



Increasing access to community-based restorative responses to sexual harm

Open Circle | Centre for Innovative Justice

**Submission to Second Action Plan (National Plan to End
Violence against Women and Children 2022–2032)**



**Centre for
Innovative
Justice**



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Open Circle provides community-based restorative justice processes to help repair the harm of sexual violence. We believe these responses should be available to more victim survivors and their communities. This would provide a path to healing and justice, while supporting users of violence to take accountability and prevent further harm.

Key messages

- All victim survivors of sexual harm should have access to community-based restorative responses to address harm, no matter where they live.
- The evidence base shows that these responses safely meet the justice and healing needs of people who have experienced harm and strengthen the accountability of those who have used sexual violence.
- There is broad support from stakeholders – including the sexual assault sector – as evidenced by recommendations from numerous reports and inquiries.
- Allowing community organisations to provide restorative justice increases accessibility to marginalised communities and those less likely to seek a criminal justice response, such as First Nations, LGBTIQ+, refugee and migrant communities.
- Government support is required to reform legislation to guide interactions of community-based restorative responses with the justice system; to support national guidelines and governance; and to fund service provision.

About this submission

Open Circle's submission to the consultation for the Second Action Plan (National Plan to End Violence against Women and Children 2022–2032) supports the increased use of restorative justice practices in response to sexual violence. At Open Circle, we believe restorative justice should be an option for all victim survivors – along with, after, or instead of a criminal justice response.

Open Circle notes that the consultation is focused on five key priorities, and suggests that expanding access to restorative justice will attend to all of these. Expanding access to restorative justice will:

- Support victim survivors to access support, justice and help to recover, no matter where they live.
- Prevent future harm by challenging the attitudes, gender stereotypes and misogyny of people who use violence.
- Hold people who use violence to account, while keeping the safety of victim survivors centred.
- Build workforce skills across the specialist family and domestic violence sector.

In addition, restorative justice can be used to support children and young people who have experienced and used sexual violence, however, this application will not be covered in this submission. Open Circle is currently running a restorative justice program to respond to harmful sexual behaviours involving

children and young people. An independent evaluation by Australian National University will be made available after the program's conclusion in early 2027.

This submission focuses on sexual violence rather than family or domestic violence. As noted in the consultation paper, there is significant difference in the needs of victim survivors in each context. While restorative justice is suited to use in contexts of family violence, it requires a different approach to that detailed in this submission.

Who we are

Open Circle

Open Circle is the restorative justice practice arm of the Centre for Innovative Justice, RMIT University.

We are a direct provider of restorative processes in various contexts including sexual violence, racial discrimination, death and/or serious injury from motor vehicle collisions, and other causes of harm.

Referrals regarding sexual violence come to Open Circle from victim survivors, people responsible for using sexual harm, sexual assault support agencies, Victoria Police and victim support programs.

We also provide restorative program design for organisations, and restorative engagement facilitation for institutions and government redress schemes. Our clients include the Commonwealth Ombudsman Defence Force restorative engagement program, the Transport Accident Commission, the National Redress Scheme and the Territories Stolen Generations Redress Scheme.

Centre for Innovative Justice

The Centre for Innovative Justice (CIJ) at RMIT University was established in 2012, and houses Open Circle. Aiming to make the justice system a positive intervention in people's lives, the CIJ develops solutions by working with those who have lived experience of the justice system and by drawing on restorative justice, therapeutic justice and human-centred design principles.

The CIJ's work includes research on therapeutic jurisprudence, restorative justice, victims' experiences of legal processes, family violence, women's decarceration and disability in the criminal justice system, as well as the application of human-centred design to legal issues and processes.

The CIJ works with governments, courts and tribunals, not-for-profit entities, community organisations, including Aboriginal-led and community-controlled organisations, and private corporations.

“From where I was at the start of the process, compared to the end, felt like two different worlds ... It illuminated a way forward without enacting more harm upon anyone. It showed me that community wants alternative ways to support each other and heal collectively. It also gave me strength to be able to use my voice and has enabled other positive flow-on effects.”

Open Circle restorative response participant – survivor of sexual violence

What is restorative justice?

Restorative justice is a trauma-informed process that focuses on the needs of the person harmed and also benefits the person responsible for using harm. It offers an answer to two of the consultation's survey questions:

1. What would make the biggest difference in helping people and families to recover and heal after being affected by family, domestic and sexual violence?
2. What more can be done across the community to promote healthy, safe relationships and strengthen accountability for people who use violence?

Restorative justice focuses on the harm and its effects rather than the crime, punishment or deterrence. It aims to meet the justice needs of the victim survivor through providing opportunities for voice, validation, information, accountability, relationship restoration and prevention of further harm. In doing so, restorative justice processes offer victim survivors something they often cannot find in traditional responses, and is different to the community needs for safety and punishment. The process has also been found to be beneficial to the person responsible for harm, allowing them to better understand the impacts of their actions, take accountability for their behaviour, and commit to behaviour change.



While practices can differ across programs, in this submission the terms 'restorative justice process' and 'restorative responses' refer to the opportunity for a person harmed (or victim survivor of sexual violence) to meet with the person responsible for that harm in a facilitated (supported) dialogue.

Conducted by practitioners who work within a trauma-informed and gender-based violence framework, the dialogue is an opportunity – focused on the needs of the victim survivor – to discuss the harm, the impacts of that harm, and what can be done to address or attend to those impacts.

This dialogue can happen in-person, online or through letter writing, and only occurs after extensive individual preparation for all participants. This includes ensuring the victim survivor feels safe, prepared and empowered and that the person responsible for using violence can take accountability and participate in a way that will be beneficial to the victim survivor.

A brief overview of Open Circle's process

The process involves many preparation sessions, ongoing assessment of risk and power dynamics, and internal facilitator discussions. Timelines are responsive to needs of participants, so it can take anywhere from four to 14 months. Participants can have a support people or family members involved.

1. Referral

Open Circle receives referrals from individual victim survivors, as well as their counsellors or support workers. Occasionally police or the courts will make a referral following the conclusion of a criminal justice process or where both parties have expressed an interest in restorative justice.

2. Initial discussion

An Open Circle facilitator will contact the victim survivor to understand what they are looking for and whether restorative justice is able to provide this. They will also discuss whether the person responsible is likely to participate and how they could be invited to the process. It is made clear that if the person responsible does not wish to participate, the process cannot go ahead.

3. Invitation

The person responsible for harm is invited to participate in the restorative justice process. If they are interested in taking part, they will have an initial discussion with an Open Circle facilitator who will explain what the process entails and answer any questions so they can make informed consent.

4. Preparation sessions

The Open Circle facilitators will meet separately with the victim survivor and the person responsible over a number of months to prepare them for the facilitated dialogue.

The facilitators will work in a trauma-informed way with the victim survivor to map out how they would like to speak about the experience, what they need from the person responsible and how to support their safe participation.

An accountability specialist will involve the person responsible in discussions about gender-based harm and stereotypes, accountability and behaviour change. The person responsible will also explore their own values and how to respond to the victim survivor in line with these.

5. Facilitated dialogue

When the participants are ready to meet, the facilitators will bring them together for the facilitated dialogue. The sequence of the conversation will have been agreed on beforehand, including how the harm will be discussed, what is to be done about disagreement or divergent views, and how to ensure there is opportunity for everything that needs to be said.

The facilitated dialogue can take between two to four hours and can include breaks. Participants can have support people attend, who will also have been through a preparation session with the facilitators to understand their role.

6. Debrief

Open Circle facilitators will spend time with each participant in the immediate aftermath of the facilitated dialogue, and will have an agreed plan on meeting for a debrief discussion in the following week.

Community-based restorative justice

Providing restorative responses to respond to the harm of sexual violence allows victim survivors to seek justice in a way that is meaningful to them. This may mean accessing a restorative response after, before, or instead of, a criminal justice response.

Community-based restorative responses may not be desired by, possible or suitable for everyone – but they should be available as an option that can be explored by everyone. To make this happen we need government action to establish legislation and dedicated resourcing for service provision. With this support we can empower communities and families to move towards recovery and healing through participation in a meaningful and effective response to the harm of sexual violence.

There are well-documented reasons victim survivors often do not want to report experiences of sexual violence to the police. While there will always be a need for criminal justice responses, we believe there is strong value in providing community-based responses to sexual violence. These responses also provide an opportunity for the community to be involved in the response and repair.

Sexual violence often ruptures communities – misplaced shame for the victim survivor and a lack of opportunities to demonstrate proper accountability by the person responsible can destroy each person's relationship to their respective communities.

Restorative justice is currently provided as a response to the harm of sexual violence in many jurisdictions around the world, including the Australian Capital Territory, New Zealand, Canada and the United Kingdom. In most of these settings, restorative justice is available after the person responsible has been charged and pleaded or been found guilty, or as a community-based response.

We believe a victim survivor should have the option of accessing a restorative justice process without reporting their sexual assault to the police, if this is their preference. In this way, restorative justice for sexual violence would not be limited to those victims and people responsible linked into courts, state- and territory-based victims registers or Corrections Departments (though it should remain an option for them).

“Without this organisation, there really wasn't any other way for me to properly heal or address what had happened.”

Open Circle restorative response participant

Community-based responses to sexual harm

There are community-based services that safely provide restorative justice where a victim survivor does not wish to report to police – including Open Circle in Victoria, Transforming Justice Australia in New South Wales and Project Restore in New Zealand.

Community-based responses are provided by community organisations rather than government services or justice departments. This ensures restorative responses are adaptable to their context, do not rely on or directly affect an individual's interaction with the justice system (and can be inclusive of those who don't wish for a criminalised response), and are integrated with and supported by the communities they support. Embedding restorative responses within the community ensures that they do not become an administrative service or standardised response and that they remain focused on core values including participation, empowerment, collaboration and the importance of healing.

Facilitators at Open Circle have seen, time and again, the extraordinary transformation that participation in restorative justice processes can have – for the victim survivor and for the person who used sexual violence. Facilitated by skilled practitioners who can provide trauma-informed processes that consider the safety and power dynamics of gender-based violence, restorative justice processes deliver a unique justice and healing response that is not provided by other services or systems.

A stand-alone service that is not linked to criminal proceedings, a court order, outcome agreements or a sentencing reduction, Open Circle's community-based program is voluntary for all participants. It can only go ahead if it is wanted by the victim survivor and if the person who used harm is willing to take part. While this means it is not possible for all victim survivors to be provided with the service, it means the participation of the person responsible for the harm is genuine and not compelled or influenced by hopes of a reduced sentence or avoiding formal accountability via diversion.

The restorative justice process is not designed to result in formal outcomes (such as participation in behaviour change programs, compensation or agreements about the future). Rather, the outcome is the participation in the process itself and the benefits the process brings. This means there is no need for ongoing monitoring of adherence to outcome agreements or disappointment on behalf of the victim survivor should the agreement not be kept.

Criminal justice system response to sexual harm

Most people who experience sexual violence do not report it. Reasons for this include a lack of awareness of the options available, knowledge that the likelihood of a prosecution proceeding or resulting in an outcome is low, fear of disrupting family or community relationships, stigma and shame around sexual harm, and a reluctance to engage with a system and process that is known to be traumatising and shaming for the victim survivor.

Of those who do report, only a minority of sexual violence victim survivors will have their justice needs met through the court system. There were 10,645 victim reports of sexual offences in Victoria in 2025, and 17,104 sexual offences recorded. According to earlier research by the [Crime Statistics Agency](#), approximately 15% result in a conviction or proven outcome. This means only 1,597 victim survivors in Victoria will see a conviction or proven outcome: 9,048 people who report a sexual offence will not see any outcome (and many more are unlikely to even report the sexual harm in the first place).

Evaluations support restorative responses to sexual violence

Restorative responses to serious harm and to sexual harm have been evaluated in the various jurisdictions where they are offered, including New Zealand and the Australian Capital Territory. The sample sizes are small but these responses are shown to be effective for the victim survivor and the person responsible.

Additionally, there is a large body of evidence that supports the effectiveness of restorative justice (and victim–offender mediation) in the context of other (non-sexual) serious crimes, and its benefits for victims and those responsible for harm. A review of 74 victim–offender conferences in New South Wales that involved serious crimes such as murder, manslaughter and driving causing death showed that restorative justice meets the needs of participants (95%), and that they remain positive about the experience in the immediate aftermath and over five years later (Bolitho, 2015). The researcher, Jane Bolitho, noted that the victims were participating in order to ‘seek safety, to seek information, to speak and be heard, to vent emotion, to seek accountability, to feel empowered, and ultimately to find a different meaning around the event that would better allow them to move forward.’ Participation in a restorative justice process enabled this in a way that the criminal justice process had not.

New Zealand

Access to restorative justice has been widely used in New Zealand since the 1990s and formally supported by legislation that governs interactions with the justice system since 2002. Project Restore NZ provides restorative processes to sexual violence cases, most of which are referred through the courts. A [2025 evaluation of the Project Restore program](#) considered victim survivor needs in relation to participation, voice, validation, vindication and accountability. The majority of survey respondents who had participated in a process reported positive outcomes in relation to these needs and indicated they had experienced a sense of justice. Positive outcomes were also reported by those who caused harm.

“Both victim survivors and those who caused harmed reported positive outcomes from the restorative justice meetings, including an increased understanding of the harm caused, emotional relief, and a sense of closure.”

Project Restore evaluation, 2025

Australian Capital Territory

In the ACT, restorative justice is a legislated response for serious offending under the *Crimes (Restorative Justice) Act* 2004. Since 2018 this includes sexual offences. A [2025 evaluation of the ACT restorative justice scheme](#) showed that victim survivors felt safer as a result of participating in the program; that the program was an integral part of their recovery and supported them to move on (through meeting needs for voice and validation). People responsible for using harm also reported benefitting from their participation in the process.

“Honestly, I think that’s what a lot of people need after that kind of thing, is the ability to make decisions and the ability to have power and control within the situation, rather than it being something that’s just done revolving around them but not their decisions and what they want.”

Participant in ACT Restorative Justice Scheme (Phase 3) Evaluation

Restorative responses can make a difference to victim survivors' safety, wellbeing, healing and recovery

Healing after an experience of sexual violence is not a linear pathway to recovery and wellbeing. But by acknowledging how the harm has affected their life before working to understand what is needed to address that harm, restorative facilitators support victim survivors to experience justice in a way that is meaningful to them.

Having the person who enacted the harm respond directly to the victim survivor, answering any questions they might have and acknowledging their role in inflicting the harm can bring a sense of resolution or what is sometimes termed closure. The person responsible is released from the adversarial and defensive nature of other justice responses, which opens space for their genuine engagement.

When a person is no longer existing in a heightened, trauma-driven state they are more likely to be able to integrate the experience of sexual harm into their life and then work towards recovery. With improved wellbeing, the victim survivor is likely to be less reliant on ongoing crisis or therapeutic support and more able to participate in their community.

“Participating in the process has been a profoundly healing experience. Since the meeting I have experienced a profound sense of re-integration, both physically and psychologically. The assault experience, that for a long time had been present in my day-to-day life, was finally in the past.”

Open Circle restorative response participant

Effects of restorative justice on victim survivors of sexual violence

The [Project Restore evaluation](#) showed 63% of victim survivors felt the process provided them with the ability to move forward, with a further 11% saying it had at least helped in part. Approximately 55% of victim survivors said the process had improved their mental health and wellbeing, while 56% said it reduced their drug and alcohol misuse, and provided them with a sense of relief (66%). Approximately 81% of respondents said the process had, at least in part, helped them to experience a sense of justice.

“Just being listened to was wonderful, after (years) of not doing anything about the unwanted sexual advances I endured as a child.”

Project Restore victim survivor participant

A victim survivor's story

██████████ a victim survivor who has become an advocate for restorative justice in response to sexual violence, has described how the process gave her what she needed (Liss, 2025).

...

"It was the first time since the assault that someone showed enough respect for my needs and boundaries to listen and act accordingly. What I wanted most was for my assailant to take accountability for what he had done. I wanted an authentic dialogue where I could ask the questions I had had for years without censoring myself in order to fit the courtroom's version of a 'credible victim'."

...

"My assailant underwent therapy for several months where he was supported in unpacking rape culture, taking accountability and preparing for the circle."

...

"In these 1–1 preparation meetings, the mediators validated our fears and listened to our desired outcomes. They gathered information in order to safeguard triggers and make the process feel more accessible."

...

"According to Danielle Sered, founder of Common Justice, the most common justice needs for survivors tend to be: 1) Accountability, 2) Reassurance that the abuser will not do this again and 3) A coherent narrative. For me, every single one of those needs was met throughout the circle."

"When my assailant looked me in the eyes, apologized and took accountability, it was like a knot untied in my stomach. I was able to let go of pain I did not even know I was carrying."

██████████

Effects of restorative justice on victims of other serious crimes

The evidence base for restorative justice in the context of sexual violence is growing. It is built on a strong foundation of evidence regarding the use of restorative justice as a response to other (non-sexual) crimes including assault, theft, bodily harm, vandalism, threats and motor vehicle collisions. This evidence shows that restorative justice and victim–offender mediation makes a difference to victim's recovery.

A recent systematic analysis (Nascimento, Andrade, & de Castro Rodrigues, 2023) of 35 studies, including randomised controlled trials, found restorative justice practices have a positive psychological impact on victims of crime, including:

- decrease of post-traumatic stress symptoms
- decrease of negative emotions such as fear, anger, guilt, anxiety and distress
- satisfaction of emotional needs (information, expression, validation)
- sense of closure
- recovery from aspects related to the victimisation process
- more positive perceptions of the offender.

How victim survivors conceptualise justice

Justice needs (or interests) describe the different ways survivors of sexual violence conceptualise justice and the common things they see as being key to a fair and just response. Initially identified as information, validation, voice and control (Clark 2010), these have been expanded over the years to include participation, vindication and accountability (Daly 2017), as well as the prevention of further harm and resolution.

While the term 'justice needs' is commonly used, academic Kathleen Daly notes the term 'justice interests' better shows that these outcomes are often in the interests of not only the victim survivor but also the person responsible *and the wider society*. Requiring the person responsible to acknowledge their accountability and use of harm can support their efforts at behaviour change, keep them within (rather than without) their community and prevent future harm.

Justice needs that inform Open Circle's restorative responses to sexual harm	
Participation	The opportunity for those involved in the harm to actively take part in responding to the harm.
Voice	The opportunity for victim survivors to talk about what happened and how it affected them, and have this acknowledged and responded to.
Validation	To have others believe and affirm the victim survivor's experience.
Information	To ask questions and seek explanation about what happened and why.
Accountability	To witness the person responsible acknowledge the wrongfulness of their actions and the harm they have caused.
Prevention	To encourage the person responsible to change their behaviour and prevent it from happening again.
Resolution	For victim survivors to feel they have done what they needed to address the sexual violence and its harm. This does not mean the victim survivor is no longer affected by the harm, but it may assist them in addressing it.

Victim survivors of sexual violence who took part in Project Restore's program reported positive outcomes in regards to these justice needs (Julich, Brady-Clark, Yeung, & Landon, 2025). A majority of participants surveyed said they were able to:

- actively participate in the process
- tell their story and describe the impacts
- feel the harm had been acknowledged
- have the person responsible apologise
- be provided with a sense of closure
- feel a sense of justice.

How restorative justice meets the needs of victim survivors

Throughout the process, the person harmed is supported to consider what they need to move towards healing and recovery. This includes thinking about what justice looks like for them, what would make it personally meaningful, and what life might look like once these things have been attended to. It acknowledges the trauma of the violence and its significance, but also allows the victim survivor to consider their own values, skills and resilience to understand what they need in order to heal. The descriptive quotes below illustrate how a victim survivor's justice needs are met through the process.

Participation and resolution

An act of sexual violence can be the first in a chain of events that takes away agency and choice from the victim survivor. In a criminal justice response, the victim survivor becomes a witness to proceedings and is compelled to attend to activities and timelines out of their control. While there is a response to the harm, their participation in it is mediated through police and lawyers who decide what they will be asked and when, and what outcome is appropriate.

When a person responsible for harm is known to the victim survivor they may feel they cannot pursue any kind of response, for fear of consequences or the upheaval this would result in. The choice to participate in a response is limited because they cannot control the pace or outcomes.

To take part in a response to the harm at a time that is appropriate and which is shaped to the victim survivor's focus can fulfil the need to participate

– I have lived up to my values and done what is needed to get the response I deserve.

Validation and voice

For some people, justice might be achieved by knowing that the person responsible for using violence is aware of the harm they have caused and that they understand why their choices and actions were wrong.

This is in contrast to the criminal justice system where a person will often deny responsibility or admit their guilt but proffer mitigative circumstances.

To hear the person responsible agree they caused harm can be a relief to the victim survivor because it validates their experience

– He is not denying that it happened, so I don't have to keep trying to prove that it did.

To hear the person responsible take accountability for their behaviour offers hope that they will not act this way in the future

– He understands why his actions hurt me, and that it was wrong.

Prevention and accountability

A driving justice need for many victim survivors is for the person responsible to properly understand why their behaviour was wrong and to not do it again to someone else. While a restorative justice response does not work towards monitored outcomes, to hear the person responsible commit to behaviour change can be beneficial.

To hear that the person responsible understands the wrongfulness of their actions and will make effort not to act that way in the future can give the victim survivor a sense of peace and knowledge that they have done what they can to prevent someone else going through this

– He didn't really get it at the time but I can see he does now and I believe him when he says he wouldn't behave like that again.

Information

For some people, the focus of the process might be to better understand what happened and why. Often the only person who can answer these questions is the person responsible for enacting harm.

To hear the person responsible explain why he chose to enact the harm can relieve the victim survivor of the endless questions circling in their mind, and allow them to devote energy and attention to recovery

– He thought he had a right to my body and now he understands he did not; he knew I was saying no, he just chose not to listen.

Case study – Contemporary harm

This case study describes a recent Open Circle process that was commenced within six months of the harm occurring. These matters are referred to as ‘contemporary matters’ to distinguish them from processes that address harm that occurred earlier in the life of the victim survivor, which are referred to as ‘historical matters’. It was facilitated by two restorative justice facilitators and an independent accountability specialist over a 14-month period.

What had happened?

██████ was sexually assaulted by ██████ a person close to her with whom she had developed a trusting relationship over many years. She addressed the situation at the time and again in a conversation soon afterwards, but was concerned that ██████ response did not indicate he properly understood the seriousness of what he had done or the significant and ongoing impacts the assault had had on her. ██████ became increasingly concerned that she needed to do something to ensure that other women were not subjected to similar harmful behaviour.

Why restorative justice?

After much reflection and many conversations with different professionals, ██████ decided she did not want to pursue a criminal justice response. What was most important to her was that ██████ gain a deeper understanding of the wrongfulness of his actions, the impact on her, and that he demonstrate a commitment to changing his behaviour into the future.

While initially hesitant about accepting the extent of the harm, ██████ was able to acknowledge ██████ distress and was keen to do what he could to set things right between them.

What did the process entail?

Open Circle facilitators met separately with ██████ and ██████ over 14 months to prepare them for the facilitated dialogue. For ██████ the preparation meetings focused on structuring safety and support so that ██████ felt strong and empowered to re-engage with ██████ and be ready to share her experience in ways that felt meaningful to her. The preparation process was also about understanding what ██████ needed from a justice process that would contribute to her healing and recovery.

For ██████ the preparation meetings focused on deconstructing his assumptions about relationships and boundaries, and understanding the impacts of the assault. Over the course of the preparation, the facilitator and an accountability specialist met with ██████ for a total of 15 hours to support and develop his capacity to demonstrate taking responsibility for his actions.

The facilitated dialogue was an in-person meeting that followed a structured agenda, allowing ██████ to talk about the impacts on her and for ██████ to respond.

What were the outcomes?

For ██████ the restorative justice process enabled her to describe the experience of harm and the many ways it had caused serious and lasting impacts on her and her family. ██████ husband also attended the dialogue and was able to speak to the flow-on impacts it had on him and the family as a whole. Following the process, ██████ reflected that the trauma of the assault had been reduced and that it now weighed on her far less heavily than it had prior to the process.

“Participating in the process has been a profoundly healing experience.”

██████ – *Open Circle participant (victim survivor)*

For ██████ the restorative justice process enabled him to reflect on the impacts of his actions, as well as the ideas and belief systems that had contributed to this behaviour. He was supported to listen deeply to ██████ experience and provide responses that acknowledged and validated what she had been through. ██████ was also able to recount the many lessons and reflections he had developed throughout the preparation sessions with the accountability specialist and facilitator, and share the learnings he had gained, including how he was committed to integrating these lessons into his daily life and interactions with others.

As a further demonstration of his remorse and commitment to change, ██████ offered to make a donation to a sexual assault counselling service that ██████ had been required to seek support from over the last year.



“I benefited a great deal from this process ... I was able to more fully and clearly see how the harm occurred, why it occurred, how it impacted the other person and also how to create a safer environment for people in the future.”

██████ – *Open Circle participant (person responsible)*

What approaches are most effective in supporting people who use violence?

While restorative processes are driven by the victim survivor's needs they are also beneficial to the person responsible for harm by assisting them to take accountability, change behaviours, and reduce the use of violence, all while focusing on victim survivor safety.

The facilitated dialogue and preparation allows the person responsible for using violence to better understand the impacts of their actions, take accountability for their behaviour, and commit to behaviour change. In this way, restorative responses can decrease likelihood of future harm and the need for further criminal justice system responses.

Many victim survivors who have a strong prevention need want to see steps taken to reduce the likelihood of the person responsible reoffending, in order to prevent others from being harmed in the way they have been harmed. This can particularly be the case when they do not seek a punitive outcome but are primarily concerned with wanting the perpetrator to understand their culpability and change their future behaviour. They may hope that the person responsible will agree to take part in treatment that addresses the offending behaviour but specialist treatment programs are rarely available, as is the case in Victoria.

If the offender is a child or young person, there are limited harmful sexual behaviour programs available in some jurisdictions. If the offender is an adult and has been sentenced to a term of imprisonment for sexual offences, that person should, in theory, be able to access one of the sex offender treatment programs run within prisons, however, it is well-known that these treatment programs are over-subscribed and under-resourced. If the criminal justice system has not been engaged, or if there has been a criminal justice system process but the person responsible did not receive a term of imprisonment, it is unlikely they would be able to access a specialist sex offender treatment program. In Victoria, for example, we are not aware of any free (or publicly funded) community-based programs of this nature.

Restorative justice can operate as the entry point for perpetrator intervention and behaviour change if there is adequate resourcing of such specialised treatment programs. However, considering the current paucity of treatment programs, participation in restorative justice should not be contingent on an accused person's completion of such a program.

"I thought [restorative justice] was a good idea even though I knew it would be difficult. I wanted to face the issue straight on. It made me look at myself and my actions more. I got to learn more about myself and how to be more reflective with my actions. The facilitated dialogue was done so well with care and dignity. I was so worried about it, but it was healing for all."

*Open Circle restorative response participant
(person responsible for using harm)*

The role of the accountability specialist

Accountability specialists play a critical role in restorative justice processes by supporting people who have caused harm to meaningfully reflect on their behaviour and its impacts. During the preparation phase of the process they help individuals actively take responsibility for their actions and engage in genuine accountability, rather than relying on shame, confrontation or forced admissions. The role may be performed by one of the facilitators or by an external specialist.

Through guided conversations, accountability specialists invite people to explore the consequences of their behaviour, deepen their understanding of the experience and needs of those they have harmed, and reflect on their intentions, decisions and choices. This work is grounded in respect, empathy and a belief in each person's capacity for change.

Accountability specialists can contribute to restorative processes in several ways. The accountability specialist may act as secondary consultants to facilitators, offering specialised guidance on being attuned to minimisations, justifications and victim blaming practices. They can also work directly with individuals in a one-to-one capacity, creating a space for deeper engagement, reflection and preparation prior to any joint processes. In some cases, accountability specialists join facilitators throughout sessions, helping to sustain and deepen reflection, accountability and behaviour change over time.

Across these roles, they serve as an important support for both the person responsible and the broader restorative process, helping to ensure that accountability is not a one-off event, but an ongoing, meaningful practice.

Effects of restorative justice on people who use sexual violence

The [Project Restore Evaluation](#) demonstrates that restorative justice can benefit people who have used sexual violence. Of those who participated in the evaluation, 64% of people responsible for harm said some form of action had come out of the process, which they would honour. For 58% this meant agreeing to and receiving treatment for harmful sexual behaviour (and a further 26% who wanted treatment but had not yet received it). Of those who received treatment, 92% said counselling had helped them. For 76% of people responsible, their understanding of the harm changed (at least in part) as a result of the process.

Effects of restorative justice on people responsible for other serious crimes

There is a strong evidence base showing that people responsible for harm who participate in restorative justice (or victim–offender mediation) for crimes such as assault, threat, theft and vandalism are less likely to re-offend (Hansen & Umbreit, 2018) (Claessen, 2015).

A recent evaluation of over 300 adults who took part in a restorative justice program in Queensland found that those who attended a conference (facilitated dialogue) were less likely to come back in contact with the court system, or the severity of their offences in the following years was reduced (Price, McKillop, Prenzler, & Rayment-McHugh, 2025). Most of the defendants involved had committed violent offences, including serious assault and sexual offences.

Case study – Historical matter

This case study describes a recent Open Circle process that took place over an 11-month period. It was a response to harm that had occurred 10 years earlier. It was facilitated by two restorative justice facilitators and an independent accountability specialist.

What had happened?

■ was sexually assaulted by ■ when they were 15 years old. Their relationship began as a friendship, when both were struggling with school and home life and were among the only young teenage boys who identified as queer at their respective schools.

One day, when ■ and ■ were hanging out, ■ sexually assaulted ■. ■ experienced this interaction differently and moved forward with his life, not realising the damage and hurt he had caused ■, however, experienced long-lasting impacts from the assault. He reported struggling for many years with serious mental health issues, including suicide attempts and eating disorders. ■ also reported feeling unable to form ongoing relationships due to this early and formative experience of sexual assault.

Why restorative justice?

■ came to restorative justice at 25 years old, 10 years after the assault. He felt angry and hurt, and despite the time that had passed, his feelings were still just as raw. ■ said he thought about the experience every day and that it was something he could not shake.

■ did not want to report the assault to police, noting the mistrust that exists between LGBTIQ+ communities and police institutions, including a history of complaints not being believed or taken seriously. He felt that engaging with the criminal justice system would expose him to further harm rather than support. He was also aware of the lack of evidence, given it was only him and ■ present at the time, and he did not want the trauma of trying to prove something that had happened over 10 years earlier.

In ■ early conversations with facilitators, he expressed that he wanted ■ to understand the gravity of his actions and their impact over the years. He also wanted to be sure that ■ now understood consent and was not hurting other people.

What did the process entail?

When ■ was invited to participate in the restorative justice process, he immediately said yes. He reflected that if he had been responsible for harming ■ then he needed to do what he could to put it right.

Over the course of 11 months, facilitators met with both ■ and ■. ■ had 10 hours of combined sessions with the facilitator and the accountability specialist, and 2 hours of solo sessions with the accountability specialist. The conversations focused on helping ■ understand the experience through ■ lens, so he could connect with and comprehend ■ experience of assault. The conversations also helped ■ process the significant negative impacts that ■ had had to live with prior to them coming together, so that ■ was well prepared to meaningfully apologise, acknowledge, and take responsibility for the harm he had caused.

The work with ■■■ consisted of 9 sessions over the course of the preparation. These sessions focused on developing his goals for the conversation and, importantly, on supporting ■■■ to share his experience in a way that was honest but not derailed by the significant anger he felt.

What were the outcomes?

For ■■■ the restorative justice process allowed him to have his experience heard, believed, and validated directly by the person who harmed him. He was able to express the anger, grief, and impact of the assault in a structured and supported setting, and to see ■■■ acknowledge this without defensiveness. ■■■ reported feeling a greater sense of clarity and relief after the process, including a significant reduction in intrusive thoughts about the assault.

“I now think about the assault in such a different way and much less often. I found that after it was all over a real weight was lifted. The trauma no longer felt like a burden or a secret but just a part of what has made me into the person I am today.”

■■■ – *Open Circle participant (victim survivor)*

For ■■■ the restorative justice process allowed him to more deeply understand the harm he had caused, rather than minimising or misremembering the incident. Through the preparation and the dialogue, ■■■ developed a deeper understanding of consent, power, and the long-term impacts of sexual harm. He was able to offer a direct and specific apology, take responsibility without excuse, and commit to ongoing learning to ensure he would not cause similar harm again.

“If I had not engaged with this person and this experience through this process, it would have stayed a dark shadow which made me afraid. My experience of this is still heavy, but I can be proud of having faced it with my values and I am no longer afraid to think about it. I am grateful, and I believe in this process.”

■■■ – *Open Circle participant (person responsible)*

Reform to legislation is needed to guide interactions of restorative responses with the justice system

As detailed in the recent Australian Law Reform Commission (ALRC) inquiry into Justice Responses to Sexual Violence, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence*, the uptake of restorative justice processes would be increased by legislation that gives consistency to how victim survivors access or are made aware of restorative justice; any effects of participation on sentencing or legal interests; and to manage issues of confidentiality and the use of the process in future legal proceedings. This would support restorative responses being available as an option alongside, after, or instead of a criminal justice response.

Research in Canada suggests that a supportive legal framework and changes to the justice system to allow referrals and increase understanding of restorative justice can support the success and uptake of restorative justice programs (Asadullah, 2024).

Legislation designed to support restorative justice should be broad rather than prescriptive and be focused on the accessibility of restorative justice and ensuring participation does not affect a person's legal rights. Legislation should not be framed as an effort to further goals of the criminal justice system (such as reducing recidivism or rehabilitating offenders) but be focused on ensuring people have the option to participate to meet their own needs.

Acting on the ALRC inquiry recommendations (chapter 18, recommendations 58–64) regarding restorative justice and a legislative framework would ensure restorative justice is a more widely available option.

Dedicated funding to community organisations will increase availability of restorative responses

Community organisations need to be properly resourced to provide restorative responses in a timely and thorough manner, with skilled facilitators and consistent oversight.

Supporting community organisations to do this work involves the wider community in the response, and embodies the restorative justice principles of participation (*doing* rather than *being done to*) and the restoration of relationship. It acknowledges we are all in relationship with one another and that attending to these relationships strengthens communities. It shows that responding to sexual violence is not just the responsibility of the state (as embodied by the criminal justice system or the government) and that good responses reinforce community values.

Analysis of restorative justice programs in Canada have shown that one of the key factors in the development of successful programs is government funding (Asadullah, 2024). Rather than providing restorative justice as a service for offenders in the justice system there is a role for government as an enabler (through legislation and funding) and as an overseer of quality practice, governance and professional standards.

There is a need for national guidelines and training standards for restorative responses to ensure that all participants receive consistent and high-quality services that meet their needs, without the risk of further harm. Community organisations will need dedicated funding to embed these guidelines in their practice, improve the capacity of the workforce to respond to demand and raise awareness amongst community members of restorative responses as a way to meet justice needs.

Conclusion

Increased access to community-based restorative responses to sexual harm will better address the needs of victim survivors and support behaviour change and accountability of people who use sexual violence.

We believe that restorative justice should be recognised in the next Action Plan to End Violence Against Women and Children. Supported by victim survivors and stakeholders from sexual assault support services, it should be available as an option for those who have been harmed by sexual violence.

Restorative justice has been shown to work in a wide range of contexts, including as a response to sexual violence. It answers a number of unmet needs that victim survivors have, which supports them to heal and recover from the harm. It also enables people who use violence to show up and be accountable and to find a path to change their behaviour by challenging the gender-based norms they have been exposed to.

As restorative justice academic Jane Bolitho notes, 'Restorative justice is more than a framework that leads to a sense of procedural justice. Practised carefully by advanced facilitators, it can consistently offer victims a different form of justice that meets a range of unmet justice needs. For many it will be an emotionally transformative process and an intervention that radically and measurably improves everyday lives, offering relief from the immense suffering caused by wrongdoing.' (Bolitho, 2015)

Restorative justice provides a unique therapeutic approach to justice that can help a victim survivor transform their relationship to the harm. When justice needs are met, a person is more likely to feel that they can integrate the experience into their life and focus on what they need for healing and recovery. Addressing the impacts of sexual harm results in improved social, economic, justice and health outcomes for victim survivors.

Restorative justice also provides the opportunity for a person responsible for harm to deeply understand the effect of their actions on others and the harm they have caused. It gives space for them to step into accountability for the harm and its impacts, which can lead to the person responsible addressing the drivers that led to the harmful behaviour and make it less likely that they will act in that way again.

It is time for the Australian Government to act on the evidence supporting restorative justice and listen to the lived experience of community members who can attest to the value in this approach.

"The restorative justice process has changed my life and improved my mental health."

Open Circle restorative response participant

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