Demande de bourse au CICC pour le colloque de l'ASC, Philadelphia, 4-7 Novembre 2009 Tinneke Van Camp (candidate au doctorat en criminologie – directrice : prof. Jo-Anne Wemmers)

Version étendue de l'abstrait de 200 mots inclut dans un panel sur les liens entre la justice procédurale et la justice réparatrice, soumis par professeure Jo-Anne Wemmers au comité scientifique de la conférence de l'ASC en mars 2009

On the compliance of restorative justice with procedural justice premises - the victims' point of view

Numerous evaluative studies demonstrate high satisfaction rates for both victims and offenders across different restorative programs (e.g. Strang et al, 2006; Latimer et al, 2005; Umbreit, 1994; Umbreit et al, 2006; Wemmers and Cyr, 2006), even when applied to violent crime. This is in sharp contrast to the low satisfaction of victims with the conventional criminal justice system. The aim of our research project is to explore the ability of the theory of procedural justice to explain the observed satisfaction of victims of violent crime with restorative justice. The theory of procedural justice predicts that procedural variables, such as trust, neutrality, participation and respect, are at least equally important in the appreciation of the traditional criminal justice system and the fairness of its outcome by offenders and victims as outcome variables. Furthermore, we want to determine if and to what extent restorative justice exceeds the predictions with regard to fairness made by the procedural justice theory. In search of such parallels between the theory of restorative justice and procedural justice, we consulted victims of violent crime regarding the impact of their participation in a restorative intervention on their sense of fairness. In-depth interviews have been conducted with victims of violent crime who have participated in and finalized a restorative justice intervention (e.g. victim-offender mediation) in Canada and in Belgium. The restorative practices in violent cases in these countries differ to some extent, e.g. with regard to the accessibility of restorative justice exclusively after sentencing in Canada versus either before or after prosecution in Belgium. This allows us to also determine the impact of the availability or absence of a judicial decision on the perceived fairness of restorative justice. After a brief description of the research's objectives and theoretical framework, we will present a preliminary account of our analysis of the qualitative research data.