

Victim Awareness:

helping offenders break the 'cycle of victimization'

The criminal justice system is largely adversarial and retributive in nature. It systematically alienates and polarizes offenders and victims from each other and from the community. On the other hand, restorative justice is about restoring relationship between victim–offender–community. Proponents of restorative justice must look for ways to introduce restorative practices into the existing system, and thereby gradually improve it.

Based on restorative justice principles, the Victim Awareness program is the only program of its kind in the Victorian prison system. Its purpose is to raise awareness amongst offenders of the 'cycle of victimization' – that victims of sexual / physical / mental / emotional abuse (often in childhood) often go on to victimize others – and that it is in their interest to break this cycle. An empathetic response to victims is sought through restorative justice principles including repentance, forgiveness, reconciliation and restitution.

"If you can walk a mile in the shoes of another or at least place yourself in someone else's shoes, you have begun the journey of empathy and taken the first steps towards victim awareness."

Jackie Katounas
(RJ practitioner Prison Fellowship NZ & former prisoner)

The principles that underpin Victim Awareness are illustrated in the story of Zacchaeus (Luke 19) – a biblical paradigm of restorative justice:

A corrupt and despised tax collector named Zacchaeus could not see Jesus as he walked through Jericho because of the crowd, so he climbed a sycamore tree to get a better view. He had no idea that Jesus would stop at the sycamore tree and call him by name. Jesus then went and ate at his house, and as a direct result of that meeting Zacchaeus was a changed man. The evidence of the change was obvious to the community as he paid back four times the amount he had stolen from the local taxpayers. He also gave away half his wealth to the poor. What is even more obvious in this story is that Jesus came right to the heart of the problem, he singled out Zacchaeus, and through this interaction there was a restorative result.



The Victim Awareness program is modelled on a little known initiative in the area of Restorative Justice called the 'Sycamore Tree Project'® – designed by Prison Fellowship International, which is an interdenominational Christian organisation with United Nations accreditation.

A decade ago, a lawyer in the United States named Daniel Van Ness, who is now an acknowledged world expert in the area of Restorative Justice, designed a new programme for use in the Criminal Justice field. This brought together Victims of Crime and Offenders in a prison context to consider the consequences of crime and investigate solutions. This became the Sycamore Tree Project (STP).

First in the USA, then in New Zealand, then the United Kingdom and now in 20 countries including Australia, this manner of dealing with restorative justice has been adopted and refined and has attained increasing credit with the justice systems of those jurisdictions.

The Sycamore Tree Project in Australia

Western Australia

Prison Fellowship Western Australia introduced the Sycamore Tree Project in 2007. Seven STP courses have been conducted over two years involving about 35 victims of crime and about 70 prisoners – this number expected to at least double in 2008. The victims are generally at the highest level of victimisation – nine secondary victims of homicide of a close family member, plus a variety of primary victims of the most extreme forms of violence. The offenders occupy a similar range of offences. Indigenous victims and offenders are also part of the courses, which makes this a logical extension of the federal government's initiatives to bridge the gap between indigenous and non-indigenous communities.

A part of the program, the Victim Relief Fund continues to grow as it is supported by the prisoners and the community, bringing the total given away to \$4600 in the last two years.

Recently PF WA was awarded a grant of \$35000 towards running the Sycamore Tree Project for 2008. This comes from the proceeds of crime confiscation fund and will help greatly in the promotion and management of the courses.

New South Wales

Prison Fellowship New South Wales introduced STP in 2008 – the first eight-week program was run in February, with arrangements underway to start the next one. Because the NSW Department of Corrective Services has a Restorative Justice Unit operating out of Long Bay prison, STP has not been able to operate within the prison system. Accordingly, STP has been developed and adapted for use with ex-inmates through the Community Offenders Services unit of the NSW Department of Corrective Service. This presents challenges and limitations to the program.

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Twenty national Prison Fellowship ministries have run the Sycamore Tree Project at least one time, including the USA, Scotland, South Africa, Northern Ireland, England & Wales, the Netherlands, Hungary, and New Zealand (for a complete listing access <http://www.pficjr.org/programs/stp/where2>).

The 2005 study 'Sycamore Tree Project Impact Evaluation for Prison Fellowship New Zealand' found that offenders who had completed an attitude to offending measure before and after the Sycamore Tree program showed significant changes on all scales in the expected direction. While the reduction in victim empathy was not as great as might be expected the changes were nevertheless significant. Dr Leon Bakker concluded:

"While reductions in recidivism have not been tested to date, it is clear that the ST programme has demonstrated meaningful changes in offenders' attitudes towards crime. These would be considered necessary pre-cursors to changes in recidivism."

A June 2007 report from the Ministry of Justice in the UK reports the attitudes of victims and offenders participating in three different restorative justice schemes from 2001-2004. The evaluation shows that the majority of victims and offenders found the restorative justice process satisfactory, with communication being listed as one of the most important elements of the process.

<http://www.restorativejustice.org/editions/2007/july07/thirdreport>

For further evaluations and information on the Sycamore Tree Project visit Prison Fellowship International's Centre for Justice and Reconciliation website at <http://www.pfijr.org/programs/stp>

How does STP work?

Victims and offenders (of similar crimes – not their actual crime) usually meet for two hours per week over eight weeks. The program includes large and small group discussions, victim/offender story telling, role plays and video clips. Participation is strictly voluntary for both inmates and crime victims. The facilitators, using a tested discussion guide, guide the participants / group through a series of topics leading to a time in which both victims and offenders can share and express how they feel and how they wish to move forward. Offenders are invited to explore ways of making restitution for the harm caused by their offending behaviour. Victims are given the opportunity to consider ways in which they can begin their healing and self restoration.

In some cases offenders seek to be reconciled with their actual victims. Where this is deemed appropriate and possible, trained facilitators (like Jackie Katounas in New Zealand) facilitate this process.

Victim Awareness – Program Genesis & Outline

The Victim Awareness program was first introduced at HM Prison Barwon in 2004 as part of Prison Fellowship Victoria's 14-week pre/post-release Lives in Transition program. (A life-skills and mentor based program, Lives in Transition is itself based on restorative justice principles in that it mobilizes volunteers to assist program graduates' reintegration to the community.)

At the time a volunteer facilitator for the Lives in Transition program, former prisoner Arthur Bolkas read about the Sycamore Tree Program and felt it was a worthwhile project to introduce – particularly as he had unresolved issues about his own victims from 25 years before. Eventually a modified version of Sycamore Tree was developed, which eliminated much of the overt religious content and shortened the program. Nor were victims of crime included – initially because of the sensitive legal / political implications of having victims engage in a prison program. However, subsequent discussions with correctional authorities, and recent Victorian Parliament interest in restorative justice schemes, offer renewed hope. **The present challenge is to convince them to provide the ‘missing link,’ actual victims of crime, to complete the program.**

Approximately twelve inmates attend Victim Awareness, all of whom are participants in the Lives in Transition program – relocated to Port Phillip Prison, Laverton, in 2007. Currently there are between 5-6 two-hour sessions. The methodology includes systematic teaching, audio-visuals, limited workshops (through space limitations), and group discussion by trained facilitators – Arthur Bolkas has an MA in criminology and International Diploma in Restorative Justice.

Program content

Sessions cover the following topics:

1. Restorative Justice – what is it?

- Criminal justice v. restorative justice – exploring the differences
- What kind of judicial system would an offender prescribe?
- The story of Zacchaeus

2. Victim-Offender

- The nature of crime – why do people offend?
- Blurring the boundaries between offender-victim

We’re all victims & offenders

- *Victims*: something done to you that you had no control over resulting in hurt, anger, trauma, etc.
- *Offenders*: done something wrong resulting in hurt / loss to another.
- Note: Is an offender only someone who has broken the law?

Must break ‘cycle of victimization’: *victims-create-victims-create-victims...*

- Prisoners – victims of their upbringing / experiences etc
- Writing / discussion exercise:
 - # 1st memory of being somebody’s victim
 - # 1st time you created a victim

3. Taking responsibility

(a) Awareness of the wider impact of crime to:

- immediate victim(s)
- indirect victims – family – community (the ‘ripple effect’)

(b) Personal responsibility to victims

- victim is a *real* person, not statistic
- somebody's father, daughter, uncle, son...
- how would you feel if it was *your* relative?

(c) Taking responsibility is essential to lasting behaviour change

- acknowledge that you have problem
- find a possible solution to the problem
- do it

Four key things that block change / excuses:

- denial (*not being honest with yourself*)
- blame (*passing the buck*)
- minimizing (*making light of problem*)
- justifying (*making excuses*)

Where are *you* in the change process? Do you *want* to change?

4. Saying sorry – acting sorry

- A letter to my victims
- Saying sorry in relationships / life
- Responses to authority – police / prison

5. Confession & Repentance

- Understanding the meaning, power and importance of confession & repentance
- Offenders generally avoid their *guilt* in judicial proceedings: 'plea bargain' etc

6. Forgiveness

- Understanding the meaning, power and importance of forgiveness
- Guilt & (self) forgiveness

7. Restitution & Reconciliation

- Understanding restitution as a response to crime – not the adversarial notion of restitution
- Moving towards reconciliation
- Putting things right wherever possible: practical restitution / symbolic restitution to victim
- Opportunities to 'give back' to society

8. Taking the next step

Breaking the cycle of victimization:

- sharing stories
- individualised counselling
- support network / mentor

Is it worth it?

At this stage only anecdotal 'evidence' can attest to the worth of a program like Victim Awareness, but the evidence is powerful.

A former prisoner myself (released in 1983 and having served 5½ years), with over 30 years involvement in the prison system, I can confidently say that Victim Awareness is a unique program that positively affects the way offenders think about their criminal behaviour and victims.

Like the men who willingly enter the program because they want to help themselves, to change, my own life has been a journey of healing and restoration. The principles learned and practiced through Victim Awareness / Sycamore Tree have definitely challenged and changed me. Prisoners I've worked with have also benefited: like the man released after ten years who sought forgiveness from his robbery victim because "the penny dropped" during the Victim Awareness program; or another who asked if the judge that sentenced him could forward on his behalf a letter of apology to the traumatized child whose house he had burgled; or the overwhelmingly positive evaluations of program participants. The Sycamore Tree Project has many more stories: <http://www.pficjr.org/programs/stp/articles>

Victim Awareness is not a solution to the cycle of victimization, but it is a significant tool that needs to be further developed and ultimately replicated throughout Australia's prison systems.

"We find that both offenders and victims usually experience great relief from telling their stories to one another and a remarkable degree of healing has been reported on both sides, to the extent that we have great hopes that this experience may eventually lead to considerable changes of attitude in the community at large. There are literally millions of people who have been grossly affected by crime in our community, so this is important. Restorative Justice of this kind is, I believe, a national issue, and it would be good to see this programme having the kind of frontline treatment it is now getting in NZ and the UK."

Michael Cockram LLB
(STP Programme Coordinator WA, and practicing lawyer)

The challenge is before us.

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