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Researching 'Under the Radar' Practices: Exploring Restorative Practices in Sexual Violence Cases

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Sexual violence is a pernicious social phenomenon. The limited effectiveness of traditional justice responses has resulted in a search for alternative and innovative responses. This article highlights research and presents findings regarding one such innovative response to sexual violence: restorative justice. While the study adopted a multi-strategy research design to explore the potential of restorative justice in cases of sexual violence this article focuses in particular on one aspect of that design: a web-based survey used to map the global population of programmes engaging in these practices. The article highlights the many challenges inherent in researching emerging social responses and suggests that web-based surveys offer a means of mapping emerging or 'under the radar' practices and harvesting important qualitative as well as quantitative data on sensitive topics. They may be especially valuable when populations are geographically dispersed. However, tailoring survey instruments for respondents who are multi-lingual presents difficulties, particularly when the issues under investigation are linguistically and cognitively complex.

Key words: restorative practices, sexual violence, under the radar practices, survey

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Introduction

When responses to social problems emerge organically, or in an incremental and uncoordinated fashion, sometimes referred to as ‘bottom-up’ they can be more difficult to assess and evaluate than those that are shaped and determined by regulation and policy, sometimes referred to as ‘top-down’. Responses to sensitive issues can also be especially difficult to evaluate as they often operate in a somewhat underground or covert fashion in an effort to avoid controversy as they become established. However, local and micro-level initiatives and responses to social problems are important to study and evaluate as they can inform theory, offer important insights for policymakers and practitioners and ultimately shape wider top-down change.

The World Health Organisation defines sexual violence as: “any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work” (WHO, 2011: 2). The prevalence of sexual violence is difficult to capture as the particularly sensitive nature of this phenomenon militates against disclosure and reporting. Recent survey data suggests that strong gender equality norms contribute to higher reporting rates of sexual violence (FRA, 2014). Most victims of sexual violence are women and children and most perpetrators are men.

It is widely recognised that the current and traditional approach to ‘justice’ for victims of sexual crime¹ as offered by means of the criminal justice system (procured in a formalistic way by police authorities, the courts, prisons and probation) is limited in what it can offer in terms of ‘justice’ to either victims or offenders, in part because of its structure and aims (see e.g. Ptacek, 2010; Keenan, 2014). Criminal justice mechanisms are designed to determine culpability for wrongdoing on the basis of evidence, punish wrongdoing, rehabilitate offenders and prevent further offending. However, research has found that this approach to justice often ignores victims’ needs and inter-

¹ By ‘victims’ of sexual crimes, we mean ‘victims/survivors’ and use the former for ease of reading but acknowledge that the latter is more accurate. Also we use the gender-neutral term of ‘victim’ as women, men and children can be victims. It is a fact that women are a majority of the victims of this type of crime (and we acknowledge that as well), but we think that our research is valid for both sexes and all ages and therefore chose the most gender-neutral terminology here so as not to exclude anyone.

ests and misses opportunities to help offenders become more accountable for their crimes (Daly, 2011; Keenan, 2014). In short, criminal justice, in its classical form remains limited in delivering justice for victims or in creating full offender accountability (Keenan, 2014). Research also indicates that conventional criminal justice systems fail to re-integrate victims and offenders into their community following criminal proceedings (Keenan, 2014).

Because of the increasing awareness of the inadequacies of criminal justice in meeting the needs of victims and offenders there is growing international interest in and adoption of the use of additional forms of 'justice', such as restorative justice (RJ) for those harmed by sexual violence and those that perpetrate it (Van Wormer, 2009: 107; Daly, 2011; Keenan, 2014; Keenan, Zinsstag, 2014). However, despite an important literature that goes back many years (Monk-Shepherd, Nation, 1995; Roberts, 1995; Hudson, 1998; Couture et al., 2001; Gustafson, 2005; Daly, 2006) and the growth of empirical outcome studies suggesting the positive effect of RJ for victims and offenders (Julich et al., 2010; Pali, Madsen, 2011; Koss, 2014), many legislators and policy makers, especially in common law jurisdictions, have been slow to initiate restorative responses. Despite this inertia it has become apparent through our contacts with a number of practitioners, researchers and stakeholders in recent years that restorative practices are taking place in cases of sexual violence, albeit often 'under the radar', and in various forms and formats across the globe (Keenan et al., 2016).

In this study² we sought to bridge significant gaps in the literature and empirical reality and to ascertain the degree to which RJ could contribute to a more integrated and balanced response for victims and offenders in the aftermath of sexual violence. We sought to investigate: 1) if RJ interventions and programmes were compatible with the specific characteristics of different types of sexual violence; and 2) if RJ interventions and programmes help address the needs and responsibilities of those immediately involved in an integrated and balanced way. Our objective was to find out what was happening in practice in the area and to assess the potential of the interventions that were being offered from multiple perspectives.

² The study was part of the Daphne project entitled 'Developing integrated responses to sexual violence: An interdisciplinary research project on the potential of restorative justice' (Daphne III – JUST/2011/DAP/AG/3350) which was coordinated by the Leuven Institute of Criminology, KU Leuven (Belgium) with the financial support of the European Commission – Directorate-General Justice.

In this article we begin by presenting a brief account of RJ and of RJ in cases of sexual violence. We then focus on the design and implementation of the web-based survey and outline the strengths and weaknesses of using a web-based survey to research global practices which emerge in an unstructured fashion. We outline some of the results we gathered through the survey and discuss the strengths and weaknesses of this methodological tool for a study such as this one.

What is restorative justice?

Since the 1970s RJ has developed globally as an approach to crime that focuses on repairing the harm done to people and their relationships (Braithwaite, 1989; McCold, Wachtel, 1998). Rather than focusing on who is guilty and what punishment is deserved, RJ focuses on a number of questions that distinguish it from more conventional approaches to justice such as: what harm has been done; what needs have arisen and whose obligation is it to meet those needs (Zehr, 1990). One of the most frequently cited definitions of RJ is provided by the United Nations: “Restorative justice is a way of responding to criminal behaviour by balancing the needs of the community, the victims, and the offenders. Restorative process means any process in which the victim and the offender and, where appropriate any other individuals or community members, affected by a crime, participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator. Restorative outcome means an agreement reached as a result of a restorative process. The agreement may include referrals to programmes such as reparation, restitution and community services, aimed at meeting the individual and collective needs and responsibilities of the parties and achieving the reintegration of the victims and the offender” (United Nations, 2006: 6-7).

Essentially, RJ has become a framework for thinking about ways of humanising justice, of bringing victims and offenders together in ways that provide opportunities for victims to receive explanation and reparation, for offenders to be accountable to the victim and the community, and for community members to be meaningfully involved in responding to the needs that have arisen (see Liebmann, 2007; Keenan, Zinsstag, 2014). The most prevalent models of RJ include conferencing, victim-offender mediation/dialogue

and circles. With respect to the core principles, RJ is a victim-led approach to justice (Pali, Madsen, 2011); participation is voluntary (Koss, 2014); the offender must admit the offence in order to be eligible for participation; safety for all is of paramount importance and preparation for the 'meeting' or conference or circle is essential.

Restorative justice and sexual violence

Conventional criminal justice systems have not proven to be an effective means of responding (at least on its own) to sexual violence; evidenced by low police reporting rates (McGee et al., 2002; Regan, Kelly, 2003; Lovett, Kelly, 2009) and subsequent high attrition rates of reported cases (Regan, Kelly, 2003; Lovett, Kelly, 2009). The 'justice gap' (Lonsway, Archambault, 2012) or perceived failure of criminal justice has led to calls for alternative and innovative justice responses (Keenan, Zinsstag, 2014; Centre for Innovative Justice, 2014).

Innovative justice responses are primarily non-adversarial and can operate either in tandem with, independently of, or as an alternative to conventional criminal justice mechanisms (Centre for Innovative Justice, 2014: 11). One such innovative response is RJ. While RJ programmes share common principles, the interpretation and implementation of these principles vary and result in considerable divergence in practice (Braithwaite, 2002; Strang et al., 2013).

In many jurisdictions RJ has been positioned as a response to offences of minor or moderate gravity and in particular as a response to offences committed by juveniles (see inter alia Hudson, 2003; UN, 2006; National Commission on Restorative Justice (Ireland), 2009; Keenan, Zinsstag, 2014), and although research suggests that RJ may be most effective as a response to violent crime (see also: Ptacek, 2010; Milner, 2011; Strang et al., 2013: 48) in certain jurisdictions RJ programmes have been precluded from dealing with sexual crimes or intimate partner violence (Centre for Innovative Justice, 2014; Nelund, 2015). While advocates claim RJ can provide a participative and dialogic process which recognises and addresses the unmet needs of the victim and promotes the recovery of both victims and offenders in cases of sexual violence (Keenan, 2014; Keenan, Zinsstag 2014; Zinsstag, Keenan, 2017), the application of restorative interventions to cases of sexual violence has met with some concerns and even opposition. Commentators have cast doubt

on claims that restorative processes provide victims of sexual violence with greater access to justice than the criminal justice system and point to a series of legal reforms aimed at addressing the particular needs of victims of sexual violence (Cossins, 2008). Concerns that RJ may place victims of sexual violence at risk of re-traumatisation and or re-victimisation have also been expressed by victim advocates (Stubbs, 2002; Cameron, 2006; Daly, Stubbs, 2006). In addition, it has been claimed that RJ could shift sexual violence away from the long-sought public sphere back into the private sphere thereby removing male intimate violence away from the public gaze and reducing public awareness and the concomitant condemnation of sexual violence (Stubbs, 2002; Cameron, 2006). However, at least some of the opposition to RJ has been described as stemming from what is perceived as challenges to entrenched interest groups such as victim advocacy groups, criminal justice actors and health professionals (Woolford, 2009; Nelund, 2015).

Research design

Despite criticisms and a general absence, until recently at least, of legislation/official sanctioning and adequate funding, RJ programmes that deal with cases of sexual violence have emerged throughout the world, often in a piecemeal and unstructured fashion. Many such programmes are described as operating ‘under the radar’ and are rarely recognised in any literature. Emerging or peripheral programmes can be difficult to identify and hence present particular research challenges.

Our research set out to explore the potential of RJ interventions to engage with cases of sexual violence. The primary ‘logic of enquiry’ (Brannen, 2005: 13) that drove our research was inductive. At the outset of the project we conducted wide-ranging literature reviews which included publications in English, German, Spanish, French and Dutch. We carried out study visits in five European countries (Belgium, Denmark, Ireland, the Netherlands and Norway) during which local RJ practitioners provided us with detailed accounts of their work and the structure and organisation of their programmes. To be as comprehensive as possible a web-based survey was also developed and used to ‘map’ programmes which engage in restorative interventions in cases of sexual violence. The survey is the focus of the discussion in this article, as it also influ-

enced much of the other research in the project. As well as providing an international map of RJ programmes data from the survey informed the in-depth interviews we conducted with stakeholders in four programmes in four different countries, Belgium, the Netherlands, The United States of America and the United Kingdom. This enabled us to present detailed outlines of different types of programmes and to probe the intervention models and work practices adopted, including their challenges and successes. Practitioners from three of the four programmes also participated in the study visits we conducted. Four case studies were also presented based on data provided by RJ practitioners.

The web-based survey was the only research instrument used to generate quantitative data in an otherwise qualitative project. In conducting this survey we sought to identify as many programmes as possible around the world which offer RJ in sexual violence cases; to consider the context in which RJ programmes have emerged (funding/legislation); to assess the type and scale of cases processed; to compare the models of RJ used; to identify best practices and to discover the main challenges and difficulties encountered by practitioners and stakeholders. As both theory and practice are evolving in this area we wanted to provide our research respondents with an opportunity to share their knowledge and experience as fully as possible. Therefore, a survey instrument that included both open and closed questions was deemed to be most appropriate.

Web-based survey design and implementation process

Design

The survey we designed was a mixed methods research instrument (Teddlie, Tashakkori, 2009), which included both open and closed questions, within an overall multi-strategy research project. Closed questions asked respondents to select from a list of predetermined answers. Open questions did not seek to tailor or guide the respondents' answers. Rather, respondents were asked to answer in their own words (Sudman, Bradburn, 1982). While others have distinguished between different types of open questions (Couper et al., 2011) references in this article to open questions are those questions which sought narrative responses.

The introduction to the survey provided a definition of sexual violence and RJ. In recognition of the diversity of RJ practices and with the purpose of identifying all programmes incorporating restorative practices in our study a distinction was made between ‘fully RJ’ and ‘alternative’ programmes. The purpose of the study was defined and the overall objective was described as being able to provide the European Commission, national authorities and all interested parties, with concrete proposals on how best to support and implement practices, which deal with sexual violence, whether these be ‘fully RJ’ or ‘alternative’ programmes. It was hoped that the study would provide both altruistic and personal appeal (Fazekas, Wall, Krouwel, 2014) to those engaged with RJ in the area of sexual violence.

The survey was divided into three sections. Section One gathered demographic and quantitative data on the respondents and was completed by all participants. Section Two was completed only by participants describing themselves as representing a ‘fully RJ’ programme and Section Three only by participants from ‘alternative’ programmes. Participants were directed to either Section Two or Three, based on their own evaluation of their programmes as either fully RJ or alternative.

Sections Two and Three were wide-ranging and covered areas such as legislative provisions, eligibility criteria, risk assessment, types of interventions used and the measurement of outcomes. While both sections covered similar themes it was felt that making the distinction between fully and alternative programmes would enable a more systematic and comprehensive review of the topics under consideration.

This was a lengthy survey. Respondents engaged in fully RJ programmes were asked to complete a total of 92 questions while a total of 87 questions were directed at respondents in alternative programmes.

Implementation

The questionnaire was dispatched via email to an initial list of 140 potential respondents (one respondent per organisation) in April 2014. The list of potential respondents grew incrementally mainly through the efforts of the research team rather than by snowballing. As the software programme used (Survey Monkey) linked responses to individual email addresses and the questionnaire itself sought details of the organisation that was being discussed

multiple replies from any respondent/organisation could be identified and eliminated.

The principal difficulty we encountered in administering this global survey was the absence of a population list. Initially potential respondents were identified based on information gleaned through personal contacts of the research team, internet searches, review of conference presentations, consultations with key academics and references in the literature. Problems were encountered contacting a number of these potential respondents by email. It should be noted that the tenure of many RJ programmes is very precarious and reliant on a small number or even one key individual; in organisations such as these cuts in funding or the loss of key personnel can result in the RJ programme being disbanded.

In addition to making contact with identified potential respondents we liaised with various RJ organisations and asked them to inform their members about our research.³ Some organisations posted information about the survey on their websites while others sent out especially prepared flyers inviting their members to participate in the survey if they engaged in RJ processes in cases of sexual violence. Despite bringing our survey to the attention of hundreds and perhaps thousands of persons engaged in RJ only a small number of additional respondents were identified from this trawl. Other recruitment strategies included emailing youth offending teams and sexual assault treatment units to inform them about the survey and to invite them to participate if they engaged in restorative practices in the area of sexual violence. In all over 280 potential respondents were directly contacted by email and invited to participate in the survey.

A total of 81 respondents undertook the survey. Seven respondents were later excluded from our analysis; six were considered not to be part of the target population and one was eliminated because it was a second response from the same branch of an organisation. Our findings are based on 74 respondents. Respondents were extensively geographically dispersed and included practitioners located in Africa, Asia, Europe, Oceania, North and South America. However, respondents were heavily concentrated in Europe (EU: 58%, Non-EU: 3%) and North America (26%) with just 13% of respondents

³ The organisations contacted included: the European Forum of Restorative Justice, the National Association of Community and Restorative Justice (USA), the Asia Pacific Forum for Restorative Justice and the Centre de Ressources pour les Intervenants auprès des Auteurs de Violences Sexuelles (CRIAIVS – France).

located outside these regions. This geographic pattern is consistent with the forecasted developments of the practice. As the size of our target population was unknown we were unable to assess the response rate of the survey.

Analysis of data generated by the web-based survey

Quantitative data

As previously noted the size of our target population was not known hence the quantitative data generated by the survey was illustrative but not necessarily representative. While no meta-inferences can be drawn from the quantitative data generated it provided the basis for descriptive statistics and complemented the data generated from the open questions in the survey and from other research methods (such as study visits).

Qualitative data

Our survey asked respondents to complete a large number of open questions (15 for fully RJ programmes and 22 in the case of alternative programmes). While the open questions provided us with valuable opportunities to generate qualitative data they greatly increased the burden placed on respondents. It was not surprising therefore to find the average response rate for open questions was lower than that for closed questions. A review of the pattern of item response rates reveals a downward pattern as the survey progressed. The decrease was particularly marked for item response rates in Section Three. It seems likely that the considerable length of this survey impacted the item-response rate. Questions which yielded the lowest response rates were worded in invitational rather interrogatory terms, e.g. ‘If you wish to provide further information regarding your replies to the question on eligibility criteria for victim participation, please do so in the box provided below’.

Clearly we were concerned with the quality as well as the quantity of responses. Studies have found that appropriately designed and administered web-based surveys may provide a means of collecting higher quality responses to open-ended questions than more traditional survey methods (Shin, Johnson, Rao, 2012; De Rada, Domínguez-Álvarez, 2014). Indeed, web-

based surveys may provide a medium which is dis-inhibiting and encourages respondents to provide frank and revealing responses (Shields, 2003). Length of responses to open questions can be used as a proxy measure of quality (Andrews, 2005). The answers provided in this study added greatly to the value of the data collected. Some answers provided to a question regarding the success of the RJ programme in achieving its objectives and the challenges faced in this regard are set out below for illustrative purposes:

"Our programme seems to be successful for several reasons: 1) We use a combination of modalities (group, individual, couple/marital and family) from a systemic collaborative perspective; 2) Each case is unique and objectives are tailor made to help these clients achieve their goals, promote healing, learn new and long lasting skills and lower recidivism; 3) Certain goal attainment occurs before the restorative justice component; 4) We work collaboratively with the larger criminal justice/legal system without losing integrity by agreeing to act in ways that are outside of our theoretical orientation, clinical model or that could be disrespectful or damaging to our clients."

"There is no brief answer to this question. We have overcome enormous obstacles over time. We now enjoy the respect of most of the key actors in the victim service arena, who refer to us regularly, and more recent scholarship is suggesting that we have been empowering survivors in the ways they have sought for many years."

Direct comparison with previous research findings is difficult, however we tentatively conclude that the length of the answers to open questions in Sections Two and Three were comparable with those reported previously⁴and included some exceptionally long answers.

⁴ De Rada and Dominquez-Alvarez (2014) report the response length of five open questions in a web survey. The length of the answers ranged from 21.14-98.58 characters (p. 263). Silber et al. (2013) reported on four different samples; the average response lengths to two open questions ranged from (i) 47.99-165.77 characters and (ii) 86.92-198.72 character (p. 130). Andrews (2005) reported that the mean length of combined responses to two open questions was 261.2 characters. Shields (2003) indicated an average response length of 35 words for one of the 22 open questions included in her survey.

Key findings on RJ in sexual violence

The data harvested from the web-based survey pointed to a wide diversity in the approaches of RJ practitioners engaging with cases of sexual violence. The most commonly identified models in use in the programmes surveyed were victim-offender mediation (52.7%), victim-offender dialogue (43.2%) and restorative conferencing (42.7%). Just over one in five respondents identified their programme as a Circle of support and accountability (COSA) (23%) or a Circle (21.6%). Just 13.5% of respondents indicated that they employ a reparation panel. Just over one third of respondents (34.2%) indicated that their programme deals with both minors and adults. More than four in ten respondents (42.5%) indicated that their programme mainly deals with adults while almost one in four respondents (23.3%) indicated that their programme mainly deals with minors, contrary to what is commonly reported in the literature.

Respondents were asked ‘what types of sexual violence cases are dealt with by your programme/service?’ The responses to this question provide us with very interesting insights into the nature of the cases dealt with by the participants in this survey and suggest that RJ programmes that engage with cases of sexual violence more commonly deal with the most serious than with less serious forms of sexual violence. More than 90% of respondents indicated that their RJ programmes deal with cases of rape while just over half (54.1%) deal with cases of sexual harassment. Five respondents also pointed to a type of sexual violence not listed in the answer options to this question and noted that they deal with cases of cyber child pornography.

Respondents were also asked to identify the context(s) in which the type of sexual violence cases dealt with by the RJ programme usually happen. Ten different answer options were provided to this question and respondents were asked to tick all that applied. Many respondents ticked multiple options to this question. The most common context identified was incest (72.1%). The answer ‘via communication technology’ was also selected by almost half (45.6%) of all respondents. This finding is especially interesting in light of a number of respondents specifically pointing to cyber child pornography as a type of sexual violence dealt with by their RJ programme.

Although the suitability of RJ for cases of sexual violence is the subject of some considerable debate and contention (see e.g. Zinsstag, 2017) it is interesting to note that more than six out of every ten respondents (47 or 63.5%)

indicated that their RJ programme had been dealing with cases of sexual violence for more than five years and 31 (41.9%) respondents were working in RJ programmes that have engaged with cases of sexual violence for more than ten years. Respondents that indicated that their programmes were no longer processing cases of sexual violence were asked to specify why this was the case. The responses highlighted a problem with unstable and inadequate funding. A number of comments appended by respondents highlighted that programme funding is often precarious and uncertain. Of those programmes in existence almost eight out of every ten (79.2%) indicated that they receive government funding while just one in five indicated that they receive private funding. However, of significance is the finding that more than one in seven respondents (15.3%) indicated that their programme does not receive any funding. The answers clearly identify the importance of government funding to RJ programmes which engage with cases of sexual violence. RJ programmes that deal with cases of sexual violence also often depend on a small number of key individuals. The loss of those individuals can result in the programme ceasing or losing momentum.

When asked about the aims of RJ in SV cases the three aims most frequently identified by respondents were 1) the opportunity for victims to receive information from the offender; 2) to improve victims' relationships with family/friends and 3) opportunity for victims to participate in the resolution of their case. Interestingly, these three most frequently identified aims of RJ in SV cases are all victim oriented.

There has been some debate regarding whether RJ in cases of sexual violence should run parallel to or after criminal proceeding or indeed be positioned as an alternative to criminal proceedings. The survey explored the timing of the RJ process and asked respondents to indicate the point at which cases of sexual violence and other cases were referred to their programme. Three response categories were provided (pre-sentencing, post-sentencing and outside the criminal justice system) and respondents were asked to select all relevant answers. Responses indicate that cases of sexual violence are slightly less likely than other criminal justice cases to be referred to RJ programmes pre-sentence (58.3% : 60.5%) and more likely to be referred from outside the criminal justice system than other cases (45.8% : 41.9%). The proportion of respondents indicating that cases are referred post-sentencing was almost identical for cases of sexual violence and other criminal cases (76.4% : 76.7%).

It was particularly interesting to note that survey respondents did not assess or prioritise assessment of risk uniformly. The survey results revealed that a sub-group of practitioners believe as far as possible that the personal agency of the victim should be respected in determining the desirability, timing and form of RJ. A minority of such practitioners indicated that they were even willing to facilitate victim initiated RJ even when the offender had not accepted responsibility for his/her actions. One respondent noted: ‘the wishes and needs of the parties herein are leading, not our rules’. However, other respondents indicated adherence to a more formal, regulated and risk-averse approach, which did not privilege the agency of the victim.

Respondents were asked a series of questions regarding the work conducted by their programmes in preparation for the restorative encounter. The responses received indicate that pre-meeting preparation is used by almost all respondents (94.3%). The small number of respondents who indicated that their programme does not carry out pre-meeting preparation are attached to RJ programmes which do not engage in direct encounters between victims and offenders. When asked ‘what usually happens before a RJ meeting’ almost all respondents (94.3%) selected the response ‘We meet each party as many times as necessary’. In addition, 60% of respondents also indicated that they contact and coordinate the meeting with each party. Almost all (97.1%) of respondents also indicated that the pre-meeting preparation focused on both victims and offenders and more than one third (37.1%) indicated that the preparation also focused on the community.

Most practitioners believed that their work yielded positive outcomes for participants and the wider community but it was interesting to note that respondents did not reference a standard set of outcomes. Precise measurements for outcome evaluations are now emerging in recent studies (see Zinsstag, Keenan, 2017). While several respondents identified their primary aim as the prevention of recidivism others defined outcomes primarily in terms of victims’ well-being or referenced the aims outlined by the victim and offender in advance of the RJ process. The effectiveness of RJ interventions in relation to other crimes has been measured in some studies by reference to recidivism rates (Daly, 2006; Stulberg, 2011; Daly et al., 2013) but our survey results suggest that reducing recidivism is not a primary goal of many RJ programmes engaging with cases of sexual violence.

Discussion of benefits and limitations of web-based surveys to seek 'under the radar' practices

We adopted methodologies that provided us with micro-level, national and global information regarding RJ programmes in the area of sexual violence. Our multi-strategy research design was primarily qualitative. The inclusion of a web-based survey allowed us to collect quantitative data as well as qualitative data from widely-dispersed and isolated respondents. However, in the absence of a population list we must interpret the data generated cautiously.

In conducting our survey we were conscious that we were entering a 'crowded field' and that a decline in response rates of various survey modes had been noted in various forms of research (see inter alia De Leeuw, De Heer, 2002; Curtin, Presser, Singer, 2005; Stoop, 2005; Tolonen et al., 2006; Baruch, Holtom 2008). We hoped that the specialised nature of our survey would mean that we could avoid the 'survey overload' (Holley, 2012; Leppik, 2014) and 'survey fatigue' (Porter, Whitcomb, Weitzer, 2004; Grimes, 2012) that other commentators had warned of. This did not prove to be the case. We anticipated high motivation for participation by respondents. In some cases that high level of motivation was evident. However on the basis of our experience we conclude that 'survey fatigue' can impact even a highly motivated group of respondents.

We did not succeed in capturing all programmes engaged in RJ in cases of sexual violence and our results present a partial rather than a complete picture of the work that is taking place. The majority of our respondents were personally contacted by email. Posting notices on relevant websites and distributing flyers to members of RJ organisations only yielded a small number of respondents additional to those that were identified by or known to the research team. We feel that personal contact with respondents was a critical factor in encouraging respondents to participate in the survey.

Ours was a lengthy survey and completion required a significant input on the part of respondents. Although the specialised nature of the topic is likely to have increased respondents' motivation to complete the survey, this did not ensure that all respondents answered all questions and item non-response rates were high for some of the open questions. Item response rates were especially low when questions were inappropriately worded in invitational terms and we would suggest that such questions should be avoided. The pattern of item response rate suggests that the length of our

survey adversely affected the item response rate for open questions. It may be unwise to presume that high levels of respondent motivation can compensate for overly lengthy surveys.

Responses to the open questions delivered a wealth of rich and enlightening comments. In some cases the answers provided were extraordinarily detailed. As noted earlier one respondent provided an answer which ran to 1022 words. While this response was exceptionally long, many answers fell in the 50-200 word range and the narrative that was harvested added greatly to the value of the survey. Many respondents were not native English speakers and for such respondents the task of completing the survey was especially burdensome. Language difficulties on the part of some Danish and French respondents were resolved by members of the research team liaising with respondents to assist them in completing the survey. Narrative responses were also received in Spanish, French and Dutch and were translated into English by multi-lingual members of the research team. It is also possible that linguistic difficulties may have dissuaded some potential respondents from participating in the survey.

Overall, our findings indicate that researchers who use surveys should be aware that gathering representative responses is likely to be very challenging even when potential respondents are thought to be highly motivated and the survey has altruistic and personal appeal.

Conclusion

This article focused on the use of a web-based survey as part of a larger research project concerning an essentially unregulated, ‘under the radar’ and innovative response to sexual violence. The survey provided us with both quantitative and qualitative data. However, due to the uncertain size of our target population we have been careful not to make meta-inferences from the data generated. The quantitative data generated is therefore considered to be of illustrative rather than explanatory value.

Our experience suggests that while web-based surveys may be useful for small-scale purposive samples or for use in conjunction with geographically dispersed populations, researchers should also be aware of potential difficulties. Geographically dispersed populations are likely to be multi-lingual popu-

lations and our findings suggest that researchers may encounter difficulties using web-based surveys, particularly when the survey involves issues which are linguistically and cognitively complex. We sought to harvest as much information as possible from our survey respondents but our experience suggests that it is unwise to place too great a burden on survey respondents. Fewer questions may result in higher item response rates and therefore more reliable results. The ubiquitous use of web-based surveys means that potential respondents may also be subject to survey fatigue. While personal contact and the innovative character of the topic we researched may encourage respondents to participate in the survey, researchers can maximise the response rate and the quality of the responses by carefully designing both the questionnaire and the contact email.

We make no claims as to the value of RJ in sexual violence cases in this paper, although it is a fact that the practice exists and is developing due mostly to the wish of stakeholders. Outcome research in common with other research on RJ is still quite thin and this speaks to the state of the field. RJ is an emerging justice approach to sexual violence that is beginning to be comprehensively researched. Our study contributes to that project and has gone some way to bridge the gap in knowledge as further empirical research on outcomes for RJ in cases of sexual violence continues to emerge (Zinsstag, Keenan, 2017).

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Istraživanje praksi „u nedovoljno istraženom polju”: Analiza restorativnih pristupa u slučajevima seksualnog nasilja

Seksualno nasilje je opasan društveni fenomen. Ograničena efikasnost tradicionalnih pravosudnih odgovora rezultirala je potragom za alternativnim i inovativnim pristupima. U radu su prikazani rezultati istraživanja jednog takvog inovativnog odgovora na seksualno nasilje: restorativne pravde. Iako je u studiji usvojen multistrategijski istraživački dizajn za ispitivanje potencijala restorativne pravde u slučajevima seksualnog nasilja, ovaj rad se posebno fokusira na jedan aspekt tog dizajna: online anketu za mapiranje globalno dostupnih programa koji se bave ovim pristupom. U radu su prikazani izazovi svojstveni istraživanjima novih društvenih odgovora. Takođe se ukazuje na online ankete kao moguće tehnike za mapiranje praksi „u nedovoljno istraženom polju”, odnosno, praksi u nastanku, i prikupljanje važnih kvalitativnih i kvantitativnih podataka o osjetljivim temama. One mogu da budu posebno korisne kada je istraživana populacija geografski raspršena. Međutim, prilagođavanje anketnih instrumenata ispitanicima koji su višejezični predstavlja poteškoću, posebno kada su ispitivane teme jezički ili kognitivno kompleksne.

Ključne reči: restorativne prakse, seksualno nasilje, prakse „u nedovoljno istraženom polju”, istraživanje.

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