

RESTORATIVE JUSTICE IN JAMAICA: CURRENT ATTITUDES AND THE WAY FORWARD

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Jamaican college students ($n = 156$) read nine crime cases varying in severity from attempted murder to car theft and rated the crime's suitability for three justice procedures—restorative justice only, imprisonment only, and mixed restorative justice and imprisonment. Overall, Jamaican students gave the lowest suitability rating for the restorative justice only procedure and the highest suitability rating for the mixed restorative justice and imprisonment procedure. Restorative justice only was perceived as less suitable for more serious crimes. Findings suggest that Jamaicans are more likely to see restorative justice as an alternative, if traditional measures such as imprisonment are kept in place.

Keywords: restorative justice, retributive justice, Jamaica

Crime rates in Jamaica increased from 3.8 per 100,000 in 1962, when Jamaica gained its independence, to 41 per 100,000 in 1997 (Harriott, 2004). In 2007, Jamaica met the international standard for “high intensity conflict” within a country—over 1,574 people were murdered that year (United Nations Development Program, 2008). These crime rates highlight both the ineffectiveness of the current approach to crime prevention within the Jamaican justice system (Caribbean Coalition for Development & Reduction of Armed Violence, 2009; Harriott, 2004; Headley, 1996) as well as the need for systematic changes that utilize other approaches. Recently, non-state institutions have attempted to use restorative justice models to deal with crime control, indicating some movement towards institutionalizing this approach. While the restorative justice model is being tested within Jamaica, we know of no research that assesses Jamaican citizens' acceptance of this justice model. As such, the current study sought to fill this gap in the literature and examined Jamaican students' perceptions of the suitability of three different justice models for responding to crime—restorative justice only, imprisonment only, and mixed restorative justice and imprisonment—for nine different types of crimes. Assessing acceptance of alternative justice models may highlight the need and desire for change among the public and policymakers in Jamaica.

CURRENT APPROACH IN JAMAICA

Currently, Jamaica utilizes a retributive justice model, which punishes based on the severity of the crime, and uses incarceration as a mechanism for crime control. However,

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imprisoning offenders has not proved effective in controlling crime. Indeed, the high rates of crime and recidivism in Jamaica suggest that the current model is ineffective (Harriott, 2004; Rhone, 2003). According to the Correctional Service Department, recidivism rates have been consistently high, and were approximately 50% from 1975 to 1988 (Jamaica Gleaner, 2002). In the 1990s, the estimates ranged from 25% to 48%, with a spike of 54% in 1993. In 2000, that figure went down to 32%. Reports on recidivism rates in the past decade have not been published. While recidivism rates may be lower than that in the 1980s, they continue to be high and result in the additional consequence of prison overcrowding. For instance, the Tower Street Adult Correctional Center, the largest maximum-security prison in Jamaica, has a capacity for approximately 900 inmates but it continually holds approximately twice its capacity, with 1663 inmates incarcerated in 2009 (Robottom, 2011).

In addition to prison overcrowding, a purely restorative justice approach can also create interpersonal damage (Zehr, 2002). Further, there are no reparative efforts or compensation for victims. Harriott (2000) asserts that poverty, exclusion from the labor force, criminal and political violence, police brutality, systematic violation of citizens' rights, and injustice are features of everyday life in inner-city communities in Jamaica. Incarceration may only exacerbate these factors. For instance, Clear, Rose, and Ryder (2001) explored the effects of incarceration on families and communities and found that ex-offenders often reported stigma, financial strain, issues of personal identity and disrupted interpersonal relationships due to incarceration. Restorative justice may assist in mending some of these effects and also may be a beneficial supplement to the existing retributive approach in Jamaica.

RESTORATIVE JUSTICE: THEORY AND MODELS WITHIN JAMAICA

Restorative justice is fundamentally different from the retributive approach to crime control. Retributive models see crime as a violation of the law and the State; these violations create guilt, and justice requires the state to determine blame (guilt) and impose pain (punishment; Zehr, 2002). As such, the focus is on punishment/imprisonment as a warranted outcome for violations against the State. Alternatively, restorative justice models see crime as a violation of people; these violations create obligations and, therefore, justice involves victims, offenders, and community members in an effort to make things right. Thus, the focus is on victim needs and offender responsibility, as well as the needs of any other stakeholder involved.

Notably, restorative justice is not (1) primarily about forgiveness, though these are often involved in the process or outcome; (2) constructed to reduce recidivism among offenders, but rather to encourage offenders to take responsibility for their wrongdoing and to address victims' needs; and (3) a cure to all legal situations or a replacement to retributive methods (Zehr, 2002). Restorative justice programs include: victim offender mediation, conferencing peacemaking circles, and other such programs (Hadley, 2001; Zehr & Toews, 2004). Regardless of the method used for participation, each party has a role in deciding how best to achieve justice (Zehr & Toews, 2004).

In Jamaica, restorative justice programs have been introduced as an alternative justice model (Caribbean Coalition for Development & Reduction of Armed Violence, 2009). In 2001, the National Committee on Crime and Violence was created to assess the causes of crime in Jamaica and to recommend alternative prevention and intervention strategies (Parker, 2002). The committee proposed using community level restorative justice programs and utilizing restorative justice approaches at dispute settlement centers known as Peace and Justice Centers. Three models were created and were directed at different levels—the community (i.e., Dispute Resolution Foundation), the schools (i.e., Peace and Love in Schools, also known as PALS), and the police (i.e., Police Mediation Unit). These programs are currently supported by the Jamaican government and the Canadian International Development Agency (CIDA), with the hope that restorative justice programs will become more mainstream in the Jamaican society (Jamaica Information Service, 2006; Parker, 2002).

With regard to the community, the Dispute Resolution Foundation (DRF; 2010) is mandated “to increase cooperation in the management and resolution of disputes involving businesses, the police, courts, social service agencies and the people, through the controlled process of mediation” (p. 1). They offer training to community members, police, teachers, lay magistrates and youth in dispute resolution. The program maintains a restorative justice philosophy in that victims, offenders, the State, and the community are engaged in the process of healing harm. Across Jamaica, certified mediators are assigned to all Jamaican Courts and Peace and Justice Centers. These mediators offer *conflict resolution services and community development with churches, police, courts, schools, and businesses*.

The Peace and Love in Schools program (PALS) targets primary school children in more than 790 schools in an attempt to teach students alternative methods to violent behavior when confronted with conflict. It is believed that achieving this at the primary level will translate to more peaceful communities. Concepts such as community building, understanding conflict, anger management and effective communication are taught through a set of interactive workbooks used by students at each grade level in the primary system. The workbooks introduce anger as being a natural emotion, which can then be managed effectively using a set of rules. These ‘rules’ are the principles of non-violent resolution and are central to the program. PALS provides ongoing training sessions where teachers are taught the core concepts of the program. Additionally, trainers conduct parent and community outreach sessions in an attempt to sensitize the wider community to the problem of violence in schools (PALS, n.d.).

The Police Mediation Unit trains police officers in conflict resolution in an effort to prevent domestic disputes from escalating to severe violence. Along with its mediation duties, the unit also participates in community educational activities through lectures and seminars, training institutions, churches, neighborhood watch groups, police youth clubs, and other police departments (Parker, 2002).

Researchers assert that if legislators believe that citizens are supportive of restorative justice principles, they will be more inclined to vote for the institutionalization of more

restorative justice programs such as the ones described above (Roberts & Stalans, 2004). On the other hand, if restorative justice programs are used but are not viewed as achieving justice by citizens, vigilante justice may increase (Robinson & Darley, 2005). This is an important consideration in Jamaica, where vigilante justice is already high (Harriott, 2004). Hence, the opinions of citizens become critical if there is a desire to have these programs accepted and further institutionalized (Gromet & Darley, 2006).

PREVIOUS RESEARCH ON RESTORATIVE AND RETRIBUTIVE JUSTICE

Tyler (2006) asserts that focus needs to be placed on psychological approaches that set out to access and motivate internal values within wrongdoers in an effort to encourage self-regulatory behavior in the future. He maintains that procedural justice, restorative justice and moral development trigger people's internal values and encourage self-regulation that can play a significant role in promoting pro-social behavior. Morrison and Ahmed (2006) assert that, "the challenge is implementing and sustaining a paradigm shift, wherein restorative justice is valued over and above punitive justice" (p. 213).

However, most empirical studies indicate that participants recommend restorative justice as a supplement, but not as a replacement, to traditional crime control (Gromet & Darley, 2006; 2009). Gromet and Darley (2006) gave a sample of Princeton undergraduate psychology students a description of pure restorative justice procedures and mixed restorative and retributive procedures. After reviewing cases, participants were asked to select what they thought would be the best justice procedure for various crimes (purely retributive or restorative, or a mixture of both). They found that as the seriousness of the crime increased, participants were more likely to opt for a restorative justice procedure with retributive aspects (example, mediation and prison sentencing), relative to a pure restorative justice procedure. Furthermore, if the offender successfully completed the restorative justice program, participants would opt for a lower prison sentence.

Gromet and Darley (2009) also examined whether specific features of a crime—crime against the community (e.g., vandalism) versus crime against an individual—affected the types of punishment preferred. Results showed that there was a strong desire to restore the harm done to the victim in the victim-specific cases. While most participants chose punishing the offenders as their primary goal, they also opted for victim and community restoration. Further, although participants desired punishment, they requested outcomes that were geared towards achieving the other restorative justice goals of repairing harm.

Perhaps the best evaluation of whether or not restorative justice is beneficial comes from those directly involved—that is, the victims and the offenders. Several studies indicate that restorative justice results in more positive outcomes for both victims and offenders, but a subset of victims may experience negative, rather than positive, outcomes (Daly, 2006; Strang et al., 2006; Umbreit, 1998). Research in countries such as New Zealand, Australia, the United Kingdom and Canada suggest that there is increased victim satisfaction and offender accountability when parties meet with the goal of achieving restoration (Hadley, 2001; McCold, 2003).

McCold (2003) surveyed participants involved in 98 restorative justice programs and 21 traditional court programs. Participants were asked to rate their level of satisfaction with the programs. Results showed that restorative justice programs were perceived to be fairer relative to traditional court proceedings. Umbreit (1998) examined victim-offender mediation in juvenile offender cases across Albuquerque, Austin, Minneapolis, and Oakland. Victims and offenders reported beneficial experiences of restorative justice mainly in the areas of restitution and mediation, as well as reduction in fear and anxiety. Strang and colleagues (2006) assessed victim evaluations of restorative justice procedures in Canberra (Australia), London, Thames Valley, and Northumbria (UK). They randomly selected victims and offenders of violent and property crimes. Participants were asked whether or not they would like to be involved in the restorative justice procedures. Results indicated that both victims and offenders benefited from the restorative justice process, with victims reporting a decrease in fear and anger and an increase in sympathy for their offenders. They also found that the initial baseline level for fear and anger by the victim depended on the intensity of the crime as well as the context. However, for a small group of participants, the restorative justice conference had a negative impact and increased fear and anger. In light of this, the authors assert that restorative justice may not be appropriate for all cases and should be subject to rigorous evaluation in an effort to prevent further damage to the victim. Still, the authors maintained that restorative justice provides victims with the power and opportunity to heal emotionally, which reinforces social integrity.

Leonard and Kenny (2010) also conducted a meta-analysis and made claims supporting the effectiveness of restorative justice where victims are given the opportunity to participate in the process. They assert that this process gives the victim and the offender the opportunity to be reintegrated into society and, as such, both stakeholders report higher levels of satisfaction. Similarly, Latimer, Dowden and Muise (2005) investigated victim and offender satisfaction, recidivism and restitution compliance within a restorative justice framework. They conducted a meta-analysis using 22 studies that examined 35 individual restorative justice programs. Results revealed that victims and offenders who participated in a restorative justice program reported higher satisfaction when compared to the non-restorative justice comparison group. The authors used eight studies to examine the impact of restorative justice programs on restitution compliance and found that offenders had significantly higher rates of compliance in these programs, relative to the non-restorative justice programs. Additionally, the authors found that, on average, restorative justice programs resulted in reductions in recidivism when compared to non-restorative approaches to criminal behavior.

On the other hand, Tyler, Sherman, Strang, Barnes and Woods' (2007) longitudinal study using self-reports and police records in Australia found restorative justice conferences did not significantly influence re-offending, but did affect participants' orientations toward the law. They randomly assigned offenders to either participate in prosecution through a traditional courtroom process or a restorative justice conference. Those who were assigned to conferences viewed the law as more legitimate and believed that breaking the law would create more problems in their lives.

Several studies have examined the restorative justice approach in sexual and family violence. Daly (2006) investigated archival data on approximately 400 cases of youth sexual assault from Adelaide Youth Court in South Australia. Results suggest that the restorative justice conference process, which provides a safe environment for victims to share their experience, may be less harmful than the court process. Also, the accountability that this method facilitates may produce more effective outcomes. Moreover, she found that the court process was twice as long as restorative conferences. In court procedures, victims sometimes endured six sittings before cases were finalized, and half the cases were dismissed; this perpetuates victimization and provides limited opportunities for victims to share their stories. Lewis-Herman (2005) also found that victims of child sexual abuse, sexual assault and other violent crimes were more concerned with their safety and the safety of the community, rather than with retribution or restoration. These victims also wished to see their offenders exposed and shamed.

Overall, findings from previous studies indicate that there may be some room for restorative justice procedures within the current retributive justice system. However, the utility of restorative justice may vary by crime types. Further, valid reservations exist in applying restorative justice procedures to sexual and violent crimes due to their sensitive nature and the increased need to protect victims from being re-traumatized.

CURRENT STUDY

Given the high levels of crime in Jamaica and the introduction of restorative justice programs as well as the promising results of the restorative justice programs in other countries, the current study seeks to examine perceptions of restorative justice only, imprisonment only, and mixed restorative justice and imprisonment models among a sample of Jamaican university students. Gromet and Darley's (2006) study was used as a model to explore attitudes towards various justice models among Jamaican students. The following hypotheses are examined:

- (1) Based on previous research (Gromet & Darley, 2006, 2009), we believe Jamaican students will perceive justice procedures that offer opportunities for reparation (either in the mixed procedure or restorative justice only) as more suitable than retributive methods (imprisonment only).
- (2) Restorative justice only procedures will be seen as less suitable for more serious crimes and sexual crimes compared to less serious ones.
- (3) Few Jamaican students will have prior knowledge of restorative justice.

METHODS

Design

A cross-sectional survey design was used to gather information on a sample of university students (see Appendix A). We used a self-administered questionnaire containing

nine crime scenarios (i.e., praedial larceny, car theft, assault, burglary, extortion, attempted murder, kidnapping, rape and carnal abuse [1]) to collect the data. Instructions and crime scenarios were adapted from Gromet and Darley's (2006) study, with permission. Adaptations were made with the Jamaican context in mind, for example, instructions in this study were scaled down from the instructions used in Gromet and Darley's (2006) study in an effort to achieve clarity and brevity as well as encourage participation.

Participants

The sample included first to fourth year students from Social Sciences at the University of the West Indies, Mona (UWI) and the Behavioral Science Department at the Northern Caribbean University (NCU). NCU is a religious based institution, with the population being mostly from the Seventh Day Adventist denomination, while UWI has no religious affiliation. A cluster sampling technique was used to select the participants. Undergraduate students in Social Psychology, Experimental Psychology, and Introduction to Psychology (Physiological and Cognitive) classes were selected from UWI. Undergraduate students in Principles of Psychology, Developmental Psychology and Social Psychology classes were selected from NCU. The sample consisted of 85 UWI students and 82 NCU students. There were 25 males and 136 females; six respondents did not indicate their gender. The sample consisted of 156 Jamaican students, and 11 students who reported being of other nationality. Only Jamaican students were included in further analyses. Participants ranged in age from 18 to 54 ($M = 22.64$, $SD = 5.44$). See Table 1 for frequency distribution and descriptive statistics of the participants.

Table 1

Descriptive statistics for the full sample

	<i>N</i>	<i>%</i>	<i>Mean</i>	<i>SD</i>
UWI	85	50.90		
NCU	82	49.10		
Male	25	14.97		
Female	136	81.44		
Gender unknown	6	3.59		
Age	-		22.64	5.44
Jamaican nationality	156	93.41		
Other nationality	11	6.59		
Jamaican participants who correctly answered the manipulation check	107	68.59		
Jamaican participants who incorrectly answered the manipulation check	49	31.41		

Procedure

Permission to conduct this study was sought and granted by the John Jay College of Criminal Justice Institutional Review Board. To collect data, UWI and NCU classes were visited during a single week in March 2010. Professors were notified prior to the

date of arrival. Students were told that a study on justice procedures in Jamaica was being conducted, and they should answer questions as well as they could. Students who did not wish to participate in the study were allowed to leave the room. All other instructions were included in the questionnaire (See Appendix A). The researchers remained in the class during the study to provide clarification if participants had questions. The questionnaires were completed anonymously to protect identity, and all other Institutional Review Board approved procedures were followed.

Measures

The instrument was developed using previous research done by Gromet and Darley (2006), which presented crime scenarios and required participants to rate how suitable they felt each justice procedure was for each case (see Appendix B). This enabled the researcher to get a more accurate overview of the participants' attitudes (Darley & Gromet, 2006). The first section of the instrument included a question on each of the justice procedures explained in the instructions. This was used as a manipulation check for participants who demonstrated an understanding for the procedures. Only participants who answered these questions correctly were included in the analyses ($n= 107$; 15 males and 88 females; UWI= 63, NCU= 44). Crime scenarios were adapted to fit the Jamaican context and to reflect issues relevant to the climate of crime in this country. Car theft was used instead of bike theft; praedial larceny—which is theft of farm animals— was used instead of vandalism; kidnapping was used instead of mugging; extortion was used instead of oil drum theft; and carnal abuse was used instead of identity theft. The instrument consisted of nine crime scenarios and took approximately 20 minutes to complete.

Justice Procedures

Three justice procedures were outlined in the instructions given at the beginning of the instrument (see Appendix A for full instructions): (1) restorative justice only, where the victim has the opportunity to communicate with the offender, and there is rehabilitation for the offender instead of imprisonment; (2) imprisonment only, where there is a court procedure and sentencing, with no victim mediation; and (3) a mixed restorative justice and imprisonment model, where victim-offender mediation is included with a court procedure and sentencing. Efforts were made to represent restorative justice as simply as possible in an attempt to encourage participation and valid responses, as well as offset the reluctance Jamaican students often have to participate in research.

Crime Severity

The severity of cases was measured by asking participants to rate the seriousness of the crime using a Likert scale: 1 (Not at all), 2 (Somewhat), 3 (Neutral), 4 (Very) and 5 (Completely). In order to create 'low crimes' and 'high crimes' variables, participants' mean seriousness ratings for each crime were used to establish a cut off point for low seriousness crimes and high seriousness crimes. The crimes with low mean ratings (ranging from 3.18 to 4.11) were considered low seriousness crimes, while the crimes with high mean ratings (ranging from 4.37 to 4.72) were considered high seriousness crimes. Low seriousness crimes included: assault, praedial larceny, burglary, extortion and car theft.

High seriousness crimes included: carnal abuse, rape, kidnapping and attempted murder. See Table 2 for mean seriousness rating for each crime.

Table 2

Mean seriousness rating for each crime

Crime	Seriousness Group	Mean seriousness rating	SD
Assault	Low	3.18	1.06
Praedial Larceny	Low	3.91	.90
Burglary	Low	3.99	.91
Extortion	Low	4.01	.82
Car Theft	Low	4.11	.74
Carnal Abuse	High	4.37	.99
Rape	High	4.55	.69
Kidnapping	High	4.60	.62
Attempted Murder	High	4.72	.58

Suitability.

Participants were asked to rate how suitable they felt each justice procedure (i.e., restorative justice only, imprisonment only, and mixed restorative justice and imprisonment), was for each crime. Suitability was measured on a five point Likert scale, ranging from 1 (Completely Unsuitable), 2 (Unsuitable), 3 (Neutral), 4 (Very Suitable) and 5 (Suitable). The variables were then transformed to a three point scale, where 1 is Unsuitable, 2 is Neutral and; 3 is Suitable [2].

RESULTS

Preliminary Analyses

A total of 156 Jamaican students participated in the study. Approximately 69% of the sample correctly answered to the manipulation check, which questioned a participants' understanding of the three procedures. As such, analyses included only the group who answered the review questions correctly ($n = 107$).

The majority of the participants reported being aware of restorative justice prior to participating in this study, with 67.3% of the respondents being aware, and 32.7% of the respondents being unaware. Three participants did not indicate whether or not they were aware of restorative justice. Most participants were introduced to restorative justice through their university (79.7%), while 20.2% of the participants were introduced to restorative justice through the media or other means (see Table 3). This study did not explore whether participants had firsthand experience with restorative justice.

Table 3

Frequency for 'Were you aware of restorative justice prior to participating in this study?' and 'through what means?'

	<i>Were you aware of restorative justice?</i>				Total
	Yes	%	No	%	
Male	8	53.33	7	46.67	15
Female	61	69.32	27	30.68	88
UWI	31	50	31	50	62
NCU	39	92.86	3	7.14	42

	<i>Through what means?</i>						Total
	School	%	Media	%	Other	%	
Male	4	50	3	37.5	1	12.5	8
Female	50	83.33	6	10.0	4	6.67	60
UWI	19	63.33	6	20.0	5	16.67	30
NCU	36	92.31	3	7.69	0	-	39

We examined whether there was a difference between UWI and NCU students in terms of suitability ratings. Results indicated no statistically significant differences between UWI ($M = 15.69$) and NCU ($M = 16.63$) students, $t = -.85$, $df = 102$, $p = 0.395$ (See Table 4). As such, analyses were conducted for the entire group.

Table 4

T test for justice suitability ratings and school

School	<i>Justice Suitability Ratings</i>		
	<i>N</i>	<i>Mean</i>	<i>SD</i>
UWI	61	15.69	4.0
NCU	43	16.63	6.2

$p=0.395$

Primary Analyses

A repeated measures ANOVA was conducted to determine if the participants' suitability ratings differed based on the type of justice procedure. The mean scores for each type of justice procedure (restorative justice only, imprisonment only and mixed restorative justice and imprisonment) were used to perform this analysis. This analysis revealed that participants' suitability ratings differed based on the type of justice ($F(2, 194) = 29.64$, $p < .001$, partial $\eta^2 = .23$). Figure 1 illustrates a significant linear trend ($F(1, 97) = 7.99$, $p < .05$, partial $\eta^2 = .08$), with the restorative justice only procedure having the lowest suitability rating ($M = 16.41$); and imprisonment only having a higher suitability rating ($M = 18.71$). The highest suitability rating was given for the mixed, restorative justice and imprisonment procedure ($M = 21.83$).

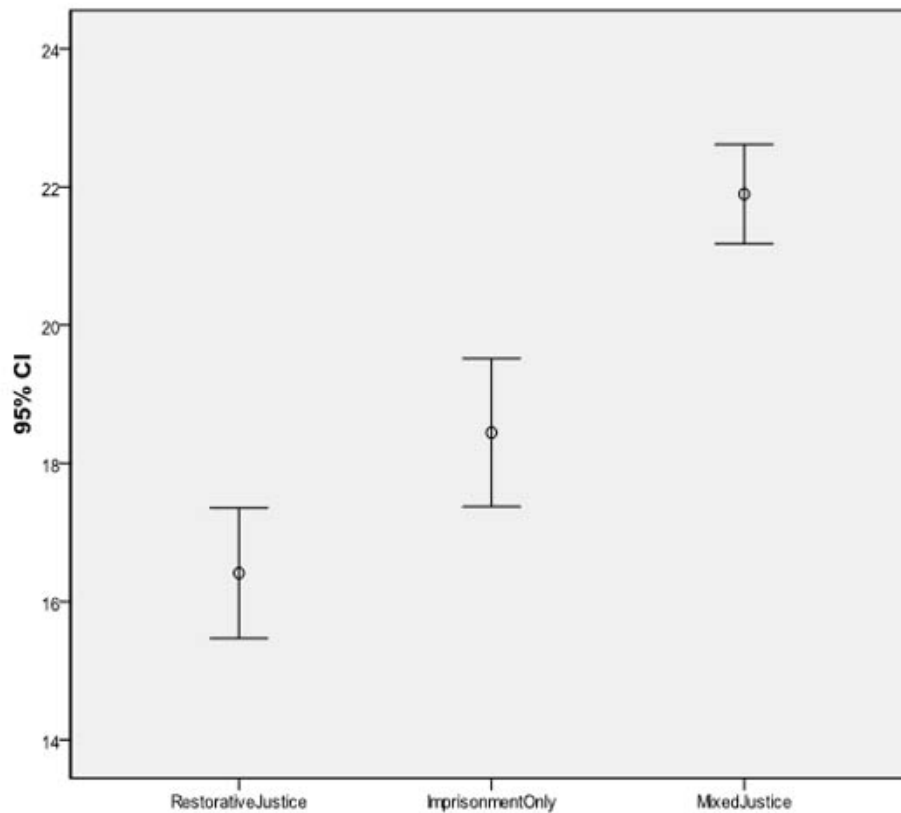


Figure 1. Suitability ratings for pure restorative justice, imprisonment only, and restorative justice and imprisonment. Note. The mean difference is significant at the $p < .05$ level.

With regard to crime type, restorative justice only received the highest suitability rating for assault (a low seriousness crime), while imprisonment only received the highest suitability rating for carnal abuse (a high seriousness crime). The mixed restorative justice and imprisonment procedure received the highest suitability rating for all other crimes (see Table 5). Repeated measures ANOVAs also were done to determine if the participants' suitability ratings differed based on the seriousness of each crime. Participants' suitability ratings differed between restorative justice only and imprisonment only for assault ($F(1.75, 182) = 32.66, p < .001, \text{partial } \eta^2 = .26$); burglary ($F(1.84, 163.3) = 17.93$); and carnal abuse ($F(1.81, 174) = 16.25, p < .001, \text{partial } \eta^2 = .16$), with imprisonment only being preferable for carnal abuse and burglary, and restorative justice only being preferable for assault. Further, the restorative justice only procedure was significantly different from the mixed procedure for all crimes, $p < .001$. Lastly, there was a significant difference between imprisonment only and the mixed procedure, with the mixed procedure being preferable for car theft ($F(2, 180) = 18.5, p < .001, \text{partial } \eta^2 = .17$); praedial larceny ($F(1.76, 158.35) = 14.88, p < .001, \text{partial } \eta^2 = .14$); assault ($F(1.75, 158.76) = 32.66, p < .001, \text{partial } \eta^2 = .26$);

.26); burglary ($F(1.84, 163.3) = 17.93, p < .001, \text{partial } \eta^2 = .17$); and extortion ($F(1.73, 153.97) = 19.84, p < .001, \text{partial } \eta^2 = .18$)—all of which are low seriousness crimes.

Table 5

Repeated Measures ANOVAs for suitability ratings for restorative justice only, imprisonment only, and mixed restorative justice and imprisonment for each crime

	Restorative Justice ^a	Imprisonment Only ^b	Mixed Justice ^c	F	Partial η^2
	Mean (SD)	Mean (SD)	Mean (SD)		
Car Theft	1.97 (.88) ^c	2.03(.84) ^c	2.65(.64) ^{ab}	18.50*	.17
Praedial Larceny	1.98 (.92) ^c	2.11 (.82) ^c	2.63 (.83) ^{ab}	14.88*	.14
Assault	2.59 (.72) ^{bc}	1.62 (.80) ^{ac}	2.07 (.88) ^{ab}	32.66*	.26
Burglary	1.82 (.89) ^{bc}	2.23 (.85) ^{ac}	2.59 (.72) ^{ab}	17.93*	.17
Extortion	1.93 (.86) ^c	2.27 (.82) ^{ac}	2.68 (.62) ^{ab}	19.84*	.18
Kidnapping	1.66 (.82) ^c	2.47 (.81) ^a	2.63 (.73) ^a	38.29*	.30
Attempted Murder	1.86 (.85) ^c	2.40 (.80) ^a	2.58 (.73) ^a	19.65*	.18
Rape	1.69 (.86) ^c	2.37 (.85) ^a	2.48 (.81) ^a	20.59*	.19
Carnal Abuse	1.72 (.87) ^{bc}	2.42 (.81) ^a	2.30 (.82) ^a	16.25*	.16*

Note. The mean difference is significant at the $p < .05$ level. Superscripts indicate significant differences between respective justice procedures.

DISCUSSION

The study investigated Jamaican students' perception of the suitability of three justice procedures (restorative justice only, imprisonment only, and mixed restorative justice and imprisonment) for nine types of crimes. Findings supported our first hypothesis, which states that Jamaican students would perceive justice procedures that offer opportunities for reparation (either in the mixed procedure or restorative justice only) as more suitable than pure retributive methods (imprisonment only). UWI and NCU students gave the highest suitability ratings for restorative justice and imprisonment; however, it is important to note that the lowest suitability rating was given for restorative justice only. This indicates that although the need for punishment of the offender still exists, the opportunity for restoration for harm done also is valued. This coincides with studies conducted by Gromet and Darley (2009), as well as Umbreit (1998), who found that there was a strong desire among participants to restore the harm done to the victim.

Findings support our second hypothesis that restorative justice would be less suitable for more serious crimes and sexual crimes, compared to less serious ones. Restorative justice only received the highest suitability rating for assault, while imprisonment only

received the highest suitability rating for carnal abuse. The mixed, restorative justice and imprisonment procedure received the highest suitability rating for all other crimes. This highlights the claim made by Lewis-Herman (2005) that restorative justice may be problematic in cases of serious crimes such as sexual offenses. They maintain that in these cases, victims are more concerned with their safety and ensuring that the offender gets what s/he deserves.

The methodology of this study expanded on previous research (Gromet & Darley, 2006), in that it asked participants to rate the suitability of each justice procedure, instead of asking them to choose one of three justice procedures for each crime. This showed that although participants perceived restorative justice only as less suitable for more serious crimes, this does not necessarily indicate that all participants saw pure restorative justice as completely unsuitable for more serious crimes. Some participants thought restorative justice only was suitable for serious crimes such as rape and attempted murder. Such information suggests that the perceived suitability of pure restorative justice for more serious crimes may be contingent on how each citizen experiences and appraises the crimes.

Finally, our third hypothesis that Jamaican students would have little prior knowledge of restorative justice was not supported. This may be due to the educational level of the participants, as the findings suggest that most participants were introduced to restorative justice through their university.

The results of this study speak to the probable perception of restorative justice among Jamaican citizens. Findings suggest that Jamaicans were more likely to see restorative justice as a suitable compliment to retributive measures. Although participants value the opportunity for restoration for harm done, the need for offender punishment still persists. Furthermore, a mixed retributive and restorative justice procedure may transcend types of crimes, as participants perceived restorative justice and imprisonment as more suitable across most crime cases, except for assault and carnal abuse. Therefore, as the National Committee on Crime and Violence seeks to introduce and institutionalize restorative justice programs at the community level, through Peace and Justice Centers, simultaneous efforts must be made to enhance the effectiveness of the prison and court systems. Additionally, the State may benefit from strengthening restorative justice programs within the criminal justice system to act as a moral guide for offenders. This may enhance the ability of the current system to deter offenders from reoffending by holding them responsible for repairing harm done. Legislators also should seek to use restorative justice initiatives, especially for minor crimes, as a means of prison and court diversion. Furthermore, as citizens continue to rely on the retributive measures that are currently in place for more serious crimes, Jamaica also must deal with issues of prison overcrowding and saturated court cases.

The current study presents an introductory glance into the concept of restorative justice in Jamaica and the likely perception citizens will have towards its practice. Efforts were made to represent restorative justice as simply as possible to participants in an attempt to encourage participation and valid responses.

LIMITATIONS

Restorative justice models vary and are elaborate in their approach to crime control. The outline of restorative justice used in the instrument for the current study was adapted from the framework and measures used in Gromet and Darley's (2006) study in an effort to be consistent with existing literature, while reflecting the Jamaican context. As such, the presentation of restorative justice was general and lacked pertinent details of its variations. Therefore, the full understanding of restorative justice among the participants remains unclear. This stymies our ability to measure exactly what facets of restorative justice are perceived as more suitable for different types of crimes. The authors recognize that restorative justice programs are multi-faceted and further community and program focused research is imperative as Jamaica attempts to properly institute its practice. Further research should continue to clarify and refine restorative justice conceptualization and measurement in Jamaica. Also, although the instrument used in this study was scaled down from Gromet and Darley's (2006) original instrument, participants complained about the length of the instrument, and this may have deterred some participants from carefully reading and answering all questions.

Apart from this, the use of a small sample of university, social/behavioral science students acts as a limitation to external validity and findings from the study may not generalize to the larger Jamaican population. Level of education may have served as a confounding variable in the study. Additionally, Jamaican universities tend to be female dominated and the majority of the sample was female [3]. This also restricts the generalizability of the results.

Future research should examine perceptions of restorative justice among a broader, more representative group of community members. Specifically, research should investigate the attitudes of inner city community members, offenders, and victims of crimes, as they are direct stakeholders in the issue of crime and justice. Additionally, as suggested by Gromet and Darley (2009), special attention and research should be done on how the current justice system can implement restorative measures in a more sustained manner. The ability of offenders to be rehabilitated, and victims' concerns about safety should also be considered. Furthermore, programs such as sentencing circles, where community members are invited to influence the sentencing of an offender, have not yet been explored in Jamaica. Further research on specific forms of restorative justice processes in relation to their applicability to Jamaica is needed.

This is the first study to examine perceptions of restorative justice in Jamaica. The results are promising and suggest that Jamaicans see room for change in the current approaches to crime control. Changes may reduce victim fears, offender stigma, and possibly recidivism (Daly, 2006; Hadley, 2001; Latimer et al, 2005; Leonard & Kenny, 2010; McCold, 2003; Strang et al., 2006; Tyler et al, 2007; Umbreit, 1998).

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ENDNOTES

1. The term 'carnal abuse' is used in Jamaica to refer to sexual contact with a child under the age of 18. This is referred to as 'statutory rape' in some jurisdictions.
2. This was done to preserve the progression of the scale without distorting the distribution that may have occurred due to 'Very Suitable' having a lower value (4) than 'Suitable' (5).
3. The Mona Campus continues to register a significantly higher proportion of female students relative to male students. Over the three-year period 2004/2005 to 2006/2007, the gender distribution of the total student body has been approximately 71% female to 29% male. The gender distribution of freshmen for the 2006/2007 academic year reflects an even greater proportion of women, with that sex accounting for 73% (*Student Demographics, University of the West Indies*). No published data on the demographic distribution of students at the Northern Caribbean University was found.

APPENDIX A: BACKGROUND

This study is about possible alternatives to the current criminal justice process. The prevalence of crime in Jamaica presents a need for examination of the current system and the consideration of new methods that will better make all those involved in the process feel that justice has been achieved. A major problem with the current system is its reliance on prisons, which are overcrowded and expensive to run. One set of innovations, known broadly as restorative justice, seeks to bring the interests of the victim into the forefront, while still imposing treatments on the offender.

Today you are being asked to consider two alternative processes to imprisonment. One of these processes includes a pure restorative justice method, where the victim has the opportunity to communicate with the offender, whether directly or indirectly, and there is rehabilitation for the offender instead of sentencing. During this dialogue, the victim is allowed to ask the offender any question he or she wishes. The victim and offender may work out an agreement outlining what the offender must do to atone for his wrongs and make the victim whole again.

Although there are varieties of possible outcomes of the pure restorative justice method, imprisonment is not one of the possibilities. However, if the parties cannot come to an agreement, or if the offender fails to live up to the terms of the contract, then the offender is routed back into the regular criminal justice system for sentencing before a judge.

The second alternative you will consider involves the same restorative justice method, with the opportunity for mediation between victim and offender, and imprisonment remaining one of the outcomes for the punishment of the offender. A successful completion of the conference does not mean that the offender avoids a court sentence; a judge still appoints a sentence at his/her discretion. If the judge believes that the offender should receive the standard prison sentence for the crime (or even a longer sentence), then he or she is still free to assign such a sentence.

This questionnaire is part of a study being conducted by a Master's student from John Jay College, New York. It will be appreciated if you could assist by answering the following questions to make this research a success.

Your task is to read nine scenarios, each of which describes a crime that occurred. While you are reading, we ask that you think about how the offender in each case should be treated. We are interested in your view; we are not looking for one answer in particular. You are being asked to act as the impartial judge for each crime, in which each offender has already admitted their guilt, and each victim is willing to participate in the alternative procedures.

Thank you.

APPENDIX B: CASES

Car Theft: Two months after Tina had purchased a brand new Suzuki Grand Vitara, it was seized by gunmen in Spanish Town, St. Catherine. She and her two children were visiting a family member when a gunman wearing a mask demanded that they give up the vehicle. Tina and her children came out of the vehicle without resistance. Since this incident, Tina has suffered a nervous breakdown, and her sense of security has been severely compromised. Her children are also traumatized after being held up at gunpoint. A week later, police officers located the vehicle at a garage in Kingston. Investigations led police to Alton, who they arrested for being the perpetrator of the crime.

Praedial Larceny: Mr. Cox owns a farm in Mountainside, St. Elizabeth. At 11:00 pm Uvis and two other men trespassed on the property and stole ten cows. Among the cattle was a bull valued at \$90,000 that Mr. Cox bought a day before the cows were stolen. Mr. Cox reports that on a daily basis he sees cows missing or even killed on the farm. He uses the income from his farm to send his children to school. The consistent problem of praedial larceny in the community has left Mr. Cox financially disabled, and he has suffered great distress as a result of this. During a spot check, police discovered the stolen cattle in a truck owned by Uvis. He was subsequently arrested.

Assault: Dwayne and a few of his old high school friends attended the last day of the Boy's and Girl's Championship. The championship title was tied between the top two rivaling schools, and there was one race left. A group of men from the other school sat nearby. Dwayne's school lost the final race, and the other group cheered and began taunting Dwayne's group. Dwayne asked them to "shut up," at which point Bradley, one of the men from the other group, challenged Dwayne to come over to "sort it out." They exchanged words and, at this point, Dwayne punched Bradley in the face, breaking his nose, and a battle ensued. Dwayne was pulled away from the man before he could do any more damage. The police at the event arrested Dwayne for assault.

Burglary: Mr. and Mrs. Brown, a retired couple from Westgate Hills, Montego Bay, left their home Sunday evening to attend an event. Shortly before 10:00 p.m. four armed men forced their way into the house. The Browns returned to find their home dismantled and valuables missing. The gunmen stole a laptop computer, with an estimated value of \$70,000, jewelry, and \$25,000 in cash from the premise. After an investigation, police raided a house in a nearby community, and the four men were caught and arrested.

Extortion: Mr. Wallace had been a small shop owner in an inner city community in Kingston for 25 years. He recently had been approached by men demanding a monthly payment of \$20,000 in exchange for the safety of his shop in the community. Mr. Wallace refused to make these payments, as he was a long time member of the community and didn't feel threatened by these demands. Timothy, age 17, and Brian, age 18, acted on behalf of the extortionists and vandalized Mr. Wallace's store, causing thousands of dollars in damage. Police caught and arrested the men as they attempted to escape the scene.

Kidnapping: Shelly, a 16 year old girl, was kidnapped by two men, Jason and Kurt, while standing outside her home one Saturday night. The two men held Shelly at a house in Clarendon and demanded a ransom for her safe return. After days of investigation, Shelly was rescued and the men arrested. Shelly now finds it difficult to leave her home, even for school. She has been unable to function normally since the incident.

Attempted Murder: Jackson, a taxi operator, had been sitting in traffic for two hours when the road started to clear up. He went to change lanes when he was cut off by another car. Warren, the driver that cut him off, then proceeded to drive well below the posted speed limit. This enraged Jackson, who began flashing his high beams and honking his horn at Warren. Warren pulled over, and Jackson followed him to the side of the road. Both men got out of their cars and started arguing. The argument became more and more heated, and eventually Jackson pulled out a knife and stabbed Warren in the chest. A passing motorist saw the stabbing and called the police. Jackson was charged with attempted murder as Warren was seriously wounded but survived the attack.

Rape: Pam and Alex worked together at a local restaurant. He is a 28-year-old cook; she is a waitress. Pam and Alex had dated for a few months two years before, but Pam had broken up with him because, as she told her friends, he had started being controlling. Pam and Alex had slept together only for the last month they were dating. One day, Alex asked Pam if they could meet for drinks. She agreed. The next evening, after their date, Pam invited Alex to her apartment to watch a movie. They sat on the sofa and talked about old times. Suddenly, Alex reached out and began kissing her. She protested, but he pressed on. While she cried, he had sexual intercourse with her. After Alex left, Pam called the police, and Alex was arrested for rape.

Carnal Abuse: Simone, a 14-year-old student met Jermaine, a 35 year old man, at a party in Kingston. They exchanged numbers. A few days later Jermaine invited Simone to Mandeville. Simone reported that during the journey Jermaine fondled and kissed her. He later took her to a hotel in Mandeville where he proceeded to have had sex with her. Simone's mother became worried when she did not return home for the weekend. She notified the police. Simone was questioned when she returned, and she reported the incident. Jermaine was arrested shortly after.