

MEDIATION AND CONFERENCE PARTICIPANTS' ASSESSMENTS OF THEIR MEETINGS

Comparative findings from the Konfliktråd Impact Project (KIP)

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PROGRAM

- The KIP team
- Motivation
- Aims and Design
- Selected Findings
- Conclusions (so far)



THE TEAM

KIP RESEARCH PROJECT LEADERS



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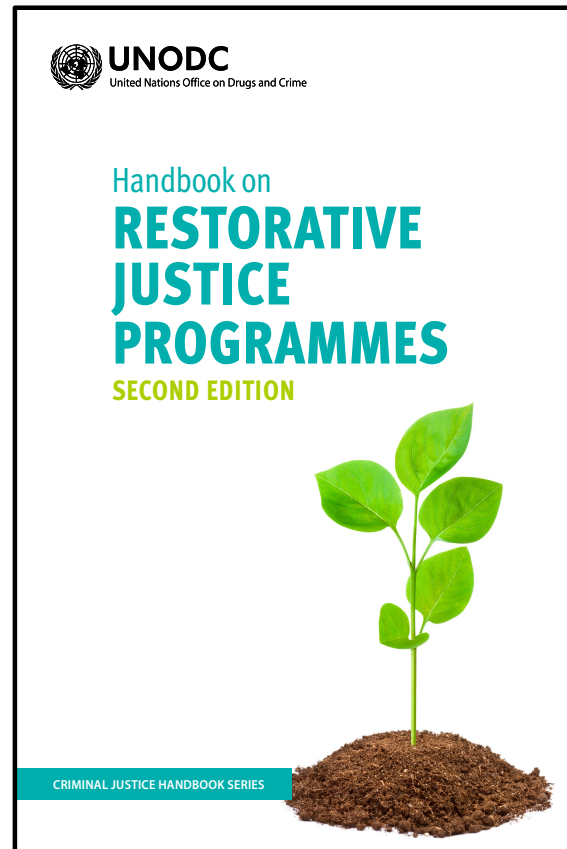
IT TAKES A VILLAGE...



MOTIVATION - WHY KIP?

RESTORATIVE JUSTICE

"A process whereby all the parties with a stake in a particular offence come together to solve collectively how to deal with the aftermath of the offence and its implications for the future"
(Marshall 1996: 37)



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE



A MIXED BAG...

“Vessels of widely differing shapes, sizes, and modes of propulsion sail under this particular flag.” Ashworth (2001: 347)

Reflection: what method(s) do you use/are you most familiar with?

- Victim-offender mediation (VOM)
- Restorative justice conferences (RJC)
- Circles



WHY THIS IS IMPORTANT

“If we want to know what works well or works well for the particular population it serves, we need to start unpacking those terms and working out what is or is not different between them, and the extent to which it matters.”

Shapland (2012: 48)

THEORETICAL FRAMING

- **Some suggestions that RJs are more ‘restorative’** (Kyvsgaard et al., 2018; O’Mahony & Doak, 2017, p.184; Shapland et al., 2007, p. 5; Shapland et al, 2011, p. 55; Strang, 2012)
 - Procedural justice – fairness
 - Closure - capacity to move on
 - Restoration of harm - repair
 - Accountability- recidivism
- **These theoretical propositions have never been directly (empirically) tested**

DANISH KONFLIKTRÅD

- Introduced in 1994 in some districts
- Established as nation-wide program in 2010
- Organized nationally and by 12 police districts
- All crime types, but mostly assault, burglary, robbery, and increasingly neighbor disputes
- Voluntary for both victims and offenders
- Offender must admit responsibility
- Supplemental, at any stage of justice system
- Current practice is highly varied but based on mediation model
- Referrals on the decline, access to justice issues

“Jeg er ikke bange mere, efter jeg har snakket med ham.”

Forurettet

Hvorfor kan konfliktråd være en god ide?
Der kan være rigtig mange gode grunde til at deltage i et konfliktråd og sætte ord på de oplevelser, følelser og tanker, der fylder for den enkelte.

Forurettede får mulighed for at fortælle gerningspersonen, hvilke konsekvenser handlingen har haft, og hvad der er sket efterfølgende.

Gerningspersonen får mulighed for at forklare sine handlinger over for den forurettede, og forholde sig til de menneskelige følger heraf.

Hvordan foregår et konfliktråd?

Når begge parter ønsker at deltage i et konfliktråd, er det mæglerens opgave at arrangere et møde et neutralt sted.

Mægleren sørger også for at forventningsafstemme og klæde parterne godt på, så rammerne for mødet er tydelige for alle. Til mødet er mægleren mødeleder. Begge parter får mulighed for at komme til orde og blive hørt, og det er muligt at indgå fælles aftaler.

Mægleren har tavshedspligt og er uddannet til opgaven. Mægleren skal ikke tage stilling til skyld eller tage part i sagen.

PREVIOUS EVALUATIONS

- **Danish**

- High levels of self-reported satisfaction amongst victims and offenders in two previous survey studies (Henriksen 2003, Hansen 2012)
- Some criticism of konfliktråd participants' expected 'roles' (Asmussen 2014, 2015)
- No demonstrated quantitative effect on official offender recidivism or victim's use of social/health services, compared to statistical control groups (Kyvsgaard 2016; Kyvsgaard & Ribe 2018)

- **International**

- Research points to positive effects (perpetrator's recidivism, victim's well-being) for both mediation and conferences
- Robust experimental evidence for RJC's (Sherman et al. 2015)

AIMS AND DESIGN

AIMS

- To promote evidence-based development of the Danish Konfliktråd program
- To contribute to theoretical discussions of RJ
- How? By conducting the first-ever randomized controlled trial (RCT) comparing two different RJ approaches
 - VOM
 - RJC

DESIGN

- Close collaboration between research and practice, 2017- present
- RCT comparing two meeting types (no control)
- Focus on criminal cases - primarily violence, threats, burglary, robbery, malicious damage, and theft
- Mixed-methods data collection at case and individual level



RESEARCH QUESTION AND HYPOTHESES

Can restorative justice conferences (RJC) prevent repeat offending more effectively than the current Danish victim-offender mediation practices, and further help victims to minimize the damage they have suffered from crime?

H1: The conduct of RJC will differ from the conduct of the current mediation method on a number of theoretically important dimensions

H2: Relative to current mediations, RJC will reduce the prevalence, frequency, seriousness, and harm of repeat offending

H3: Relative to the current method of mediations, RJC will produce better outcomes for victims [and offenders] on a number of theoretically important dimensions

OUR TWO MEETING TYPES

VOM (treatment as usual)

- Supplemental, in line with general framework and criteria for participation in konfliktråd
- Meetings run by konfliktråd meditors, with varied training backgrounds
- Originally based on 6-phase reflexive model (Vindeløv, 2012)
- More recently simplified to Facts-Feelings-Needs structure (Friis Pedersen, 2023; Riskin, 2003)
- Mediators have extensive methodological freedom and flexibility
- 'Bisiddere' can participate at the discretion of the mediator, agreements can be made if desired
- No standard follow-up requirements

Full implementation protocol criteria: (i) at least one offender, (ii) at least one victim

OUR TWO MEETING TYPES

RJC (comparison treatment)

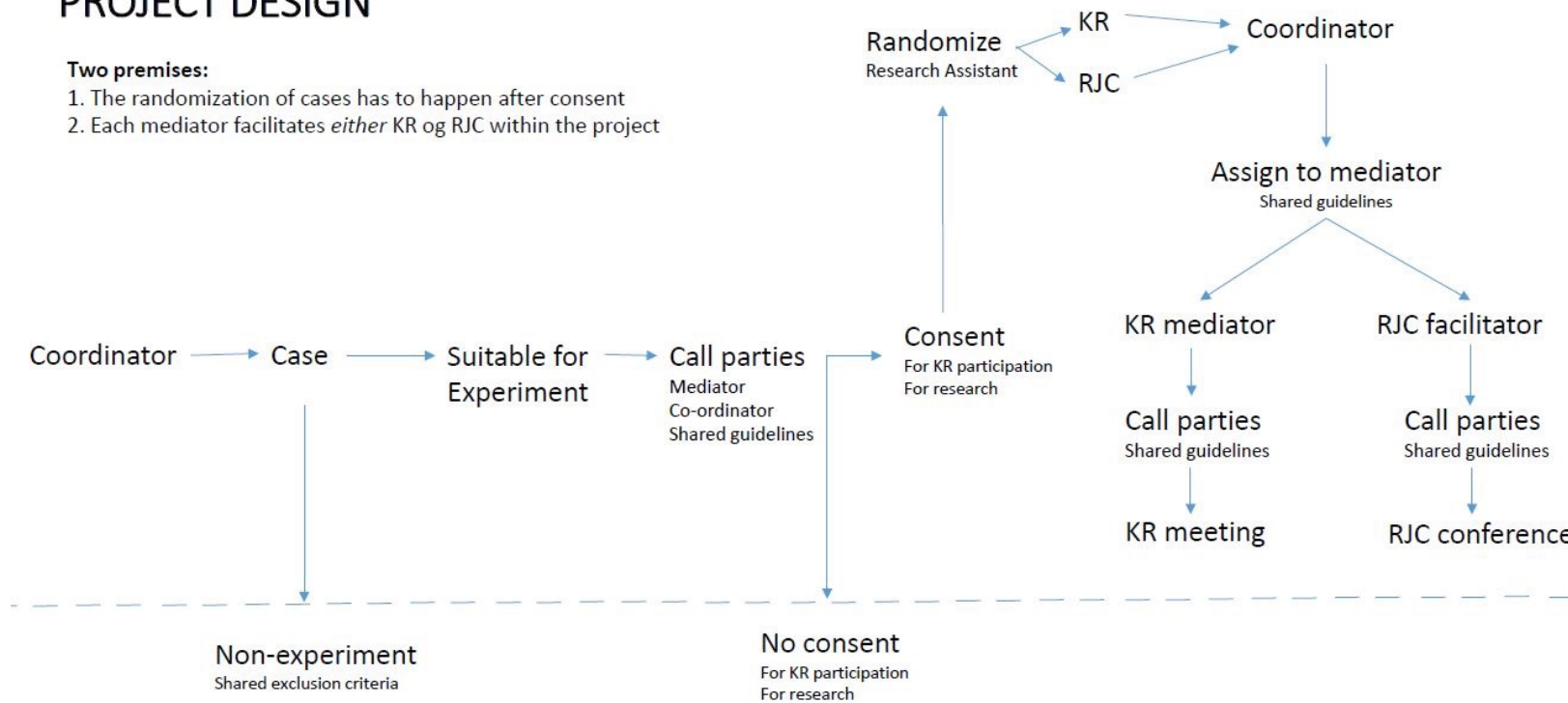
- Supplemental, in line with general framework and criteria for participation in konfliktråd
- Meetings run by konfliktråd mediators specially trained in RJC facilitation (Sherman et al. 2021)
- Based on model tested in Australia and UK, similar to Norwegian 'stormøder' (McDonald, 2012)
- Manualized in 3 stages: what happened, how were people affected, what should be done?
- Follows standard manuscript with set questions posed to all participants
- Supporters are systematically included and written agreements drafted
- Facilitators not engaged in agreement follow-up/compliance

Full implementation protocol criteria: (i) at least one offender, (ii) at least one victim, (iii) at least one victim supporter, (iii) at least one offender supporter, (iii) written agreement

PROJECT DESIGN

Two premises:

- 1. The randomization of cases has to happen after consent
- 2. Each mediator facilitates *either* KR or RJC within the project



DATA COLLECTED

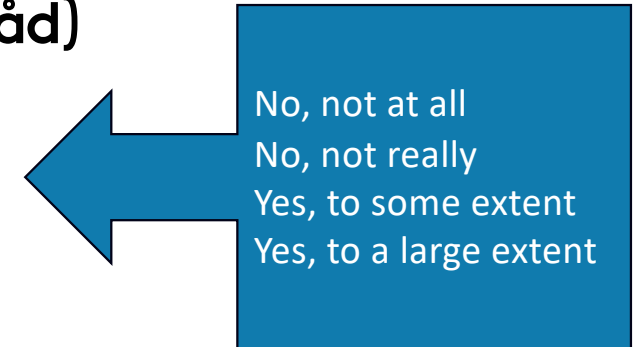
- **200** randomized cases, **154** meetings
- **113** observed meetings , **91** recorded
- **256** 1-month surveys
- **221** 6-month surveys
- **21** interviews with participants
- **29** interviews with mediators/facilitators
- **16** interviews with police



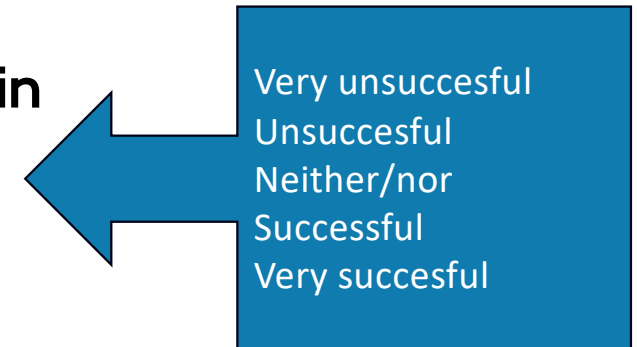
THE 4 SURVEY MEASURES I'LL TALK ABOUT TODAY

- For each of the following statements, indicate the extent to which it reflects your overall experience (of konfliktråd)

- The meeting was fair
- The meeting helped me move on
- The harm that was done has been repaired



- Overall, how would you characterize your meeting (in konfliktråd)?



KEY QUESTIONS FOR TODAY

1. How do VOM and RJC meetings differ?

- Meeting characteristics (H1)

2. How are VOMs and RJC ratings overall?

- In absolute terms
- In relative terms (H3)

3. Do ratings of VOMs and RJC ratings differ for victims and offenders over time?

- Do we see the same patterns of ratings for both respondent groups? (H3)
- Do the patterns differ at 1 and 6 months? (H3)

RESULTS (SO FAR)

CHARACTERISTICS OF THE SAMPLE

- Balance between experimental groups
- Cases randomized approx. 3 months after the offence on average, but some later
- Most cases with only 1 offender/victim
- Approx. 3/4 violent crimes, mostly assault
- Victims and offenders are on average males in late 20's or early 30's
- Less than 1/5 under age 15

Table 1.
Balance Between Intervention Groups at Baseline

	Mediation		Conference		<i>p</i>
	Mean (SD)	Mdn	Mean (SD)	Mdn	
Case-level variables					
Days since offence at randomization	91.8 (99.0)	53	107.7 (192.8)	51	.23
Number registered victims	1.10 (.36)	1	1.25 (1.45)	1	.30
Number registered offenders	1.23 (.93)	1	1.16 (.51)	1	.53
Crime type					.54
Violence (%)	73.3		77.8		
Property (%)	23.8		21.2		
Other (%)	3.0		1.0		
Individual-level variables					
Age					
Offender age at offence	28.0 (13.9)	22.2	26.9 (15.4)	19.1	.61
Victim age at offence	32.5 (16.7)	26.3	29.4 (16.7)	23.2	.17
Offender <15 (%)	14.0		21.6		.12
Victim <15 (%)	12.4		19.4		.15
Gender					
Male offender (%)	88.5		86.5		.50
Male victim (%)	67.5		64.8		.67

Note. Case-level comparisons based on $n = 101$ mediations and $n = 99$ RJs. Individual-level comparisons based on $n = 233$ offenders and $n = 222$ victims. Differences tested with chi-squared and independent t-tests. No significant differences at $p \leq .05$.

H1

H1: The conduct of RJC's will differ from the conduct of the current mediation method on a number of theoretically important dimensions

H2: Relative to current mediations, RJC's will reduce the prevalence, frequency, seriousness, and harm of repeat offending

H3: Relative to the current method of mediations, RJC's will produce better outcomes for victims [and offenders] on a number of theoretically important dimensions

HOW DO VOM AND RJC MEETINGS DIFFER?

Table 2.
Meeting Characteristics by Intervention Type

	Mediation		Conference		<i>p</i>
	Mean (SD)	Mdn	Mean (SD)	Mdn	
Timing					
Days between randomization and meeting	19.0 (93.1)	18.0	28.8 (35.8)	21.0	.40
Meeting duration in minutes	58.4 (30.1)	53.5	88.9 (36.2)	85.0	<.001
Meeting terminated early (%)	3.8		1.3		.33
Meeting participants					
Total number excluding convenor	3.3 (2.6)	3.0	5.0 (2.7)	4.0	<.001
Number of victims	1.1 (.44)	1.0	1.1 (.37)	1.0	.60
Number of offenders	1.2 (.85)	1.0	1.1 (.48)	1.0	.38
Number of victim supporters	0.4 (.66)	0.0	1.4 (1.2)	1.0	<.001
Number of offender supporters	0.5 (1.2)	0.0	1.3 (1.4)	1.0	<.001
≥ 1 victim present (%)	100.0		98.7		.31
≥ 1 offender present (%)	100.0		97.3		.15
≥ 1 victim supporters present (%)	35.9		76.0		<.001
≥ 1 offender supporters present (%)	26.9		74.7		<.001
Agreement					
Made written agreement (%)	10.3		96.0		<.001

Note. Based on n = 79 convened mediations and n = 75 convened conferences.
Differences tested with chi-squared and independent t-tests. Significant differences identified in bold.

Reflection: do any of these findings surprise you? Why?

H3

H1: The conduct of RJC's will differ from the conduct of the current mediation method on a number of theoretically important dimensions

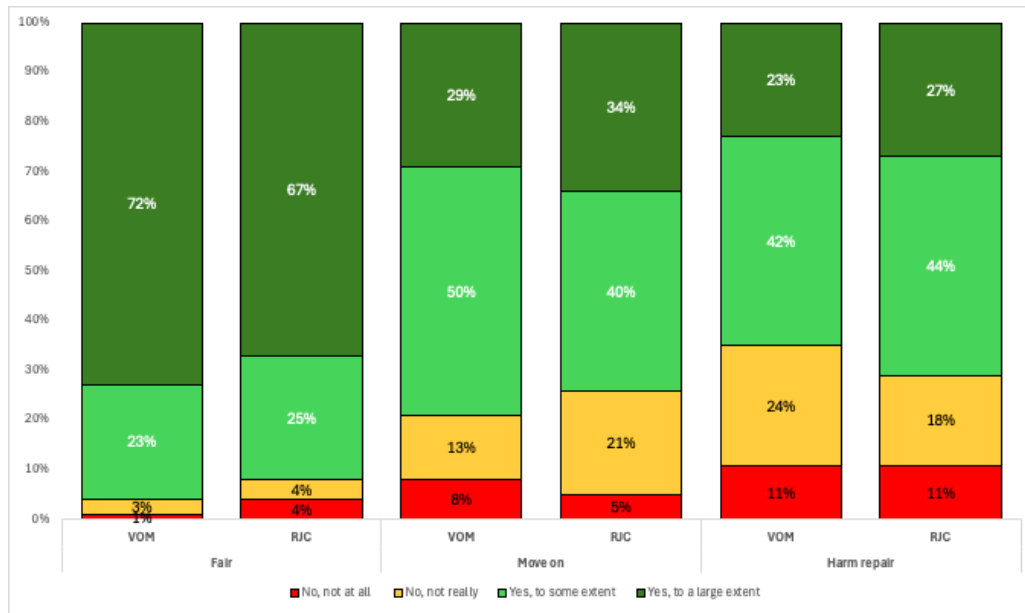
H2: Relative to current mediations, RJC's will reduce the prevalence, frequency, seriousness, and harm of repeat offending

H3: Relative to the current method of mediations, RJC's will produce better outcomes for victims [and offenders] on a number of theoretically important dimensions

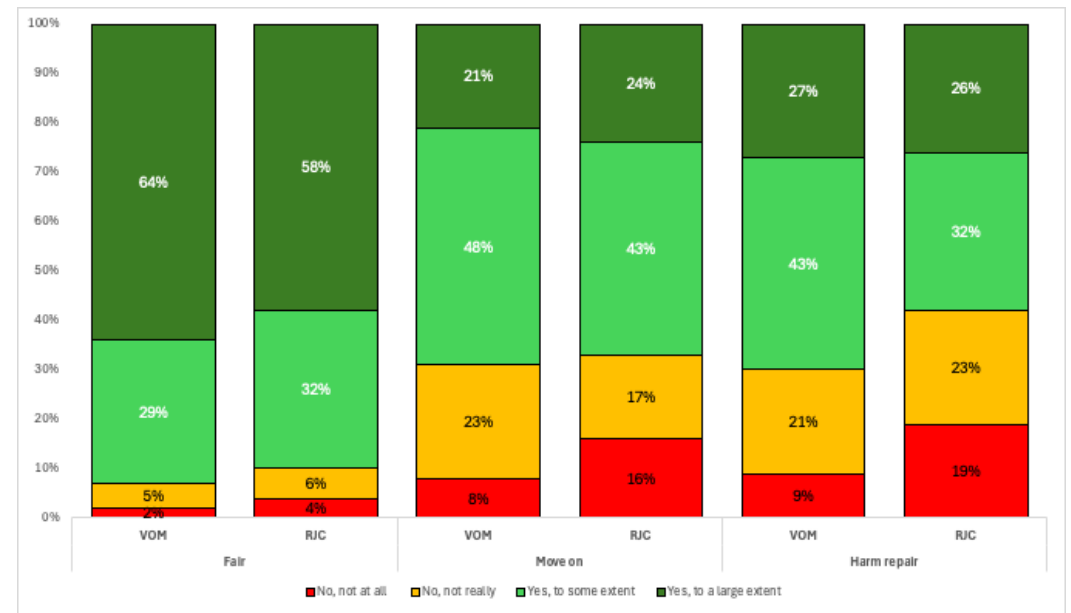
HOW ARE VOMs AND RJC's RATED OVERALL?

(Pooling offenders and victims, and based on dichotomized yes vs. no rating)

1 month



6 months

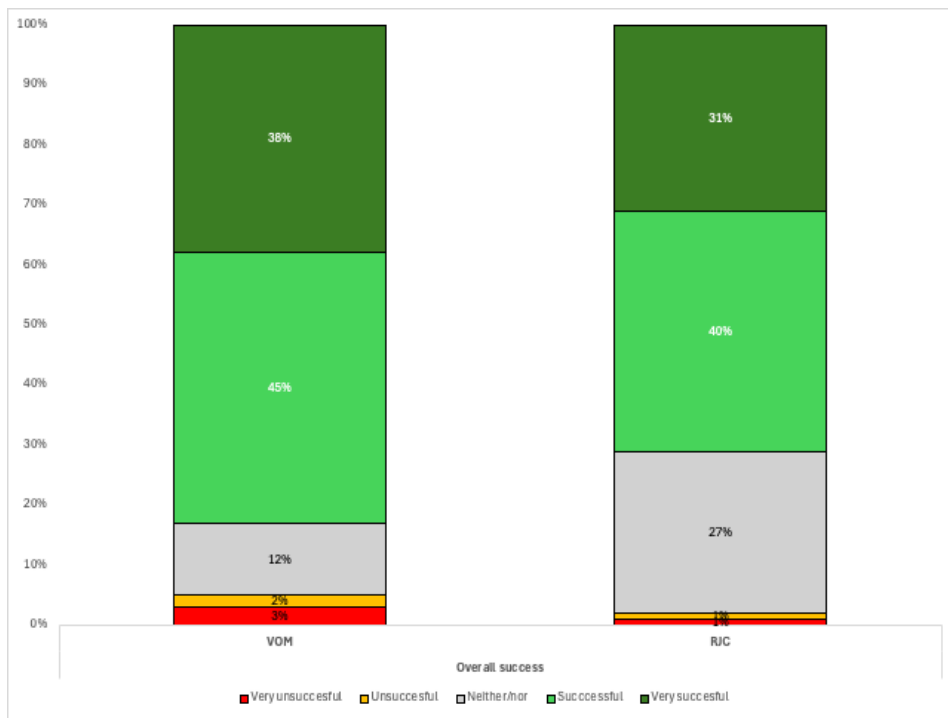


No statistically significant (binary) differences for these 3 variables - VOM = RJC

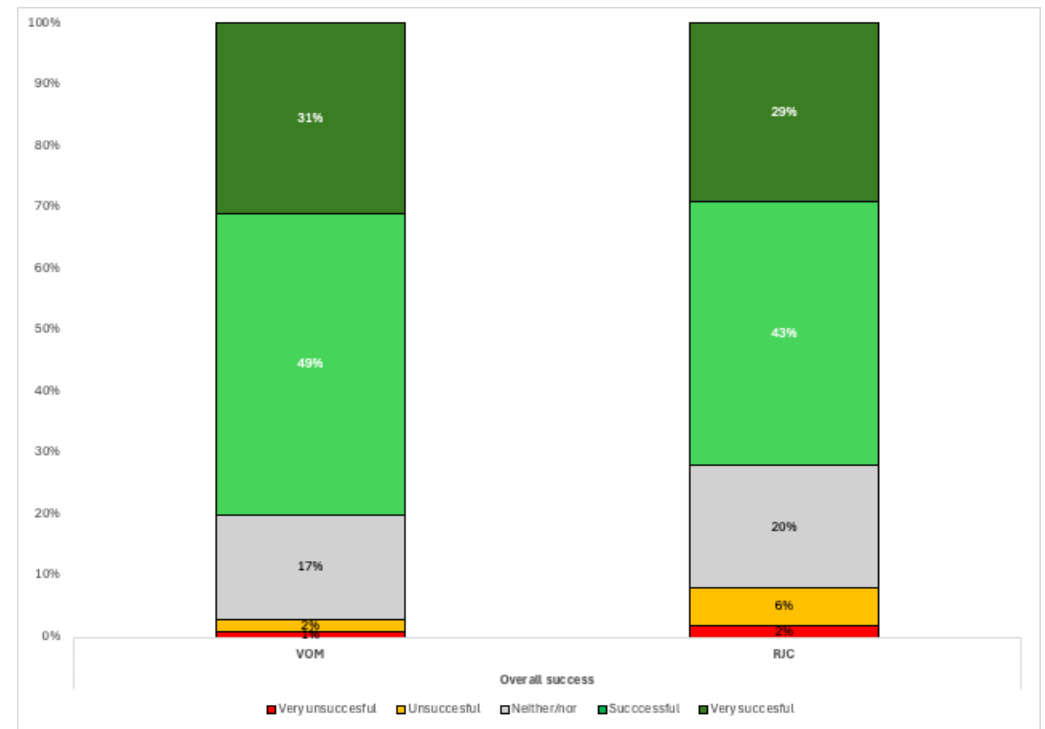
HOW ARE VOMs AND RJC's RATED OVERALL?

(Pooling offenders and victims, based on dichotomized successful vs. neutral/unsuccessful rating)

1 month



6 months



Small, statistically significant (binary) difference for this variable - VOM > RJC

DO RATINGS DIFFER FOR VICTIMS/OFFENDERS OVER TIME?

Table A1

Item-Wise Distribution of Response Categories for Victims and Offenders at 1 Month by Intervention Type

	Mediation			Conference			All		
	Victim %	Offender %	Total %	Victim %	Offender %	Total %	Victim %	Offender %	Total %
The meeting was fair									
Yes, to a large extent	79.5	64.7	72.3	74.2	58.5	67.0	77.0	62.0	69.9
Yes, to some extent	15.1	32.4	23.4	17.7	34.0	25.2	16.3	33.1	24.2
No, not really	2.7	2.9	2.8	3.2	5.7	4.4	3.0	4.1	3.5
No, not at all	2.7	0.0	1.4	4.8	1.9	3.5	3.7	0.8	2.3
(n)	(73)	(68)	(141)	(62)	(53)	(115)	(135)	(121)	(256)
The meeting helped me move on									
Yes, to a large extent	30.1	27.9	29.1	32.3	35.8	33.9	31.1	31.4	31.3
Yes, to some extent	48.0	52.9	50.4	40.3	39.6	40.0	44.4	47.1	45.7
No, not really	12.3	13.2	12.8	22.6	18.9	20.9	17.0	15.7	16.4
No, not at all	9.6	5.9	7.8	4.8	5.7	5.2	7.4	5.8	6.6
(n)	(73)	(68)	(141)	(62)	(53)	(115)	(135)	(121)	(256)
The harm has been repaired									
Yes, to a large extent	19.2	26.5	22.7	25.8	28.3	27.0	22.2	27.3	24.6
Yes, to some extent	39.7	44.1	41.8	40.3	49.1	44.4	40.0	46.3	43.0
No, not really	27.4	20.6	24.1	17.7	18.9	18.3	23.0	19.8	21.5
No, not at all	13.7	8.8	11.4	16.1	3.8	10.4	14.8	6.6	10.9
(n)	(73)	(68)	(141)	(62)	(53)	(115)	(135)	(121)	(256)
How would you rate the meeting overall?									
Very successful	34.2	42.7	38.3	27.4	35.9	31.3	31.1	39.7	35.2
Successful	48.0	41.2	44.7	45.2	34.0	40.0	46.7	38.0	42.6
Neither/nor	11.0	13.2	12.1	24.2	30.2	27.0	17.0	20.7	18.8
Unsuccessful	2.7	1.5	2.1	1.6	0.0	0.9	2.2	0.8	1.6
Very unsuccessful	4.1	1.5	2.8	1.6	0.0	0.9	3.0	0.8	2.0
(n)	(73)	(68)	(141)	(62)	(53)	(115)	(135)	(121)	(256)

No statistically significant (binary) differences for victims or offenders

DO RATINGS DIFFER FOR VICTIMS/OFFENDERS OVER TIME?

Table A2
Item-Wise Distribution of Response Categories for Victims and Offenders at 6 Months by Intervention Type

	Mediation			Conference			All		
	Victim %	Offender %	Total %	Victim %	Offender %	Total %	Victim %	Offender %	Total %
The meeting was fair									
Yes, to a large extent	66.7	60.7	63.8	53.8	61.9	57.5	61.0	61.2	61.1
Yes, to some extent	24.2	34.4	29.1	34.6	28.6	31.9	28.8	32.0	30.3
No, not really	6.1	3.3	4.7	7.7	4.8	6.4	6.8	3.9	5.4
No, not at all	3.0	1.6	2.4	3.8	4.8	4.3	3.4	2.9	3.2
(n)	(66)	(61)	(127)	(52)	(42)	(94)	(118)	(103)	(221)
The meeting helped me move on									
Yes, to a large extent	31.8	9.8	21.3	25.5	21.4	23.7	29.1	14.6	22.3
Yes, to some extent	42.4	54.1	48.0	43.1	42.9	43.0	42.7	49.5	45.9
No, not really	13.6	32.8	22.8	15.7	19.0	17.2	14.5	27.2	20.5
No, not at all	12.1	3.3	7.9	15.7	16.7	16.1	13.7	8.7	11.4
(n)	(66)	(61)	(127)	(51)	(42)	(93)	(117)	(103)	(220)
The harm has been repaired									
Yes, to a large extent	27.3	26.2	26.8	23.1	28.6	25.5	25.4	27.2	26.2
Yes, to some extent	40.9	45.9	43.3	21.2	45.2	31.9	32.2	45.6	38.5
No, not really	18.2	24.6	21.3	26.9	19.0	23.4	22.0	22.3	22.2
No, not at all	13.6	3.3	8.7	28.8	7.1	19.2	20.3	4.9	13.1
(n)	(66)	(61)	(127)	(52)	(42)	(94)	(118)	(103)	(221)
How would you rate the meeting overall?									
Very successful	31.8	29.5	30.7	25.0	35.7	29.8	28.8	32.0	30.3
Successful	48.5	49.2	48.8	36.5	28.6	33.0	43.2	40.8	42.1
Neither/nor	15.2	19.7	17.3	25.0	28.6	26.6	19.5	23.3	21.3
Unsuccessful	3.0	1.6	2.4	9.6	2.4	6.4	5.9	1.9	4.1
Very unsuccessful	1.5	0.0	0.8	3.8	4.8	4.3	2.5	1.9	2.3
(n)	(66)	(61)	(127)	(52)	(42)	(94)	(118)	(103)	(221)

Small, statistically significant (binary) differences for victims on harm and success outcomes - VOM > RJC
 No statistically significant (binary) differences for offenders

CONCLUSIONS (SO FAR)

KEY QUESTIONS FOR TODAY

1. How do VOM and RJC meetings differ?

- Most importantly, RJCs include more supporters, written agreements
- Support for H1, but some implementation challenges

2. How are VOMs and RJCs rated overall?

- In absolute terms, quite positively!
- No support for H3 – at least in relation to these four outcomes
- Supports a "toolbox" approach

3. Do ratings of VOMs and RJCs differ for victims and offenders over time?

- Generally positive for both groups and follow-ups
- No significant differences between models for offenders at 1 or 6 months
- No significant differences between models for victims at 1 month
- VOM > RJC for victim harm repair and overall success ratings at 6 months

Reflection: What might explain this patterns of results?

POSSIBLE EXPLANATIONS (TO EXPLORE...)

- **RJC implementation challenges?**
 - Too few supporters?
 - Lack of agreement follow-up?
- **Greater flexibility built in to the Danish VOM model?**
 - E.g., in relation to agreements, questions, role?
- **The most important active ingredients are present in both models?**
 - NB. we don't have a no-treatment control group

But...H2

H1: The conduct of RJC's will differ from the conduct of the current mediation method on a number of theoretically important dimensions

H2: Relative to current mediations, RJC's will reduce the prevalence, frequency, seriousness, and harm of repeat offending

H3: Relative to the current method of mediations, RJC's will produce better outcomes for victims [and offenders] on a number of theoretically important dimensions

We are still missing a big piece of the puzzle!

NEXT STEPS

Additional comparative analyses (based on surveys and register data)

- Survey responses – PTSS, offender accountability, etc.
- Agreement content and fulfillment
- Offender recidivism – 2 years

Meeting processes/dynamics (based on observations and interviews)

- Before, during and after the meeting

Additional organizational insights (based on observations, interviews with police and mediators)

- Possibilities and barriers
- Diversity in practice
- Ethnographic study of offenders over time (Clara)

DISCUSSION

SELECTED PUBLICATIONS

Genoprettende retfærdighed og recidiv i Danmark

En evaluering af den danske model med konfliktrådsmedling har ikke kunnet påvise, at deltagelse i konfliktråd mindsker gerningspersonens risiko for ny kriminalitet. På denne baggrund er der igangsat et randomiseret kontrolleret forsøg med "restorative justice conferences", der er en mere inkluderende og fremtidsorienteret form for genoprettende retfærdighed, som internationalt har vist en kriminalpræventiv effekt.



Det var i høj grad den nu afdøde norske professor i kriminologi Nils Christie, der i en nordisk sammenhæng var teoretikeren bag ideen om alternativ konfliktløsning. I en artikel fra 1976 – *Konflikte som vinduer* – påpegede han problemer ved, at såvel gerningsperson som offer langt hen ad vejen franges deltagelse i de traditionelle straffesager. I Christies optik har statens riktige parternes konflikter. Begge parter repræsenteres og medvirker kun i meget begrænset omfang i den proces, der rent angår en konflikts mellem de to parter (Christie, 1976). Hans argumenter ledte til et system med fokus på genoprettelse og udbedring af skaden frem for straf og bøde, og hvor parterne selv aktivt er med til at løse konflikten. Dette er et grundlæggende i *restorative justice* (på dansk *genoprettende retfærdighed*), der er blevet et stadig mere accepteret element i retssystemet, ikke kun i Norden, men over hele verden (Gade, 2018).

Tony F. Marshall definerer genoprettende retfærdighed som "a process whereby all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future" (1996: 37). Således defineret omfatter genoprettende retfærdighed en lang række forskellige praksisser, herunder *victim-offender mediation* (det vi herhenover kender som konfliktrådsmedling) og *restorative justice conferences* (på dansk *konferencer*). I begge modeller mødes offer og gerningsperson. Der er dog vigtige forskelle mellem modelterne, blandt andet at der

generelt er flere personer – familie, venner og andre støttepersoner – med til konferencer end til konfliktrådsmedling, og at konferencer typisk er mere fremtidsorienterede i forhold til, hvad der skal ske for at andre gerningspersoners adfærd (Sherman et al., 2015).

I denne artikel præsenteres det danske konfliktråd samt resultaterne af en række evalueringer af kriminalpræventive effekter af forskellige former for genoprettende retfærdighed, herunder resultaterne af en nyere evaluering af det danske konfliktråd (Kyvsgaard, 2014). Afslutningsvis præsenteres et nyt dansk ledelsesundersøgelser, der har til formål at undersøge, hvilke effekter henholdsvis konfliktrådsmedling og konferencer har på gerningspersonens recidiv- og ofrenes velbefindende.

Konfliktråd og den danske kontekst
I Christies hjemland gik man kort efter udgivelse af *Konflikte som vinduer* i gang med et forsøg med alternativ konfliktløsning (Stangorud, 1985), og Finland (Ivans, 2000) og Sverige (IBRA, 2005) fulgte hurtigt efter. I disse tre nordiske lande blev der etableret landsdækkende konfliktrådsordninger designet til at varetage møglinger mellem ofre og gerningspersoner i straffesager. Med inspiration fra først Norge blev konfliktråd i Danmark først introduceret via en forespørgsordning i enkelte kommuner fra 1994-1996. I 1998 blev der etableret yderligere en forespørgsordning i tre politikretter. Forsøget blev forlænget

Forurettedes og gerningspersoners oplevelse af at mødes i konfliktråd

Føreløbige spørgeskemaresultater fra Konfliktråd Impact Project (KIP)

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Heather Strang
Lawrence W. Sherman

Cambridge Centre for Evidence-Based Policing



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External validity and assignment of experimental vs. control treatment providers within small work groups: a research note

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Abstract

Objectives When offenders or victims are randomly assigned to receive experimental vs. current treatments, the external validity of results may depend on whether different treatments are delivered by similar kinds of treatment providers. When treatment providers volunteer to deliver innovative practices in an experiment, it is unclear whether outcomes depend on the content of the treatment, enthusiasm of the providers for the new practice, or both. In such situations, the potential for what we describe as *differential predisposition* of volunteers for a new treatment raises a question of external validity.

Methods We describe the process by which 14 out of 29 mediators across seven Danish police districts came to deliver a new, restorative conferencing method of conducting face-to-face meetings between offenders and their victims, in comparison to longstanding mediation methods.

Results We negotiated with all seven District mediation leaders and all 29 of their mediators to use partial random assignment of 14 of the mediators to deliver the new, restorative model. The 14 trained providers of the new method were substantially similar in several measurable characteristics to the 15 other mediators who continued to use the preexisting model, but we cannot measure directly the extent or balance of their predispositions for delivering each model.

Conclusions While small work teams pose obstacles to simple random assignment of treatment providers to deliver experimental practices, the random assignment of victims and offenders to two different models of service might be made more externally valid by use of partial random assignment of service providers.

Keywords External validity · Differential predisposition · Partial random assignment · Treatment providers · Small work groups · Restorative justice conferences · Mediation

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RESEARCH PUBLICATION

To Refer or Not to Refer? Police Discretion and Morality in the Danish Victim-Offender Mediation Programme

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Abstract

Police officers are gatekeepers of the Danish victim-offender mediation programme (Konfliktråd) because they have primary responsibility for referring citizens to mediation. The aim of this article is to investigate discretionary elements of police practice that may shed light on the reasons for low caseload into the programme. Drawing on interviews with 16 frontline police officers, this case study explores both pragmatic and moral dimensions of referral practices to Konfliktråd. In line with previous work, we find that victim-offender mediation is generally not prioritised in the daily work of frontline police officers. Applying a moral policing lens, we further illustrate how multiple (in)acts of discretion influence not only whether the possibility of mediation is presented to victims and offenders, but also how this offer is framed. Greater attention to officers' gut feelings, moral evaluations of offender eligibility, and care for victims, is needed to comprehend and address problems with unequal access to restorative justice in Denmark.

Keywords restorative justice, victim-offender mediation, Konfliktråd, police discretion, access to justice, morality