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Professional Insights into Sexual Violence Restorative Justice Risk Assessment, Recommendations for Practice

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ABSTRACT

Conventional criminal justice systems are often ill-placed to offer appropriate justice responses for victim-survivors of sexual violence. Restorative justice following sexual violence (SVRJ) is a trauma-informed victim-centered justice process showing significant benefits for victim-survivors (e.g. meeting justice needs, supporting recovery), perpetrators (e.g. improved insight, community reintegration, reduced reoffending), and their wider communities (e.g. encouraging accountability, addressing harmful beliefs). Careful risk assessment within SVRJ is vital to preventing secondary victimization, yet standardized SVRJ risk assessment guidelines are not currently available in Aotearoa New Zealand. SVRJ professionals ($n = 16$) engaged in semi-structured interviews exploring their perspectives and experiences of SVRJ risk assessment. Data were analyzed by reflexive thematic analysis resulting in four themes: perceived participant preparedness, safe support systems, culturally competent assessment, and participant alignment. These themes formed the basis for the developed SVRJ risk assessment guideline recommendations. Wider implications of the findings are also discussed. The research contributes to understandings of SVRJ risk assessment and professional practice.

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Sexual violence: Impacts and responses

Sexual violence (SV) is defined as any non-consensual sexual behavior (Ministry of Justice, 2021) and is a form of interpersonal harm that can result in significant, wide-reaching, short- and long-term negative impacts (Draper et al., 2008; Dworkin et al., 2017; Flett et al., 2012; Rothman et al., 2019). While SV is increasingly condemned by society, it is still a common occurrence today (Fanslow et al., 2021; Ministry of Justice, 2023b). The terminology of "victim-survivor" is used to honor that people can simultaneously be victims and survivors of SV, while "perpetrator" or "offender" is used in this article to refer to the person responsible for causing harm through their acts of SV (Jülich et al., 2020; Ministry of Justice, 2013). Victim-survivors of SV describe substantial difficulty accessing justice through conventional criminal justice systems, evidenced through

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notoriously low rates of reporting, low rates of convictions (dubbed the "justice gap"), and high potential for secondary victimization (Lorenz et al., 2019; Ministry of Justice, 2023a; Parsons & Bergin, 2010; Triggs et al., 2009). There is limited empirical support suggesting that the conventional system is effective in providing victim-survivors with a sense of justice, which is commonly reported as being central to recovery (Daly, 2011; Kingi & Jordan, 2009). Understanding the justice needs of victim-survivors may help bridge the justice gap; these are commonly reported as: information, compensation, emotional support, participation, protection, perpetrator accountability-responsibility, community validation and support, and practical help in the aftermath of victimization (Daly, 2017; Herman, 2005; McGlynn & Westmarland, 2019).

Restorative justice: Practice and outcomes

Restorative Justice (RJ) is a victim-centered justice approach which can occur as an alternative or a complementary process to conventional criminal justice (Ryan & Ruddy, 2015; Wemmers, 2002). Restorative-type practices have been used by various cultures and people throughout history, and many restorative practices employed today are informed by indigenous and customary responses to harm (Hyslop, 2005; Morris & Maxwell, 2001; Zehr, 2005). RJ is commonly defined by its guiding values which include centering victims, focusing on reparation of harm, and enabling the personal involvement of those directly impacted. RJ also considers the social context of crime and takes a preventative, problem-solving, and flexible approach to meet victims' needs (Daly, 2008; Johnstone, 2011; Zehr, 2005). Restorative processes typically involve victims, perpetrators, and their respective communities meeting to discuss the impacts of the harm, hold perpetrators accountable, and collaboratively find appropriate ways to help repair the harm, in a trauma-informed manner. Aotearoa New Zealand (ANZ) is in quite a unique position internationally as RJ is formalized within the conventional justice systems, such that cases meeting criteria set out in the legislation (see Sentencing Amendment Act, 2014, s24A) must be adjourned pre-sentencing and referred to RJ, and RJ processes must be considered within sentencing and parole decisions (Eaton & McElrea, 2003; Ministry of Justice, 2011). Research over the past few decades internationally and within ANZ indicates that RJ results in greater victim and offender satisfaction with justice processes, has positive psychological impacts, reduces rates of reoffending (particularly for more serious and interpersonal crimes), and is generally supported by high levels of victim and offender preference (Evans et al., 2016; Justice, 2016; 2016; Morris et al., 2005Nascimento et al., 2022; Sherman et al., 2015).

Restorative justice in response to sexual violence

RJ following SV (SVRJ) is still a contentious topic and is only officially recorded in a handful countries to date (Gang et al., 2021; Keenan et al.,

2016). Within ANZ, SVRJ has been referred through criminal court processes to a specialist organization called Project Restore since 2005 (Jülich & Bowen, 2015). SVRJ has become more widely supported over the past few decades given its promising effects of reducing reoffending and ability to better meet victim-survivor needs (Curtis-Fawley & Daly, 2005; Daly, 2011; Jülich et al., 2024; Miller et al., 2020). Restorative processes in response to SV are better grounded in psychological theory, offer greater opportunity for emotional restoration, and better support victim-survivors on their justice and recovery journey than conventional criminal justice processes, while supporting perpetrators to take accountability and reduce their likelihood of reoffending, and also addressing harmful societal beliefs or concerns of isolation, through community involvement (Daly, 2017; Keenan, 2014; Klar-Chalamish & Peleg-Koriat, 2021; Mercer & Sten Madsen, 2015; Wager, 2013).

The appropriateness of SVRJ has been debated internationally, and while most victim advocates, RJ and related professionals, and the general public show support for SVRJ, they also have significant concerns about the potential risks of SVRJ primarily related to victim-survivor safety, likely power imbalances, possibility of pressure or coercion, and the potential for revictimization (Jeffries et al., 2021; Keenan, 2014; Mercer & Sten Madsen, 2015; Miller et al., 2020; Peleg-Koriat & Klar-Chalamish, 2020; Proietti-Scifoni & Daly, 2011). Despite the substantial possible benefits, SVRJ has not become widely used around the world given the serious nature of both the offenses in question and the potential risks to victim-survivors (Proietti-Scifoni & Daly, 2011). While evidence of negative impacts of RJ are rare and weak (i.e. statistically insignificant) and primarily related to offender recidivism, a minority of victims are left dissatisfied with their RJ experiences and may experience emotional harm or revictimization, which indicates that SVRJ is not suited to all circumstances or cases (GravitasOPG, 2023; Sherman & Strang, 2007). This highlights the importance of approaching SVRJ with caution, and the need to engage in careful assessment and management of risk in SVRJ.

Risk assessment in SVRJ

While broad best practice guidelines for RJ and SVRJ are available, there is a lack of standardized risk assessment guidelines for both general RJ and SVRJ in ANZ, and as such, unstructured professional judgment, which relies solely on professional opinion and is the least reliable method of risk assessment, is commonly used (Allnutt et al., 2010; Ministry of Justice, 2011, 2013). A structured professional judgment (SPJ) approach to risk assessment involves both evidence-based guidelines and professional judgment, and enables less subjective, more consistent assessment, showing good reliability, predictive accuracy, and risk management ability, while facilitating more flexible, holistic, and individual-specific assessment

(Andrews et al., 2006; Guy et al., 2015; Hart et al., 2016). Ethically and culturally, this approach is often favorable as clients (and their whānau (extended family group)) are involved, idiosyncratic and cultural factors can be incorporated, and the process is transparently recorded (Allnutt et al., 2010; Smith, 2001). A SPJ approach to risk assessment is widely recommended and used across various professional bodies within ANZ, including within clinical practice and courts of law (Archer et al., 2006). Researchers in the SVRJ field and board members of Project Restore have called for further research and development of SVRJ best practice and risk assessment guidelines (S. Jülich, personal communication, March 3, 2021, Burns & Sinko, 2023; Jeffries et al., 2021; Jülich et al., 2010).

Aims

The reviewed evidence provides strong rationale for the relevance of the current research, which aimed to explore professional perspectives of SVRJ risk assessment and subsequently develop risk assessment guideline recommendations for SVRJ. Semi-structured interviews were conducted with professionals in RJ and SVRJ with relevant knowledge and experience in the assessment of risk within these areas. A limited number of published studies investigate the perspectives and experiences of RJ professionals, victim advocates and opinion leaders within the SVRJ field (Jeffries et al., 2021; Miller et al., 2020; Proietti-Scifoni & Daly, 2011). The inclusion of perspectives from professionals with relevant experience is a strength of the current research, helping to ensure that the identification of factors relevant to risk in SVRJ, and the subsequent development of SVRJ risk assessment guideline recommendations, are guided by the experiences of people working in SVRJ.

Method

This qualitative research involved semi-structured interviews to discuss the assessment of risk within SVRJ with participants who were professionals with relevant knowledge and experience of assessing risk within SVRJ and working in the areas of RJ and/or SVRJ, including Project Restore staff. Ethical approval for this research was attained from the Massey University Human Ethics Committee: Northern, Application NOR 21/65. The board of Project Restore were also consulted throughout the development of the research and they expressed their support.

Participants

Participants were recruited through introductory e-mails outlining the research and inviting participation, a presentation at an online staff meeting of SVRJ providers, and via participant recommendation (i.e., snowball sampling). A total

of 16 professionals provided written informed consent to engage in the research and were subsequently interviewed. Participant demographic information is minimally presented to protect participants' identities. Ten participants self-identified as women, six as men. Ethnicity was reported as Pākehā (i.e., of European descent) by 13 participants, two participants were Māori (indigenous people of ANZ), and one was of Asian descent. Professional experience in SVRJ ranged from having been involved in one to 400 cases of SVRJ and working in SVRJ for between one and 22 years. Seven individuals had worked in court referred SVRJ and nine had gained relevant professional experience through work within universities, community practice, general RJ practice (where so-called "low level" SV had been uncovered), and/or in overseas jurisdictions. The sample size of this research could be considered relatively small, however given the information power from this sample of experienced professionals, it is considered sufficient for the analysis (Malterud et al., 2016).

Analytical considerations and data analysis

Transcripts from the semi-structured interviews were analyzed through the iterative, recursive process, of reflexive thematic analysis, in accordance with guidelines developed by Braun and Clarke (2022). Adhering to these guidelines, the theoretical position of the research and analysis, researcher positioning, analytic methods used, and any assumptions made about the data are reported (Braun & Clarke, 2022; Holloway & Todres, 2003). This study used thematic analysis in an inductive and reflexive manner, aiming to discover themes within the data at a semantic (explicit) and latent (interpretative) level, with a theoretical analytical approach applied in which the researchers' theoretical knowledge helped determine the importance of particular aspects of data and guide theme development (Braun & Clarke, 2022; Ezzy, 2002). A feminist standpoint and a post-positivist epistemology were taken, prioritizing the authority of participants' professional lived experience of risk assessment in SVRJ and conceptualizing knowledge as situated within the context and standpoint of the knower. The researcher's own experiences and identity have affected all parts of the research, and as such should be declared (Willig, 2012). The primary researcher therefore acknowledges their own lived experience of SV and their cultural identity as a Pākehā person.

NVivo software was used to assist the analysis process. Initial codes were assigned to encompass the features of interest (factors related to risk and risk assessment for SVRJ) within the data, following a process of significant familiarization with the transcripts. All transcripts were coded in a reiterative process, supported by relevant extracts from the data. Codes were organized and collated into groups representing broader themes across the data. A reflexive, recursive process was employed throughout, moving between the data set in its entirety, coded extracts of data, candidate themes and subthemes, and the written analysis being produced.

Results

Using reflexive thematic analysis, four main themes were identified: *perceived participant preparedness, safe support systems, culturally competent assessment, and participant alignment*, along with their respective subthemes. The identified themes and subthemes are presented in Table 1. The "SVRJ Risk Scales" diagram was developed as a visual representation of the findings, (see Figure 1), explained

Table 1. Themes and subthemes.

Theme	Subtheme
Perceived Participant Preparedness	Restorative Motivations
	Emotional Capacity
Safe Support Systems	Social Support
	External Professional Support
	SVRJ Support People Appropriateness
Culturally Competent Assessment	
Participant Alignment	Justice Needs Alignment
	Balance of Needs and Safety

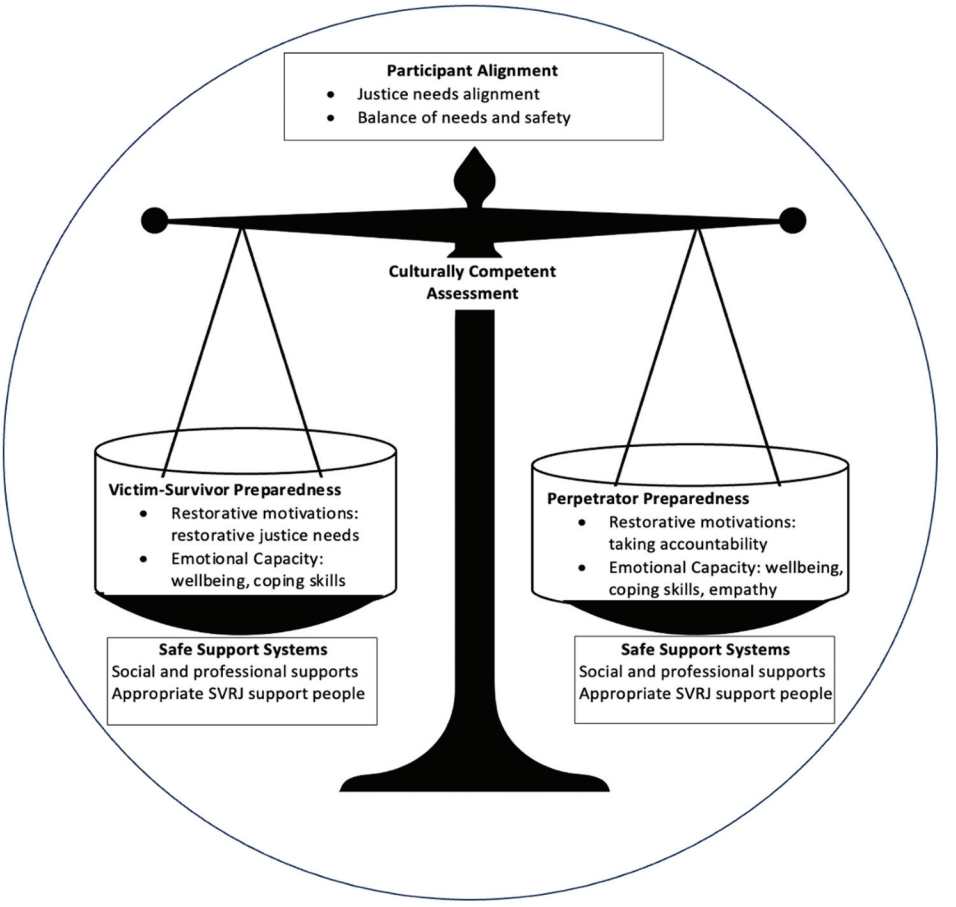

Figure 1. SVRJ risk scales diagram.

below. A brief description of the developed themes and subthemes is then presented, along with selected quotes supporting these.

SVRJ risk scales diagram

The symbol of the scales was chosen to present these findings as a reflection of the scales of justice, a long-standing symbol of the balance between truth and fairness in justice systems, and the weighing of information to reach a just conclusion. The scales depict the various considerations professionals reported as important within SVRJ risk assessment, identified as themes and subthemes within the current analysis. This included considering individual preparedness for both the victim-survivor and perpetrator (depicted as the weights), their available supports (depicted as the pans holding up the weights), within the context of a culturally competent assessment (represented by the foundational beam of the scales), and the overall alignment of the participants, including the balance between respecting and empowering victim-survivors while professionals also do their utmost to ensure participant safety (depicted by the alignment of scales).

Theme one: Perceived participant preparedness for SVRJ

Within SVRJ risk assessment, professionals discussed several factors important for individual participant readiness for SVRJ; this theme was labeled *perceived participant preparedness*. The first subtheme within this was titled *restorative motivations*, which included consideration of participants' ability to freely give informed consent to engage in SVRJ, and assessment of restorative motivations driving engagement (e.g., victim-survivors having restorative justice needs, perpetrators primarily wanting to take accountability/responsibility).

> Having somebody's informed consent is absolutely critical . . . We need to be thinking . . . about whether someone really has capacity to give consent fully and freely. *(P6)*

> We're collecting the survivor's hopes for the meeting . . . [to] see if their needs are restorative in nature. *(P1)*

> I wouldn't do a restorative justice process unless there was a high level of taking responsibility . . . there'll be motivating factors outside of just taking responsibility, but . . . it's got to be the main motivation. *(P3)*

Professionals described restorative motivation as being assessed through consideration of participant capacity and provision of willing, informed consent (with careful consideration of the potential for coercion), alongside the participant's driving motivation to engage in SVRJ. Assessment of participant

motivations and any potential pressures to engage in SVRJ is an important aspect of SVRJ risk assessment.

Emotional capacity was the second subtheme identified, which included professional discussions about ensuring participants were emotionally well enough and possessed adequate adaptive coping skills before entering SVRJ, as well as considering the perpetrator's ability to demonstrate empathy for the victim-survivor.

> Safety, of course, but not just physical safety; emotional and psychological safety, is always top of your brain. *(P10)*

> [We look at] how far from the trauma they've come, because . . . like having a wound . . . there needs to be a little bit of scar tissue there to be able to stand scratching at it. *(P14)*

> Resilience is a key factor . . . being able to come back from an emotional space . . . being able to express emotion, being able to breathe through it and stay present. *(P8)*

> I'm always looking for empathy, I'm always looking for a sense . . . that they (the perpetrator) actually understand the enormity of the impact. *(P13)*

Professionals reported that SVRJ risk assessment should include assessment of emotional capacity through consideration of the participants' place on their recovery or accountability journey, their emotional resilience, coping skills, current life stressors, and the perpetrator's ability to express empathy. Professionals expressed that referral to external professional support was sometimes appropriate to help participants build their emotional capacity prior to engaging in SVRJ.

Theme two: Safe support systems

The second theme related to assessment of the presence, availability, and supportiveness of others around the prospective SVRJ participants. This was labeled as *safe support systems*. Three subthemes were identified; the first involved understanding the *social support* around participants, including whether they had trusted people to talk to about SVRJ.

> We always would ask that question "Is there someone you can turn to, is there someone at the end of a phone if you need it?" *(P9)*

> If I don't think they have got the supports around them, then I won't proceed until I've helped them build those supports . . . what I need to do is open up the doors. *(P5)*

> Support comes to not only safety, but it also speaks to accountability. *(P16)*

> If it's in a family type situation, who else knows (about the harm) is really, really important. *(P2)*

Professionals defined social support as people who knew about the harm and could offer emotional support to participants throughout the SVRJ process.

For perpetrators, social support was understood as an important aspect of accountability taking. Professionals also highlighted the importance of considering shared social networks and the complex relational dynamics that might be present within their risk assessments.

The second subtheme of *external professional support* covered professional discussion about considering participants' engagement with external professional supports (e.g., therapists, community organizations) within SVRJ risk assessment.

> I do think that they have to be linked into [external professional support] somewhere before, during and after. *(P6)*

> I just generally encourage everyone to have a therapist . . . because once the conference is done, I'm kind of out of the picture. *(P7)*

> The restorative justice process may be better placed after some of those more clinical interventions have happened . . . it might be that they (the perpetrator) need to receive a treatment program before it's appropriate to progress with restorative justice. (P4)

Professionals discussed external professional supports as particularly important when social supports were lacking, participants needed extra support through preparation (e.g., to improve emotional capacity or insight), or would benefit from ongoing support after the SVRJ process.

The third subtheme was labeled *SVRJ support people appropriateness* and involved professionals' perspectives around assessing the appropriateness and potential risks related to proposed SVRJ support people, who would be present within the SVRJ processes.

> We need to look at what they (SVRJ support people) are bringing into the process . . . Are they going to be there and be helpful and supportive and kind of understand this kaupapa (topic)? *(P12)*

> Are they (SVRJ support people) . . . able to allow this process to not focus on them? . . . What do their emotional regulation skills look like? Is this going to be harmful for them? *(P15)*

> [An appropriate support person is] someone who knows, who's heard the full story . . . and who sees themselves there to both support and hold to account. *(P13)*

Professionals discussed assessing risk related to SVRJ support people as a critical element of SVRJ risk assessment. Professionals highlighted that this assessment should involve consideration of victim-survivor preference, participant relational dynamics, and SVRJ support people's ability to manage their own emotions and be present to support and hold accountable.

Theme three: Culturally competent assessment

The third theme covered professional discussions around *culturally competent assessment*. This theme explored professional opinions around the importance of considering and incorporating culture within risk assessment, and professional acknowledgments of their own limitations and unintentional biases which highlighted the need for collaborative assessment with participants and engagement in cultural supervision, as well as considerations around offering a cultural match for participants (e.g., professionals with similar backgrounds) when possible.

> I think if we are being fully restorative … then we will be culturally competent or considerate … because a restorative process is inherently flexible … Including appropriate cultural supervision or cultural guidance is also really important. (P4)

> [We're] trying to find a path for our (RJ) culture and the [participant's] culture … to work together … holding our kaupapa but being flexible enough to work within another culture. *(P3)*

> I do what I call "talking about the moon, the stars, and the sky;" I want to find out where you're coming from … What is a risk in European society may not be a risk in an ethnic society. *(P11)*

> Where possible, let people know you have a facilitator who's from the same culture, or has experience with that culture … [What] might be safe in a non-Māori environment, might not be safe in the Māori environment and vice versa. *(P16)*

Professionals agreed that a culturally competent approach was essential to accurate SVRJ risk assessment. This was reported to involve a flexible and collaborative approach to develop an understanding of cultural needs present, and possible related risks that may need to be mitigated. Professionals highlighted the need for ongoing learning and cultural supervision, as well as the need for more professionals from cultural minority backgrounds within SVRJ.

Theme four: Participant alignment

The fourth and final theme identified was *participant alignment*, which involved professionals considering the overall match between potential participants. The first subtheme within this theme covered considerations about the likelihood of victim-survivor justice needs being met by a SVRJ process with the perpetrator; labeled *justice needs alignment*.

> It's all about what the survivor needs, and can the offender's degree of responsibility meet the survivor's needs? *(P3)*

> [Considering] what are they (participants) wanting to get out of it, is it realistic, and is it likely to be something that will be achieved, knowing the particular individuals involved? *(P13)*

> The cases that I've seen screened out of restorative . . . are cases where there is no match between what a person can offer and what a person wants to hear. *(P6)*

> [It's] "the hand in the glove" . . . is there an alignment of expectations on both sides of the equation? . . . It's the alignment piece that feels, to me, a crucial thing here. *(P12)*

Assessment of justice needs alignment was understood to include consideration of how aligned the potential participants were. This included considering their respective emotional capacities, their understandings of the SV, their restorative motivations, and the overall likelihood that the victim-survivor would get what they needed from an SVRJ process with the perpetrator, given their demonstrated level of accountability.

The second subtheme *balance of needs and safety* explored professional discussions around balancing the desire to empower victim-survivors who wished to go ahead with SVRJ against their professional responsibility to keep participants safe from harm.

> It's my role to hear from them both . . . and figure out . . . that there's not going to be harm on top of harm . . . in any direction, and that there's value in it for these people going ahead. *(P16)*

> The victim needs to want to do this, the offender needs to want to do this, but we, the facilitators, decide whether it proceeds or not. And that's safety for victims as well. *(P10)*

Professionals expressed divided opinions regarding proceeding with SVRJ when the victim-survivor wanted to but the perpetrator was showing limited accountability. Overall, professionals emphasized a desire to respect and empower victim-survivors, however, acknowledged their professional obligation to limit the risk of harm. Working collaboratively with participants and with other professionals was highlighted as particularly important.

Developed SVRJ risk assessment guideline recommendations

Based on the analysis of professional data, SVRJ professional risk assessment guideline recommendations were developed and are presented in Table 2. In line with preferred risk assessment practices, it is recommended that professionals using these guidelines clearly document the evidence related to each assessed factor, any interventions implemented to reduce risk, their overall findings and confidence in these findings, and their decision to proceed, or not, with SVRJ. Further, professionals should work in a responsive and collaborative manner with participants and other professionals. These recommendations are in line with risk assessment considerations outlined by Project Restore, relevant ANZ Ministry of Justice guidelines, and the wider risk assessment literature (Allnutt et al., 2010; Jülich et al., 2010; Ministry of Justice, 2013, 2017, 2019).

Table 2. SVRJ risk assessment guideline recommendations.

Assessment Factor	Considerations
Informed Consent	Participants giving free and informed consent to engage in SVRJ.
Restorative Motivations	Victim-survivors: restorative justice needs. Perpetrator: desire to take accountability.
Emotional Capacity	Participant wellbeing, mental health, current coping skills. Perpetrator ability to express empathy. *Note: Consider referral to external professional support to improve emotional capacity.*
Safe Support Systems	Social Support (family/friends who know about the SV and SVRJ process and can provide emotional support). External Professional Support (engagement with external professionals e.g., therapists, social workers etc.). Appropriate SVRJ Support People: able to manage their own emotionality, consider relational dynamics; particularly with shared social networks.
Culturally Competent Assessment	Participant cultural factors that might affect the process, and what could be done to support cultural needs (e.g., procedural differences, intervention to mitigate potential cultural clashes between participants). Consider own cultural limitations and whether cultural supervision would support this assessment.
Participant Alignment	Alignment between the victim-survivor's restorative needs and perpetrator's accountability-taking; likelihood of victim-survivor justice needs being met? Balance between honoring victim-survivor wishes and safety: is there undue risk in proceeding? Consider alternative processes; is there a better way that justice needs could be met?

Discussion

Current research advances the knowledge base of risk assessment within SVRJ, by exploring the perspectives of experienced professionals. The findings suggest that SVRJ risk assessment should include careful consideration of participant preparedness, safe support systems, culturally competent assessment processes, and overall participant alignment.

A major overall finding of this research is the affirmation of the complexity of SVRJ risk assessment. Professionals emphasized the need to make comprehensive assessments of SVRJ participants, their SVRJ support people and access to social and external professional support, as well as consideration of the alignment of the prospective SVRJ participants, in a culturally responsive and responsible manner. Professionals commonly stated they would also work with participants and their support people to improve their understanding, skills, and support network as required. Assessment of one potential SVRJ participant could therefore involve relationship building, assessment, and interventions with multiple people across multiple meetings. SVRJ professionals are acknowledged to use their developed skills, expertise, and "art" of facilitation to secure good outcomes within SVRJ (Bolitho & Bruce, 2017; Bolitho & Freeman, 2016). It is hoped the developed risk assessment guideline recommendations can be a further tool to use alongside their professional opinion, in line with a structured professional judgment approach. Working and funding models for SVRJ should include recognition of the required flexibility, time, professional expertise, facilitation skills, and cultural knowledge involved. Funding

models for SVRJ should therefore be flexible and facilitate access to ongoing professional development, including access to cultural and professional supervision (New Zealand Law Commission, 2015).

Another major implication of this research comes from reflecting on the significant impact of societal stigma and shame around SV, and the ongoing societal belief in rape myths. Work on reducing societal stigma around experiences of SV and belief in these false ideas has been making positive impacts (e.g., the #MeToo movement), yet the pervasiveness of such beliefs which commonly contribute to cycles of shame and silence, means there is an ongoing need for such efforts (Harmer & Lewis, 2022; McDonald et al., 2020; Persson, 2022; Stubbs-Richardson et al., 2023; Temple et al., 2024). If the societal stigma and shame of SV were not made the burden of victim-survivors, it would be easier for them to speak about their experiences and access support. A wider understanding of SV and sexual consent may also help curb instances of SV. Further, perpetrators might be more likely to take responsibility and accountability for their actions, if this were socially supported and encouraged. In a world where there was less stigma and greater awareness of SV, SVRJ participants would be coming into the process with a better understanding of the impacts of SV and their respective roles in the SVRJ process, which would, in turn, reduce the work required of SVRJ professionals in the preparation and assessment process. Greater societal awareness of SVRJ itself would also be beneficial. Public understandings of RJ or SVRJ are often limited, may be misinformed, and may skew toward a negative perception of RJ without consideration of the research data (Ministry of Justice, 2023c; Vaandering & Reimer, 2019). Many victim-survivors do not have access to SVRJ as they do not know alternatives to the conventional criminal justice system exist. Increasing public understanding of SVRJ, as well as the general benefits and risks involved, could help potential participants consider whether SVRJ is something they are interested in at an earlier stage than is currently possible. Improved public awareness of SVRJ may also help recruit more professionals into the field, which in turn, may increase the availability and accessibility of SVRJ, meaning more victim-survivors could engage with SVRJ professionals and potentially access the benefits of a SVRJ process.

Overall, the current research found that while professionals generally agreed on considering the aspects detailed within recommended SVRJ risk assessment guidelines, SVRJ risk assessment was ultimately considered as something that needed always to be flexible and responsive to the individuals involved. It is argued in this discussion, that the wider implications of the current research findings include the need for flexible funding models for SVRJ, ongoing work to reduce societal stigma around SV victimization, and increased public awareness of SVRJ.

Limitations

The first limitation of the current study relates to the nonrandom sample of participants who engaged with this research. Selection bias may have occurred in the sample of professional participants, as those who did not like the idea of risk assessment guidelines may have chosen not to participate in the research. This could suggest that such professionals may not have their perspectives on risk assessment reflected in this research. It was hoped there would be a wide range of cultural backgrounds among recruited participants. Instead, most participants reported being of European descent (e.g., Pākehā). While all professionals affirmed the importance of considering cultural background within SVRJ risk assessment processes, exploring the perspectives of professionals from a broader range of cultural backgrounds may have provided further insights within the analysis, including possible differences in cultural perspectives or important considerations within risk assessment.

Recommendations for future research

Future research is required to test out the developed guideline recommendations. This could include investigating professional opinions on the developed guideline recommendations or monitoring their implementation and efficacy. Exploration of professional perspectives on these guidelines and research into the effects of implementation, could help further development of the guidelines and make progress toward the use of standardized SVRJ risk assessment guidelines within ANZ and abroad. Further, ensuring that the perspectives of professionals from a range of cultural backgrounds and perspectives are incorporated into future research on risk assessment in SVRJ could help ensure that any developed guidelines implemented in the future are applicable and appropriate to use with diverse communities.

Incorporation of professional and service user perspectives is essential for developing tools which can adequately and accurately be used to assess risk, and there have been calls for SVRJ participant experiences to be considered in research (Jeffries et al., 2021). While ultimately outside the scope of the current research, exploring SVRJ participant experiences of risk within SVRJ would be an interesting and valuable avenue for future research. Risk assessment in this area could benefit from understanding contributing factors to a successful SVRJ process from a participant point of view, and to date, little research in this field has included participant experiences within SVRJ, particularly in regards to risk assessment (Klar-Chalamish & Peleg-Koriat, 2021; McGlynn et al., 2012; Wager, 2013).

Research into processes of SVRJ risk assessment in other countries where SVRJ practices occur could also benefit and contribute to a growing understanding of risk assessment in this area. This could include inviting international SVRJ professionals to review and provide feedback on developed risk assessment guidelines recommendations.

Conclusion

The aim of the current study was to investigate professional opinions about risk assessment in SVRJ and to subsequently develop SVRJ risk assessment guideline recommendations. In summary, the key findings of this research identified four main areas of SVRJ risk assessment. These were considerations of individual participant preparedness for SVRJ (including possessing restorative motivations and sufficient emotional capacity), safe support systems (comprised of social and professional supports and appropriate SVRJ support people), culturally competent assessment (including awareness of cultural variance and accessing cultural supervision), and the overall participant alignment (considering likelihood of justice needs being met, and weighing up the balance of potential benefit against potential risk of harm). These findings are presented in the SVRJ Risk Scales Diagram and in the recommended SVRJ risk assessment guidelines.

The current research adds to both ANZ's knowledge base and the international SVRJ knowledge base. It is hoped this research will contribute to improving the safety of SVRJ practice both in ANZ and internationally. It is also hoped that this start toward developing and refining SVRJ risk assessment guidelines will better promote SVRJ as an option for victim-survivors seeking justice following harm, increasing public awareness and palatability of these processes, and facilitate participation in SVRJ in safe and considered ways.

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Data availability statement

The participants of this study did not give written consent for their data to be shared publicly, so supporting data is not available.

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