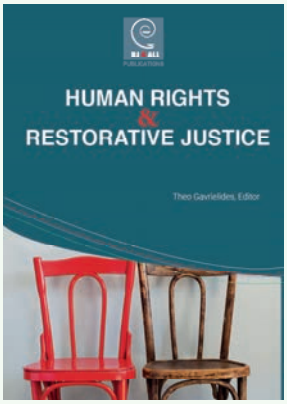
Equality Matters for Restorative Justice
London: RJ4All Publications. ISBN 978-1-911634-03-4. RRP £9.99

Restorative justice was brought back into the modern world of policy, research and practice in response to a growing disappointment from our criminal justice systems especially in relation to how it treats vulnerable groups such as those experiencing discrimination due to their race, gender, age etc. Therefore, it is surprising why equality hasn't featured more prominently in the restorative justice discourse. This is what the Editor calls the 'paradox of restorative justice', and the battle field where the future of restorative justice will be fought.

This edited collection of papers written by leading equality and restorative justice scholars aims to bring to the restorative justice debate a new dimension that is yet to be explored in its own right. This refers to issues surrounding equality and restorative justice both at the normative and empirical levels. Through an evidence-based approach, case studies from around the world are presented to develop a narrative and a practical tool for considering equality matters when applying or thinking about restorative justice. Particular emphasis was given on gender and domestic violence, Indigenous peoples, gender equality and prisoners.

"This is an important and timely collection... It traverses a great diversity of specific and crucial issues from restorative practices in prisons to deinstitutionalising the stigma of criminal conviction.

Perhaps the single most impressive feature that distinguishes this collection from others on restorative justice is that it corrects the usual focus on North America, Western Europe and the Antipodes with learnings from Central and Southern Europe. Many of these Central European and Mediterranean lessons are profound ones that can greatly enrich the predominantly North Atlantic restorative debate. Professor John Braithwaite, Australian National University.



RJ SERIES no 4

Gavrielides, T. (2018)

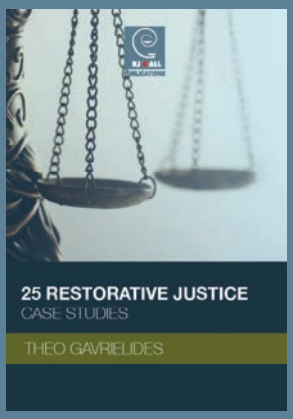
Human Rights and Restorative Justice,
London: RJ4All Publications. ISBN 978-1-911634-00-3. RRP £9.99

Human rights and restorative justice are rarely brought under the same spotlight despite their normative similarities. This gap becomes even more apparent when put in the context of policy and practice internationally. Firstly, there is a developing gap between public perception and evidence-based depiction of crime. Secondly, scholarly debates are rarely reflected in criminal justice policy and legislation. This failure has an impact on recidivism, the spiralling costs of penal interventions, but most importantly on how we view our interpersonal and intercommunal relationships.

This edited collection of papers written by leading international experts in the fields of restorative justice and human rights aims to address this gap. The tools to achieve this and the role of human rights and restorative justice for personal and community conflicts were researched and tested. Through an evidence-based approach, a narrative and a framework are developed for moving the debate forward on joint human rights – restorative justice approach to conflicts.

"This book is an important contribution to both restorative justice and human rights literature. It develops a conceptual understanding of both that is able to withstand the tensions between the personal (relationships) and the abstract (norms). This collection demonstrates that restorative processes can be effective in producing a just response, repairing harm to victims, holding offenders accountable, and teaching values while recognizing the importance of relationships".

Prof. Daniel Van Ness, Executive Director of the Centre for Justice and Reconciliation, Prison Fellowship International, Adjunct Professor at Pepperdine University

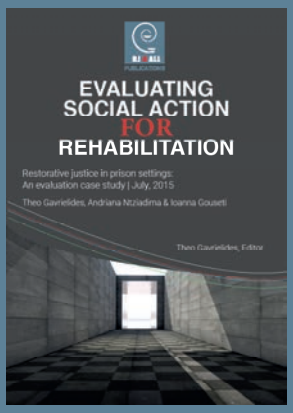


RJ SERIES no 3

Gavrielides, T. (2017).

25 Restorative Justice case studies,
RJ4All Publications: London. ISBN: 978-1-911634-01-0. RRP £4.99

This edited collection brings together 25 real case studies (plus 2 bonus case studies) written by leading practitioners from around the world such as the UK, Canada, Australia, New Zealand and across Europe. The case studies cover issues such as domestic violence, murder, hate crimes, theft and youth violence.

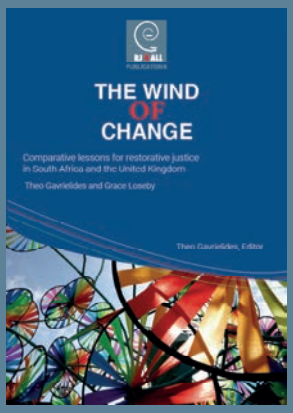


RJ SERIES no 2

Gavrielides, T., N. Ntziadima and I. Gouseti. (2015).

Evaluating Social Action for Rehabilitation: Restorative Justice in Prison Settings,
London: RJ4All Publications. ISBN: 978-1-911634-02-7. RRP £4.99

This e-book presents findings of an evaluation of restorative justice in prison settings. The findings are based on an independent evaluation that was carried out by qualified researchers using a mixture of quantitative and qualitative research. The quantitative research was carried out over a specified timeframe and with financial support from the Cabinet Office. The research was conducted between 1 November 2013 – 1 July 2015 (20 months). During the research period, the Silence the Violence programme was delivered to 162 participants in total. Milestones was delivered to 61 offenders, who were released from HMP & YOI Isis, HMP Winchester and HMP Forest Bank. An additional 45 offenders were mentored by partner organisations under contract to Khulisa. However, useable data was only secured for 40 Milestones participants giving us a total final research sample of 194 participants.



RJ SERIES no 1

Gavrielides, T. and G. Loseby (2014).

The Wind of Change: Comparative Lessons for Restorative Justice in South Africa and the United Kingdom,
London: RJ4All Publications, ISBN 978-1-911634-04-1.

The death of Nelson Mandela in December 2013 closed an active year for restorative justice. His life was a symbol of restoration and promise and continues to stir interest and discussion in the search for an alternative to incarceration and towards peaceful conflict resolution. This book looks at restorative justice in context of two countries, the United Kingdom and South Africa, as they independently try to navigate between past, present and future justice systems. There is reference to the cultural, political and socio-economic landscapes of each nation. Our understanding of justice is symbolic of these landscapes and a mapping exercise is undertaken, with a discussion of enablers and barriers for the restorative justice movement internationally.

The book also discusses the ownership of restorative justice and the role of non-governmental bodies such as Khulisa. A key to the restorative justice process is a balance of stakeholder involvement between state and community enterprise. It is important to examine and highlight the importance of these bodies in the continuing and increased commentary on the restorative justice process. Subsequently, this book offers a timely and much needed discussion regarding our careful future steps in the shadow of legendary voices.

"As we investigate how best to lend our knowledge and expertise to the development of Restorative Justice in the UK, we commissioned RJ4All to carry out an analysis and assessment of the growth in restorative justice policy and practice in each country. We are grateful for the depth and breadth of the analysis undertaken by RJ4All and the recommendations they put forward. It is our hope that we can implement much of what they suggest through open and sincere collaborations with a multitude of partners, funders and commissioners already active in their communities". Simon Fulford, CEO of Khulisa

INTRODUCTION

PROBLEM STATEMENT

This e-book seeks to address the sensitive and quite controversial topic of using restorative justice in cases of domestic violence. Furthermore, with a fresh approach it purports to bring forward new insights and reflections acquired through recent fieldwork. Most importantly, it makes these firm assertions while recognising the need for caution and without disregarding potential opposing arguments.

Domestic violence is a pervasive problem that has plagued most societies throughout history; affecting women, men, boys and girls alike, in a myriad of different ways. Typically, how the issue is conceptualised, addressed, resolved (or in some places even ignored) hinges greatly on cultural norms, formal and informal practices of conflict resolution and legal frameworks.

With reference to the United Kingdom, while it can be said that there is a rich history in relation to English administrators addressing the issue of domestic violence since the 1990s, their efforts became sincerely focused only at the beginning of the 21st century (Matczak, Hatzidimitriadou, & Lindsay, 2011, pp. 5-12). Specifically, there has been a more concerted effort since the passing of the Domestic Violence, Crime and Victims Act 2004 (Matczak, Hatzidimitriadou, & Lindsay, 2011, p. 5). In fact, recognising domestic violence as a crime has become an integral part of government policy in relation to crime control (Matczak, Hatzidimitriadou, & Lindsay, 2011, p. 10). As such, when civil remedies fail the criminal justice system may step in applying criminal sanctions when necessary.

However, even with the intervention of the criminal justice system there are still key problems facing criminal law and its relationship with domestic violence cases (Matczak, Hatzidimitriadou, & Lindsay, 2011, p. 11). Specifically, criminal law is often more concerned with punishing the offender, rather than helping the victim and therefore outside parties such as neighbours, witnesses and police are extremely cautious about intervening, especially in violent incidents resulting from domestic disputes (Matczak, Hatzidimitriadou, & Lindsay, 2011, pp. 12). Although, the intervention of the criminal justice system has been deemed necessary, further remedies in relation to prevention and support of victims are classified as needed. Yet, alternative or complementary routes, such as the use of restorative justice practices, have been discouraged by official guidelines and frowned upon by particular branches of feminist approaches to Domestic Violence based on concerns surrounding Victim Safety, Revictimisation, Trivialisation of Violence and Dual Pressure (Drost et al., 2015, pp. 10-12).

Despite the scepticism, restorative justice has gained popularity in recent decades as a viable alternative of dealing with crime. Of course, depending on the type of crime, dissenting opinions do exist. Yet despite the dissent, the restorative process does have ample vocal support from

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THE JOURNAL'S AIMS INCLUDE:

- **Push the barriers of restorative justice**, and challenge conventional approaches to criminology and criminal justice.
- **Enable junior researchers to publish** alongside leading names in restorative justice, and encourage a dialogue between various generations of academics.
- **Increase awareness of restorative justice**, and help address misconceptions about its potential and limitations.
- **Build a strong evidence base for restorative justice**, and inform and influence criminal and restorative justice policy at national and international levels.
- **Enable those with limited resources to access scholarly work on restorative justice**, including students, practitioners and the public.

The journal publishes articles of the highest standard from various areas of expertise including, but not limited, to restorative practices in schools, neighbourhoods, organisations and businesses, family matters and (youth) care, the criminal and juvenile justice systems, prisons and the community. We are also interested in pushing the normative and philosophical boundaries of restorative justice.

The journal is committed to nurturing fresh thinking and innovation. Ultimately, we want to affect positive change and improve the experience and image of justice.

The IJRJ™ is available online via its **website**, **EBSCO** and Kindle store. Institutional and individual subscriptions are available and kindly requested in order to keep the non-profit nature of the publication. The journal is available online only.

It is indexed and ranked by **Kudos**, **The European Reference Index for the Humanities and the Social Sciences** (ERIH PLUS) as well **Criminal Justice Abstracts and EBSCO Information Services**. It is also in the process of being indexed and ranked by **Scopus**.

Submissions to the IJRJ must follow the Editorial Guidelines, and can be made by email to IJRJ.rj4all@gmail.com at any given time. We aim to complete the review process within 4-6 weeks of receipt.

The Editor-in-Chief is **Professor Dr. Theo Gavrielides**.

The Journal is guided and scrutinised by its **Editorial Board and the International Advisory Board.** All submissions are first reviewed by the Editor-in-Chief, and if judged suitable for this publication, they are then blind-reviewed anonymously and separately by at least two external, expert reviewers.

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THE YOUTH VOICE JOURNAL (YVJ™)

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The Youth Voice Journal (YVJ™) is a double-blind, peer-reviewed journal that publishes theoretical contributions and empirical studies on issues affecting young people worldwide.

The Journal publishes scholarly papers of the highest standard including: research papers, case studies, book reviews conference papers and proceedings. It has an international and multidisciplinary scope and is particularly interested in work that impacts on social policy and the law.

The Youth Voice Journal ((YVJ™) was founded in 2010 by Dr. Theo Gavrielides and is published by RJ4All Publications, an independent publisher specialising in social and political sciences. Its Editorial Board, Editor in Chief and Secretariat are all volunteers.

YVJ™ AIMS INCLUDE:

- **Create knowledge and contribute to the literature by publishing high quality research on issues affecting young people**
- **Establish and further develop the youth-led method for research and social policy**
- **Provide a platform for the intellectual exchange of ideas around the globe with the aim of influencing policies and practices**
- **Actively encourage and aide those young people whose voice is rarely heard by policy makers and academia to be published.**

The Youth Voice Journal is ranked and indexed by Scopus, ORCID, Kudos, EBSCO Information Services, The European Reference Index for the Humanities and the Social Sciences (ERIH PLUS) and Criminal Justice Abstracts· The YVJ™ adheres to the Code of Conduct for Journal Editors.

The Journal encourages submissions from young researchers, and is particularly interested in publishing papers, reviews and commentaries exploring the youth-led / user-led method of evidence gathering.

Submissions to the Youth Voice Journal (YVJ™) can be made at any given time to journalyouthvoice@gmail.com Once accepted, submissions are published online and indexed. Occasionally, the Journal publishes Special Issues and the deadlines relating to these publications are included in the related Calls.

All submissions will be subject to the normal process of peer review. We aim to reach a decision within 4-7 weeks of receipt.

Only submissions that have fulfilled the following requirements will be accepted. Submissions need to be made by email to the Editor-in-Chief Professor Dr. Theo Gavrielides.

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Domestic violence is a pervasive problem that has plagued most societies throughout history and the world; affecting women, men, boys and girls alike, in a myriad of different ways. Typically, how the issue is conceptualised and addressed, hinges greatly on cultural norms, formal and informal practices of conflict resolution and legal frameworks.

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