



**PERCEPTIONS OF COMMUNITY MEMBERS ON RESTORATIVE JUSTICE
PROGRAMMES ON OFFENDERS AND VICTIMS OF CRIME: A CASE STUDY OF CATO
MANOR IN DURBAN KWAZULU-NATAL**

By

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DECLARATION

I, **Zandile Faith Mpofu**, declare that:

1. The research reported in this thesis, except where otherwise indicated, is my work.
2. This research has not been submitted for any degree or examination at any other university.
3. The sources used in this thesis have been properly in-text referenced and they appear in the reference section.

Signature: ..  Date: 20 January 2024

DEDICATION

This work is especially dedicated to my soul mate; as I sit here, penning down these words, my heart aches with the absence of your physical presence. It has been a journey filled with love, laughter, and unwavering support, a journey that you adorned with your presence until the very end. Even as I conclude my thesis, a milestone we dreamed of reaching together, your spirit remains intertwined with every word, every thought, and every accomplishment. Late nights and early mornings were made bearable by the sound of your voice, the comfort of your words, and the realisation that you were right there with me, traversing every step of the way. Though you are no longer by my side, your presence lingers in every page, every word, and every thought of this thesis. This work, which represents countless hours of research, analysis, and dedication, is as much yours as it is mine. Your unwavering support, encouragement, and love were the pillars upon which this academic journey was built. You taught me the true meaning of love, resilience, and compassion. You showed me how to live with purpose, relentlessly chasing my dreams and cherishing every precious moment. Though you have embarked on a journey beyond this earthly realm, your spirit remains intertwined with mine, guiding me, comforting me, and inspiring me to strive for excellence in everything that I do. As a true man of God, your wisdom, faith and guidance illuminated my path both academically and spiritually. Though you have passed on, your legacy of love, kindness and devotion to God lives on in all those you touched. In dedicating this thesis to you, I honour not only your memory but also the profound impact your support has had on my life and the person I am today. You were, and always will be, my cheerleader, pillar of strength, and my greatest blessing. Until we meet again, my love, know that you will forever hold a sacred place in my heart. **YOU WILL NEVER BE FORGOTTEN THAT I PROMISE, TO INFINITY AND BEYOND KING ERIC PHELI MOYO “BHOZA” (23 MAY 1981-20 DECEMBER 2023). I DEDICATE TO YOU A SONG THAT YOU OFTEN SANG (JOYOUS CELEBRATION 19- ON THE CROSS BY ERIC MOYO).**

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ABSTRACT

Restorative justice programmes in South Africa have gained prominence as alternative approaches to traditional criminal justice systems, as they aim to address the needs of both the offenders and victims, while fostering community healing and reconciliation. This study explores the perceptions of community members regarding the impact and effectiveness of restorative justice programmes in the context of the Cato Manor located in Durban, Kwa-Zulu Natal. The study adopted a qualitative approach located within the interpretivist paradigm. Data were collected through semi-structured interviews conducted with a sample of 16 participants consisting of 12 community members residing in the Cato Manor community and four (n=4) community leaders who were selected through purposive sampling. Data were analysed using Braun and Clarke's thematic analysis model. Data were collected to develop insights into community members' views, experiences, and attitudes regarding the impact and effectiveness of restorative justice programmes. Precisely, the study examined the community members' perceptions of the benefits, challenges, and outcomes of these programmes for both the offenders and the victims of the crimes. The findings suggest that community members generally view restorative justice programmes positively, emphasising their potential in terms of promoting accountability, rehabilitation, and the reintegration of ex-offenders into the community. The participants highlighted the importance of involving the victims of crimes in the restorative process, providing opportunities for dialogue, restitution, and healing. However, limited access to resources, lack of awareness, and cultural barriers were identified as the barriers to the effectiveness of restorative justice programmes in the Cato Manor Informal Settlement. Additionally, the participants raised concerns about the need for greater community involvement, support, and capacity-building in these programmes to ensure the sustainability and success thereof. The study recommends that there is a need to increase community awareness and education on the benefits of restorative justice, improve resource allocation to support these initiatives, and foster stronger community involvement and capacity-building efforts to ensure the programmes' sustainability and success.

Key words: *Restorative justice, recidivism, victim, offenders, crime, informal settlement*

ACRONYMS

CS	Community Service
IR	Interaction Rituals
PTSD	Post-Traumatic Stress Disorder
PTSS	Post-Traumatic Stress Symptoms
RCS	Restorative Community Service
RJ	Restorative Justice
RJI	Restorative Justice Intervention
RST	Reintegrative Shaming Theory
VOC	Victim-Offender Conferences
VOM	Victim-Offender Mediation
VORP	Victim-Offender Reconciliation Programme

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CHAPTER 1

INTRODUCTION AND BACKGROUND OF THE STUDY

1.1 Introduction

This chapter presents the background to the study and the researcher's motivation for undertaking the present study which examines the perceptions of community members on restorative justice programmes focusing on offenders and victims of crime in Cato Manor, Durban. Restorative justice has gained increasing attention as a viable alternative to traditional criminal justice systems, particularly in communities that suffer from high crime rates and social disintegration. Unlike the retributive justice model, which focuses on punishment, restorative justice emphasises repairing the harm caused by crime through inclusive and participatory processes involving offenders, victims, and community members. This approach is particularly relevant in areas like Cato Manor, Durban, where crime has significantly disrupted social cohesion and community trust. Apart from illuminating the background of the study, the chapter also presents the research problem, aim of the study, research objectives and research questions, significance of the study, and research methodology. It finally outlines the structure of the thesis.

1.2 Background of the study

Restorative justice is not a new phenomenon. It used to be practiced in Africa long before the colonisation of Africa by Western European powers (Van Wyk, 2016). However, its effectiveness ought to be interrogated following the adoption of the Western criminal justice system, since it is no longer as it used to be (Van Wyk, 2016). Despite gaining popularity once again, restorative justice, Gavrielides (2018) stated that the system is a return to the traditional ways of resolving conflicts practiced in many parts of the world. Studies have asserted that restorative justice is deeply rooted in Africa, and indeed in many parts of the world, regardless of the diverse terms used to describe it (Mangena, 2011; Doma, 2021). The practice of resolving conflicts and reconciling conflicting parties differed and depended on the gravity of the wrong committed and the number of people involved (Gabagambi, 2018).

Cato Manor has long been recognised as a high crime area in Durban, afflicted by a range of violent offences such as homicide, physical assault, and armed robbery. Recent crime statistics indicate that Cato Manor has one of the most elevated crime rates in Durban, characterised by a notable increase in incidents of violent crimes. The 2023 report from the South African Police

Service (SAPS) revealed a 15% increase in murder and assault cases compared to the previous year, rendering the area very susceptible (SAPS, 2023). These statistics represent the hard realities experienced by the residents of Cato Manor, rather than being mere numerical figures. The neighbourhood has been profoundly affected by the elevated crime rates, resulting in a widespread feeling of fear and lack of safety. The erosion of trust within the community, namely regarding law enforcement, and the disruption of the social cohesion that previously united the society, have been attributed to this environment (Zulu et al., 2022).

In 2022, the Centre for the Study of Violence and Reconciliation (CSVr) undertook a case study that specifically examined the psychological and social consequences of crime in Cato Manor. The study uncovered that individuals who experience violent crimes frequently endure enduring psychological trauma, including post-traumatic stress disorder (PTSD), anxiety, and depression. Moreover, the broader society encounters a decline in social cohesiveness, as apprehension and suspicion infiltrate daily exchanges (Mkhize & Ngubane, 2022). A further case study examined the consequences of a sequence of armed robberies in the vicinity, illustrating how these criminal acts not only caused psychological distress to the victims but also instilled a pervasive sense of fear among other individuals in the community. The concern led to a decline in community involvement in local events and a hesitancy to participate in communal activities, which in turn isolated individuals and undermined community cohesion (Khumalo, 2023).

Due to the widespread occurrence of crime and its significant influence on the community, restorative justice initiatives are becoming recognised as a crucial intervention in Cato Manor. Restorative justice, a method that emphasises the reformation of offenders and the re-establishment of connections among offenders, victims, and the community, presents a feasible substitute for conventional punitive actions. This strategy not only endeavours to provide healing for the victims and the community, but also strives to reintegrate offenders into society in a constructive manner (Clamp & Doak, 2022). The necessity of implementing restorative justice in Cato Manor is emphasised by the frequent inadequacy of the current justice system in addressing the fundamental societal factors that contribute to criminal behaviour. Restorative justice initiatives have the potential to narrow this divide by engaging the community in the process of justice, facilitating conversation, and encouraging mutual comprehension. These programmes have the capacity to restore confidence within the community and contribute to enduring social stability (Skelton, 2022).

1.3 Motivation of the study

The researcher's master's study focused on community's responses to burglary, with some participants in the study indicating how difficult it was for offenders and crime victims to co-exist in the same space. It is against this background that the researcher developed an interest in restorative justice studies, thus prompting an engagement in a study that explores the adoption of restorative justice programmes in Cato Manor in Durban. Apt to note is that the study does not focus on a particular crime but looks at crime at a larger scale because crime victims, offenders and the community, whether it is burglary, rape, murder or another crime that is involved, deserve a space for them to dialogue on the reasons why the offender committed the crime in the first place. Getting to the truth, including understanding the root causes of a dispute, and not how one convinced the members of the community of his or her innocence, as practiced in the conventional justice system, is one of the main distinguishing features of the restorative justice system. In restorative justice, the search for truth has more to do with lessons learnt, understanding the causes and advising the parties and community on how to avoid similar problems in future similar problems (Gabagambi, 2018).

Examining recidivism and restorative justice programmes is essential as it tackles the shortcomings of conventional punitive judicial systems and strives to disrupt the pattern of repeat offenses. Restorative justice presents a hopeful alternative by prioritising the restoration of harm and the reintegration of offenders into society, thereby diminishing the likelihood of repeat offenses. These programmes not only ensure that criminals are held responsible for their actions, but also have substantial psychosocial advantages. They encourage offenders to take responsibility for their behaviour and develop empathy. Additionally, they offer closure and healing for victims and contribute to the overall unity and harmony within communities. In general, this strategy promotes the advancement of a more efficient and compassionate criminal justice system.

1.4 Research problem

Growing crime rates are a great concern in South Africa and, as a result, the "tough on crime" approach is being widely proclaimed. The practical application of this approach is primarily evident in the focus on more arrests and prosecutions, on the one hand, and harsh sentences for individuals convicted of crimes, on the other (Kaplan et al., 2021). Despite this strategy, crime remains a problem, and this has led to increased awareness and the realisation that the current

methods of responding to crime are ineffective. Research suggests that long sentences and harsh punishments meted out to offenders have very insignificant deterrent effects (Sexton, 2015; Van Ginneken, 2017). Understandably, South Africa is following the global trends in terms of developing alternative ways of responding to and dealing with crime (Pardini, 2016; Sherman, Nevroud & Nevroud, 2016).

In South Africa, Cato Manor is an area in Durban where violence has been commonplace over the past 70 years, with the right to live and work having been violently contested (Xulu, 2006). The history of Cato Manor is one in which forms of discrimination and injustice have been prevailing since the apartheid government attempted to determine where certain racial groups could live and work (Popke, 2000). Cato Manor is also an area where poverty and inequality are widespread, and this has a dramatic, negative effect on the levels of crime and violence (Xulu, 2006). According to the South African Police Service (SAPS) 2020/21, there has been a vast increase in crime because of the soaring unemployment rate that was stimulated by the COVID-19 pandemic, and this was largely attributed to a shift in people's lifestyles (Miller & Blumstein, 2020). At a provincial level, KwaZulu-Natal is ranked third in terms of the official crime statistics in South Africa. The province has approximately 583 194 reported crime cases (Stats, SA 2022/23). It is against this background that the researcher seeks to explore the perceptions of community members on restorative justice programmes being implemented in Cato Manor:

1.5 Aim of the study

The aim of this study was to explore the perceptions of community members on restorative justice programmes targeting offenders and victims of crime in Cato Manor Township, Durban. The study focused on community members and community leaders residing in the Cato Manor area, as they usually form part of the restorative justice programmes when they occur. To achieve this, the researcher engaged with both community leaders and community members in semi-structured interviews and the research objectives were also achieved.

1.6 Objectives of the study

1. To explore the perceptions of community members on restorative justice programmes on offenders and victims of crime in Cato Manor.

- 2.To explore the effects of restorative programmes on recidivism (reoffending) on offenders in Cato Manor.
- 3.To explore the psychosocial benefits of restorative justice on both the victims and offenders of crime in Cato Manor.

1.7 Research questions

- 1.What are the perceptions of community members on restorative justice programmes on offenders and victims of crime in Cato Manor?
- 2.What are the effects of restorative justice programmes on recidivism (reoffending) on offenders in Cato Manor?
- 3.What are the psychosocial benefits of restorative justice on both the victims and the offenders of crime in Cato Manor?

1.8 Significance of the study

Restorative justice has recently become an influential movement whose approaches have been applied at different stages of the criminal justice system, globally (Lanni, 2021). Apt to note is that restorative justice seems to be more favourable than the conventional criminal justice system (Kim, 2020), with advocates of the former viewing it as a new paradigm in terms of responding to crime and arguing that there is need to establish a system where restorative justice could become a routine response to most criminal offenses. Restorative justice is both backward-looking and forward--looking; it is backward-looking in that it includes dealing with the aftermath of an offense, and it is forward-looking in that it is a process that looks at the implications of the offence for the future (Smith, 2020). This introduces the element of crime prevention in that an effort is made to identify how future incidents may be avoided. The response in standard criminal justice is rarely forward-looking, as it generally aims to incapacitate the offender; it is a strategy designed to prevent future crime, chiefly through imprisonment (Dalys, 2016). Alternatively, general deterrence in the criminal justice system aims to prevent crime through instilling fear in others that are not connected with the crime. It is hoped that by dealing harshly with one offender, a lesson is learnt by potential offenders, resulting in them avoiding committing crimes. The fresh approach presented by a re-process is that those with a stake in the crime must look at the implications of that crime for the future. Thus, those who are personally and directly involved in the crime can formulate targeted strategies to avoid further incidents (Skelton, 2021).

This study sought to contribute knowledge that helps fill the gap in literature through a critical evaluation of the interactive nexus existing between the role of offenders and victims, and access to justice through community-based restorative justice in the Cato Manor area of Durban. In problematising and discussing these issues, the study is significant in that it explores the perceptions of community members on the restorative justice programmes designed in their community as a measure meant to reintegrate former offenders and curb crime in Cato Manor. The new knowledge generated in the study may be paramount and significant in that the findings could help the community members residing in Cato Manor to learn and know more about restorative justice programmes and how helpful the programmes are to both the offender and the victim. The study may further form a basis for further research in the field of restorative justice.

The significance of exploring community perceptions of restorative programmes in Cato Manor is multifaceted. First, community buy in is essential for the success of restorative justice initiatives. Research shows that when community members perceive restorative programmes as fair and effective, they are more likely to support and engage in these processes, which in turn enhances the programmes' impact on reducing recidivism and fostering reconciliation (Umbreit & Armour, 2011). Given the historical and socio-economic challenges in Cato Manor, understanding the local community's views is crucial for designing restorative justice interventions that are culturally sensitive and contextually appropriate. Second, the topic is important because it addresses gaps in the existing literature on restorative justice, particularly in urban South African contexts. While there has been substantial research on restorative justice in rural areas and within the juvenile justice system, less attention has been paid to its application in urban settings like Cato Manor, where the dynamics of crime and social relationships are different (Skelton & Batley, 2022). This study aims to fill this gap by providing empirical data on how restorative justice is perceived in a community deeply affected by crime.

Finally, investigating community perceptions of restorative justice in Cato Manor is essential for informing policy and practice. Policymakers and practitioners need to understand the community's attitudes and concerns to develop restorative justice programmes that are not only effective in reducing crime but also in rebuilding trust and social capital within the community. This is particularly relevant in South Africa, where the legacy of apartheid has left many communities with deep-seated mistrust of formal justice systems (Clark, 2020). By focusing on Cato Manor,

this study contributes to the broader effort of making restorative justice a more integral and accepted part of the justice landscape in South Africa. Exploring the perceptions of community members on restorative justice programmes in Cato Manor is a critical area of study that addresses both theoretical and practical concerns. By understanding how these programs are perceived in a high-crime urban area, the study contributes to the development of more effective, locally tailored restorative justice initiatives that can help restore social order and promote reconciliation in communities that have been deeply affected by crime.

1.9 Methodology

A qualitative approach was adopted in soliciting data for this study. It empowered the researcher to comprehend the participants' points of view, encounters and feelings through their responses to restorative justice programmes in Cato Manor community. The study was located within the interpretivist paradigm which takes an insider approach to research. This paradigm aligns with the current study's objectives by examining social reality from the perspectives of the participants. Interpretivism was appropriate to this study since it gave the researcher the platform to elicit in-depth knowledge regarding the perceptions of community members on restorative justice programmes, the psychosocial benefits of these programmes and the influence they have on recidivism or re-offending and on the offenders and victims of crime in Cato Manor Community in Durban.

Purposive and snowball sampling techniques, which are both non-probability sampling strategies, were utilised, for their applicability to the research questions. Data were collected using in-depth interviews conducted on an individual (one-to-one) basis. It combined a lot of pre-determined inquiries that empowered the interviewer to further explore specific themes and participants' reactions. The in-depth interview was suitable for this study since it afforded the researcher an opportunity to engage in a free and open dialogue with the interviewees, which gave the researcher an opportunity to acquire in-depth information about the concerns around burglary occurring in the area. In addition, the thematic analysis developed by Braun and Clarke (2006) was utilised in this study. Thematic analysis seeks to undo the themes prominent in a text at diverse levels and aims to enable the organising and portrayal of these themes (Attride-Stirling, 2001).

1.10 Conceptualisation

1.10.1 Victim

The Victim's Rights Charter (2006) gives a meaning of a 'victim of crime' as, incorporates an individual who, as a direct result of a criminal offence endures physical or emotional harm or loss or damage to property. In the event that the criminal offence brings about the passing of the individual, an individual from that individual's close family will likewise be incorporated as a victim of crime. The South African Law Commission characterises a 'victim' as “a biological individual who has endured hurt on account of someone else account in the event of a crime of violence. Harm or suffering, which can be physical or mental or both, more likely brought in a material misfortune for the person in question as well as had an antagonistic, quantifiable effect on her or his current and additionally future ability to gain an income”. An individual might be viewed as a victim putting in mind whether the guilty party has been identified, apprehended, charged, prosecuted or sentenced. Individuals can be deemed to be victims regardless of the familial connection between the wrongdoers and themselves, and the classification can incorporate individuals who were harmed while intervening or helping different exploited people, or the police during activities aimed at law enforcement.

1.10.2 Offenders

Offenders, according to criminologist Edwin Sutherland, are those who commit activities that are considered crimes based on societal standards and legal criteria. Sutherland's theory of "differential association" highlights that criminal conduct is acquired through social contacts, indicating that individuals who have been exposed to beliefs and behaviours that promote crime are more likely to engage in illegal activities (Sutherland, 1939). Petersilia (2011) posits that, offenders are those who engage in criminal activities and are typically influenced by many socio-economic and psychological elements that lead to their criminal behaviour. Petersilia highlights the significance of comprehending the origins of criminals, encompassing their socioeconomic level, mental health conditions, and experiences of trauma, to more effectively tackle the concerns of reoffending and rehabilitation (Petersilia, 2011). David Garland examines offenders from the perspective of modern penology, proposing that current perceptions of offenders are shaped by wider sociological and political shifts. Garland asserts that perpetrators are becoming increasingly perceived as logical individuals who make decisions within a framework of structural disparities and systemic problems. This viewpoint

emphasises the necessity of employing more sophisticated and situation-sensitive methods in the field of criminal justice (Garland, 2012). According to Howell (2014), offenders are those who participate in criminal activities. To effectively prevent and intervene in criminal behaviour, it is necessary to consider both the individual risk factors and the wider social contexts that lead to criminality.

1.10.3 Crime

Burt (2020) posits that, crime can be defined as actions that go against established laws and are subject to official punishments by government authorities. Burt highlights that crime comprises a broad spectrum of behaviours, ranging from minor violations to grave transgressions, and that the definition of what constitutes a crime can differ based on legal, cultural, and societal circumstances (Burt, 2020).

1.10.4 Informal settlement

Informal settlements are urban regions that are characterised by limited access to essential services, substandard living conditions, and uncertain land ownership. Mitlin emphasises that these settlements frequently emerge as a result of swift urbanisation and economic disparity, resulting in marginalised populations that encounter substantial obstacles in terms of infrastructure and social services (Mitlin, 2020). According to Gilbert (2019), informal settlements are regions of urban growth where inhabitants build their own homes and infrastructure, usually on property that lacks formal ownership or legal recognition. Gilbert highlights the fact that these settlements are constructed by the residents themselves and frequently have unstable living circumstances because they lack official recognition and planning (Gilbert, 2019). Smith (2019) observes that informal settlements frequently arise from a combination of historical and contemporary socio-economic causes, such as migration, poverty, and the dynamics of the land market. Smith contends that these regions exhibit notable population density, restricted availability of public services, and frequent susceptibility to environmental dangers (Smith, 2021).

1.10.5 Restorative Justice

Restorative justice, as defined by Zehr (2002), is a method that aims to engage all relevant parties in a particular offence to jointly recognise and address the damages, requirements, and

responsibilities involved, with the goal of achieving healing and maximum potential resolution (Zehr, 2002). Restorative justice, according to Braithwaite (1989), is a framework that promotes offenders' accountability for their conduct and the restoration of the harm caused. This is typically achieved through direct meetings between victims and offenders (Braithwaite, 1989). Restorative justice fundamentally seeks to establish a participatory and collaborative procedure in which all parties impacted by a crime play a role in resolving its consequences and addressing the underlying factors.

1.10.6 Recidivism

Recidivism refers to the recurrence of criminal activities among individuals who have previously been convicted of crimes, as defined by the National Institute of Justice (2021). This term emphasises the recurrent pattern of criminal behaviour, wherein individuals who have previously engaged in illegal activities return to committing crimes. From a broader perspective, authors such as James Austin and John Irwin highlight that recidivism encompasses not just the act of committing another offence, but also the subsequent return to incarceration. Austin and Irwin define it as "the phenomenon in which individuals who have been previously incarcerated revert back to engaging in criminal activities, resulting in their re-arrest, conviction, or return to prison" (Austin & Irwin, 2001). This approach emphasises the continuous difficulty of dealing with criminal behaviour in the justice system and the necessity for efficient intervention and rehabilitation techniques to decrease the chances of repeat offences.

1.11 Thesis outline

Chapter 1: Introduction and background of the study

The chapter introduces the entire study. It briefly provides the background to the study, outlines the research problem, purpose of the study and the research objectives. It then summarises the significance of the study. This introductory chapter is essentially a road map that directs and informs the reader about what to expect in the entire dissertation.

Chapter 2: Literature review

This chapter provides the contexts indicating the perceptions of community members on restorative justice programmes involving offenders and victims of crime. It additionally outlines and illuminates the nature and characteristics of restorative justice processes in the global and South African context.

Chapter 3: Theoretical Framework

The chapter provides criminological theories (Reintegrative Shaming Theory, Social Bond Theory, and Labelling Theory) that offer explanations to these restorative justice programmes or processes, specifically those applicable to the South African society.

Chapter 4: Methodology

The chapter specifically describes the study's methodology and research design. It further outlines the sampling, data collection and data analysis procedures. The chapter also describes how the study enhanced and maintained trustworthiness and ethical considerations.

Chapter 5: Presentation of findings and discussion

The chapter presents the findings emanating from the study. It further presents an analysis of the findings based on the research objectives. The presentation of the findings is done in a tabular manner. The presentation is divided into three chapters where findings are discussed vis-a- vis the study objectives. The chapter presents an analysis of the findings, and this is done based on the first objective which highlights the perceptions of community members on restorative justice programmes involving offenders and victims of crime. The chapter also presents a discussion based on the above theme and sub-themes that emerged from the participants' responses.

Chapter 6: The influence of restorative justice programmes on recidivism

This chapter presents an analysis of findings, and this is based on the second objective which highlights the influence of restorative justice programmes on recidivism (reoffending). The participants' individual responses are observed, followed by an interpretation of the common

sub-themes that emerged from the responses. The chapter also presents a discussion of findings based on the above theme and subthemes that emerged from the participants' responses.

Chapter 7: Psychosocial benefits of restorative justice programmes to offenders and victims of crime

The chapter presents an analysis of findings based on the third objective which highlights the psychosocial benefits of restorative justice programmes to offenders and victims of crime. The participants' individual responses were observed, followed by an interpretation of the common sub-themes that emerged from the responses. The chapter also presents a discussion based on the above-cited theme and sub-themes that emerged from the participants' responses.

Chapter 8: Integrative discussion, recommendations and conclusion

The chapter presents an integrative discussion of the findings, reflecting on the key themes and their relationship with one another. The chapter proffers recommendations and draws conclusions that are based on the findings, thus paving the way for further research.

1.12 Conclusion

Restorative justice programmes and processes within the context of Cato Manor in Durban have been highlighted in this introductory chapter. The background highlighted an understanding of the community members' perceptions on restorative justice programmes involving offenders and the victims of crime. The chapter outlined the research questions and objectives guiding the study's focus. It further presented a detailed outline of the entire thesis.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

Modern restorative justice continues to influence diversity in the criminal justice system. It is regarded by many as a healing form of justice that is more beneficial to offenders and victims of crime than the conventional criminal justice system. Restorative justice procedures are relevant to community justice because they embrace the needs of victims, offenders and the community. This is evident in the higher levels of satisfaction that the victims of crime and offenders attain following restorative justice processes than those obtained from the conventional criminal justice system. Victims of crime need a justice process that addresses harm, restores relationships and works to secure the community's future peace. Because modern restorative justice is anchored in these values, it will continue to influence the practices in the conventional criminal justice system. Restorative justice is a process that identifies harms, resulting in the needs of the victims of crime and offenders being addressed accordingly. Through this modern system, the physical, material, financial, social and psychological consequences of the crime are discussed and attended to. The offender is afforded the opportunity to share their side of the story, and may apologise, repent, empathise, and receive forgiveness; however, not all restorative justice processes end with an apology and forgiveness. This chapter focuses on restorative justice in some parts of Africa in general and South Africa in particular. The chapter highlights three relevant restorative justice programmes. Lastly, the chapter dwells on communities' perception on restorative justice programmes, the psychosocial benefits of these programmes to offenders, victims of crime and the community and the influence these programmes have on recidivism.

2.2 The principles of restorative justice

The principles of restorative justice prioritise the healing of harm, enhancing accountability and reintegration, and particularly protecting the fundamental rights of all individuals (Van Ness et al., 2022). Restorative justice addresses individuals' cultural and moral beliefs, as well as their emotions and values (Daly, 2017). Daly (2017) proposes a justice model that views crime as a conflict between individuals, causing harm to the victim, the offender, and the community. The concepts of the restorative justice process acknowledge the dynamic and fluid nature of social

existence. When justice is treated as an event disconnected from its context, as it is often the case in the traditional criminal justice system, it leaves no room for reconciliation and reintegration, or change and transformation (Daly, 2017; Van Ness et al., 2022). Restorative justice prioritises principles such as the recognition of human dignity and worth, inclusivity, honesty, and the belief that relationships hold greater significance than power dynamics (Gonzalez, 2014; Kirkwood, 2022). One of the most important aspects of restorative justice is its emphasis on promoting justice by highlighting the positive qualities in individuals rather than solely focusing on their negative behaviours. This concept is deeply rooted in both indigenous cultures and religious traditions (Van Wormer & Walker, 2013).

The origins of the restorative justice system can be traced back to the ancient customs and ideals of indigenous communities, including the Kpelle, Barotse, and Tiv tribes in Africa (Umbreit & Armour, 2011; Thrush, 2015). In these cultural customs, crime is closely linked to the resolution of conflicts, which is seen as a concern for the entire community. This highlights the importance of reconciliation and the restoration of social harmony, which are key aspects of the contemporary concept of restorative justice (Sydenham, 2023). The origins of restorative justice, which aims to promote peace, may be traced back to various prominent spiritual traditions such as Buddhism, Christianity, Judaism, and Islam (Silvestri & Mayall, 2015). The concepts of fairness and justice are closely connected to religious beliefs of sin, judgement, forgiveness, and moral ideals (Thrush, 2015).

2.3 Indigenous roots of restorative justice

2.3.1 Origin and development of restorative justice

The dialogic and restitutive nature of restorative justice is not a unique phenomenon. The justice system of various indigenous cultures has comparable values and methods. Zehr (2015), one of the pioneers in the development of restorative justice, contended that prior to the emergence of the nation-state, acts of wrongdoing were predominantly understood in terms of human relationships rather than legal frameworks. This period of communal justice was somewhat less organised and typically had a restorative nature. The personal, customary, and negotiated aspects of community justice were ultimately replaced by a more institutionalised and centralised system of legal justice. Instead of relying on communities, it is the duty of the State to establish and enforce a system of laws and sanctions (Zehr, 2015; Polavarapu, 2022).

In contrast, most indigenous traditions perceived crime in a deeply communal context rather than a legal one. This fostered a shared need to address the negative consequences of criminal behaviour, encompassing a broader network of connections that encompass both the offender and the victim. The development of modern restorative justice has been significantly affected by these traditions. As stated in the preamble to the basic principles, restorative justice frequently incorporates traditional and indigenous forms of justice, which perceive crime as inherently detrimental to individuals (Mousourakis, 2018). Undoubtedly, European colonisation inflicted significant damage on Africans by substituting traditional methods of social regulation and belonging compounded by an abstract, law-based system of State and coercion.

Restorative justice is a contemporary notion that originated in North America around the 1970s, when the first restorative justice programs were established (Zehr, 2015). In 1974, two legal probation workers in Kitchener, Canada, facilitated a restorative justice process by convening the victims and offenders involved in a vandalism case. The purpose was to address the crime directly and engage in dialogue to explore methods of healing the harm caused. The successful experiment resulted in the creation of the Victim-Offender Reconciliation Program (VORP) by the Christian Mennonite Committee. This initiative served as a catalyst for other innovations in North America and worldwide. The programme's growth and development led to the emergence of a novel perspective on crime, which came to be recognised as 'restorative justice' (Zehr, 2015).

Concurrently with the emergence of restorative justice in North America, similar progress was taking place in Europe. Zehr (2015) contended that the concept of crime should be perceived as conflicts between real individuals, rather than an abstract term. Furthermore, individuals possess an inherent entitlement to their disputes, and what occurs in the criminal justice system is that legal professionals have stolen these conflicts from the parties involved, thereby depriving victims and offenders of the opportunity to engage in the resolution of their criminal case (Van Ness et al., 2022). Zehr (2015) states that the emergence of restorative justice has coincided with other changes and advancements in the criminal justice system. Specifically, this refers to the impact of the victims' rights movement and efforts to enhance the involvement of victims in criminal processes. The implementation of diversionary and rehabilitative methods in sentencing has had an influence on the advancement of restorative justice. In certain instances, this has led to the establishment of legal measures to provide restorative justice services, specifically for children involved in conflict with the law.

2.4 Restorative justice in the African context

Bezabh (2019) defines restorative justice as a conflict resolution model commonly employed in several African communities. It involves the participation of crime victims, criminals, and community members to collectively confront and resolve issues related to a crime or dispute. The objective is to improve the process of restoring, repairing, reintegrating, and involving the community in addressing crime, disputes, and associated issues (Gal, 2016). Restoration encompasses various methods, including compensation, reparation, or apology, and aids in repairing damaged relationships. This is logical because African societies typically have a communal lifestyle and strongly dislike anything that could damage relationships, isolate individuals or families from the society, or hinder their social connections (Nisbet, 2023).

Restorative justice has historical roots in Africa that predate the conquest of the continent by Western European powers. The efficacy of the adopted Western criminal justice system has diminished compared to its previous state (Wyk, 2016). Restorative justice is experiencing a resurgence in popularity. According to Daly (2017), it represents a reversion to traditional methods of conflict resolution in various regions of the globe. Additional research has claimed that restorative justice has strong historical origins in Africa, as well as in several regions globally, irrespective of the specific terminology employed to refer to it (Mangena, 2011; Gavrielides, 2021).

2.4.1 Restorative justice in Tanzania

Restorative justice has been a long-standing practice in Tanzania. The Kinga people of Southern Tanzania utilised restorative justice techniques to effectively resolve conflicts among their members (Ilomo, 2013). Therefore, in the event of a problem arising between family members or families within a clan, the community would convene a meeting with the purpose of facilitating reconciliation between the involved parties. Community members would gather in a circular formation around a fireplace, known as Lugono, resembling a court setting. A complainant would then recount the incident or present their version of events, while the defendant(s) would have the opportunity to respond to the accusations and provide their own defence (Bekelcha & Sefera, 2019). The partners would finalise their reconciliation by partaking in the consumption of a native alcoholic beverage called 'ukupelanila ulupelo' and the consumption of roasted beef, known as 'okukatelanila inyama', from a shared source. The okukatelanila inyama process entails the act of dividing a portion of cooked meat amongst the parties engaged in a dispute, who then consume

their respective halves. This is followed by the administration of a specific medicinal substance, known as 'ukupulilanila untuguva', which is blown into one's face. This ritual serves as a symbolic gesture of reconciliation (Mengesha et al., 2015).

The approach to resolving dispute and reconciling parties varied based on the severity of the crime and the number of individuals involved. In the case of a minor conflict, such as when one member insults another, only the two people involved in the conflict have the responsibility to try and address the matter (Kotter & Cohen, 2012). Nevertheless, grave offences or significant conflicts necessitated the participation of kinship group members and the entire populace. This occurrence typically took place when community members gathered around a fireplace, actively listening to the involved individuals, questioning them, and assisting in uncovering the root cause of the issue, thereby revealing the truth (Gabagambi, 2018). One of the key distinguishing elements of the restorative justice system is its focus on uncovering the truth, including comprehending the underlying causes of the conflict, rather than solely relying on convincing the community members of one's innocence, as is done in the traditional court system. The pursuit of truth primarily involved analysing lessons learnt, comprehending the underlying reasons, and providing guidance to the individuals involved and the community at large on how to prevent similar issues from recurring in the future (Ilomo, 2013).

Daly (2017) states that the offender must willingly confess or accept accountability for their words, actions, or lack thereof, which caused harm or injury to the victim and their family. Additionally, they must demonstrate remorse for their harmful behaviour. Once the truth is recognised and accepted, along with taking responsibility, reconciliation naturally occurs, leading to the repair and restoration of the damaged relationship (Fletcher & Weinstein, 2002). Reconciliation is a crucial aspect of the restorative justice concept and cannot occur until the perpetrator, victim, and community members have been informed about the crime and established the truth. When a person who has been harmed by a crime or dispute experiences more pain because the suspected perpetrator refuses to cooperate, members of the community hold the suspect responsible, which leads to the initiation of conflict resolution (Ilomo, 2013).

2.4.2 Restorative justice in Nigeria

As stated by Gabagambi (2018), councils of elders confirm the attainment of true reconciliation following dispute mediation by requiring both parties to partake in the same meal (drink palm wine, burukutu, or local gin from the same vessel, and/or break and consume kolanuts). African

communities possessed a deep-rooted wisdom that was deeply embedded in their social structure. This wisdom was based on a solid foundation of truth, a comprehensive grasp of the underlying causes of community issues, and a commitment to reconciliation (Kariuki, 2015). To fully comprehend the events and their underlying causes, it was recognised that the participation of every community member was necessary in candid and transparent dialogues regarding a specific crime, problem, dispute, or a comprehensive range of issues or conflicts (Gabagambi, 2018). Therefore, the conflict resolution systems within African communities enabled regular individuals to actively engage in and resolve disputes and crimes that directly impacted them, without any intervention from a distant and centralised state authority. In contrast, in African countries that gained independence, conflicts and disputes are now resolved by State organs using an adversarial and retributive approach, particularly in the field of criminal justice. Although these international criminal justice processes are not inherently unfair, they are susceptible to significant delays, particularly in criminal trials, where obtaining testimony from State witnesses is a significant obstacle (Gabagambi, 2018).

Many post-independence African countries have predominantly utilised the laws and judicial systems established by their colonial rulers. However, these foreign systems have proven inadequate in resolving the numerous conflicts that have plagued them (Arnold, 2017). Some scholars and researchers have been intrigued by this, prompting them to re-examine African traditional behaviours and assess their relevance in a post-colonial society (Ndiaye, 2012). Although not flawless, it is important to preserve indigenous justice systems in Africa instead of adopting Western justice models that continue to degrade African ideals and values by considering them to be inferior.

2.4.3 Restorative justice in Kenya

The arrival of colonialism in Kenya interrupted and overthrew the dominant role of restorative justice and other conventions that governed life and relationships in African communities (Gabagambi, 2018). The colonial powers enforced their own laws and legal systems upon the preexisting African legal framework. While Africans were permitted to retain their customary law, the British common law system took precedence and became the primary legal system in the colony (Okafo, 2016). In Kenya, the colonial powers mandated the application of British common law in nearly all areas, apart from subjects falling within native custom. This was the standard practice in other British colonies across Africa. Kenya continued to uphold the Western legal system even after gaining independence. Prior to Kenya's independence, the British courts were

exclusively accessible to British individuals. It was only after independence that Kenyans were granted the right to initiate or defend legal actions in these courts (Ndambo, 2020).

It is worth noting that restorative justice processes in Kenya have not been fully integrated into the legal system, unlike in South Africa where the country's constitution acknowledges customary law (Rautenbach, 2015). Despite the absence of formal integration into the legal system, several communities in Kenya persist in employing the restorative justice process to resolve a range of problems, including those relating to land. The rising number of land disputes in Kenya might be effectively resolved by implementing the traditional methods of conflict resolution, rather than relying on the complex and unfamiliar judicial procedures that are still not well understood by many rural and urban populations. The implementation of restorative justice mechanisms to settle land disputes in Kenya is further reinforced by the prevalence of communal land ownership systems in African communities. In fact, the concept of private land ownership, such as leaseholds and freeholds, is largely unfamiliar to indigenous communities in Kenya (N'getich, 2016).

2.4.4 Restorative justice in Ghana

From a cultural standpoint, Ghanaians generally tend to avoid resorting to legal action, particularly when it comes to situations involving the government (Harvey, 2015). According to Ofori-Dua, Akuoko, and Kanwetuu (2015), there is a belief that imprisonment is not the most effective method of rehabilitating offenders in Ghana due to the numerous issues faced by the country's prisons, which impede the delivery of services. Given the current circumstances and difficulties, Ghana's prisons are unable to effectively reform offenders or provide them with the essential education and skills needed to make a positive impact on their country after being released from prison. Most Ghanaians advocate for prioritising community services instead of incarceration, particularly for minor offences and individuals who are first-time offenders, women, and the elderly (Ofori-Dua et al., 2015).

One could contend that the endeavours to establish peace in various communities across different nations may be labelled differently, but the objective remains consistent: to uncover the truth, address the consequences of human rights abuses, and ultimately construct a nation that benefits both individuals and the community at large. The most effective means of achieving justice for Ghanaians is through reconciliation, healing, and holding offenders responsible. While Ghana's National Reconciliation Commission is not a cure-all solution, it is still the superior choice when compared to adversarial criminal prosecutions (Harvey, 2015).

According to literature, the Western judicial system has significantly diminished the African traditional methods of dispute resolution, including restorative justice approaches and processes. Nevertheless, Daly (2016) warns against the potential for misunderstandings when trying to ascertain whether restorative justice refers to the customary methods of dispute resolution or if it should replace the conventional legal system. The scholar asserts that restorative justice is a modern justice mechanism that can be highly effective when accurately defined. The scholar emphasised the need to distinguish between retributive justice and restorative justice. Retribution is one of the goals of the traditional justice system, but it is not a standalone system. Restorative justice, on the other hand, does not aim to replace the traditional justice system, but rather serves as an additional mechanism that can be used when all parties involved agree to pursue that approach (Daly, 2016).

2.4.5 Restorative justice in the South African context

Wilson and Thompson (2022) state that South Africa was colonised by two distinct European powers: Holland, from 1652 to 1815, and Britain, from 1815 to 1961. The Dutch from Holland successfully conquered and occupied the lands that currently make up South Africa in 1652, but they were eventually expelled by the British in 1815. Both the Dutch and the British introduced their legal systems to South Africa; however they made various changes, which resulted in the customs, laws, and legal system of the indigenous communities being replaced. Currently, South Africa possesses a hybrid legal system that incorporates the legal systems of the Dutch and the British, as well as the customary law of the indigenous South Africans (Daly, 2016).

Prior to the colonialism of South Africa, several ethnic communities possessed distinct customs, rules, and legal frameworks specifically developed to address crime, conflict, and other societal problems or concerns (Owusu-Bempah & Gabbidon, 2020). The dispute resolution techniques employed in these ethnic communities were primarily centred around achieving reconciliation between the conflicting parties. Consequently, the focus of the justice systems was on repairing the damaged relationships between the people involved, rather than on punishing the criminals. The objective of repairing fractured relationships persisted even in cases when the defendant was mandated to provide restitution, which served as an acknowledgement of accountability and was not intended to financially ruin the offender (Gabagambi, 2018).

During the pre-colonial era in South Africa, several ethnic communities employed distinct methods and systems of restorative justice. In Xhosa culture, the King or Chief had the authority to oversee

murder cases because it was believed that they were the ones who suffered the most from the harm produced by the crime (Nhlapo, 2017). The traditional counsellor would articulate and demonstrate the advantages and disadvantages of the situation. If the chief found it necessary to oppose the decision made by the counsel, he would propose an alternative decision. If this alternative decision was approved, it would then be established as the official decision of the court (Inkundla). Occasionally, a resolution might be achieved, leading to a subsequent alteration in the ruling. Consequently, the King was unable to make autonomous judgements without the participation of other members of the community, as the Xhosa people hold the belief that a chief's authority is derived from the support of his tribe (Rautenbach, 2015).

The Constitution of the Republic of South Africa (1996) acknowledged and granted constitutional recognition to customary law. Black South Africans, who had endured years of oppression, were able to maintain their customs, laws, and traditional methods of resolving conflicts, which was seen as a positive and refreshing development (Rautenbach, 2015). Furthermore, the court and justice system that the British enforced upon them was not only costly but also unfamiliar in numerous aspects, particularly its emphasis on the individual, disregarding the broader society. According to Iteba (2019), most Black South Africans embraced Ubuntu, a concept or philosophy that emphasises the shared humanity and community where everyone, regardless of their familiarity, are responsible for each other's well-being. Therefore, according to the Ubuntu philosophy, the purpose of a justice system is to rehabilitate the offender so that they can recognise the worth of others and refrain from causing pain or injury to them. According to this philosophical perspective on restorative justice, it is evident that the community recognises the negative impact of an offence committed by one of its members. Rather than isolating the offender, the community should focus on rehabilitating and reintegrating them (Paul & Borton, 2021).

Zehr (2015) states that several leaders in South Africa recognise the significance of a community ethos that is developed through restorative justice and understand the negative impact that the erosion of this ethos may have on the community. Some officials argue that the country's growing moral decline is partly due to people no longer viewing themselves as part of a unified community. Therefore, they propose implementing measures to restore African communal cultures. These community lifestyles in African countries sometimes involve the implementation of restorative justice as a means of resolving conflicts. South Africa has implemented measures to revive the restorative justice model. As a result, individuals who faced several charges have been mandated to pay their victims and seek forgiveness. The legal profession in South Africa endorsed the revival

of restorative justice and called for its integration into the criminal court system (Louw & van Wyk, 2016).

During the pre-colonial era in South Africa, several societies employed distinct methods and systems of restorative justice. Murhula and Tolla (2021) contend that South Africa's foundation of indigenous knowledge regarding traditional justice procedures confers a significant advantage in elucidating and advancing restorative justice in the country. It is important to acknowledge that the ideas of restorative justice are not new. Therefore, one could say that the current promotion of restorative justice is essentially a revival of traditional African systems of justice. Although South Africa's criminal justice system is well-acquainted with the principles of restorative justice and its traditional legacy, it fails to adequately incorporate it (Murhula & Tolla, 2021). The criminal justice system in South Africa is founded on Western principles. However, some scholars have raised concerns about the relevance and accessibility of justice in the country. They wonder whether it would be more appropriate to base the system on South African experiences, traditions, and values (Graness, 2015; Ladson-Billings, 2021). Restorative justice aligns closely with the African worldview, making it very relevant and easily understood within the South African setting. Consequently, it is particularly well-suited for implementation in African societies (Eze, 2021).

Restorative justice has been extensively studied in South Africa, particularly in relation to the country's transitional justice efforts following apartheid. The Truth and Reconciliation Commission (TRC) is often cited as a landmark example of restorative justice, with numerous studies analysing its strengths and limitations. For instance, Mamdani (2020) critiques the TRC for its limited engagement with socioeconomic justice, arguing that while it facilitated political reconciliation, it did not adequately address the economic inequalities rooted in apartheid. This highlights a gap in the literature regarding the broader social impacts of restorative justice and the need for more localized studies that examine how restorative justice is perceived and implemented in specific communities. Additionally, scholars like Skelton and Batley (2019) have explored restorative justice within the juvenile justice system, emphasizing its potential to rehabilitate young offenders and reduce recidivism. However, these studies often focus on the effectiveness of restorative justice from a legal or institutional perspective, leaving a gap in understanding how community members especially in high-crime areas like Cato Manor perceive these programmes. This gap is significant because community perceptions can greatly influence the success of restorative justice initiatives.

While there is substantial literature on the implementation and outcomes of restorative programmes, there is less focus on how these programmes are perceived by the communities they are intended to serve. Studies by Sherman and Strang (2017) have shown that community support is critical for the success of restorative justice, yet there is limited research on the specific perceptions of community members in marginalized urban areas, particularly in South Africa. This gap suggests a need for more qualitative studies that explore the subjective experiences and attitudes of community members toward restorative justice. In the context of Cato Manor, there is a particular lack of research that examines the intersection of crime, social cohesion, and restorative justice from the perspective of residents. The existing literature tends to generalize findings across different communities without accounting for the unique historical and social dynamics of specific areas. For example, McCold (2021) argues that restorative justice programs must be culturally relevant and context-specific to be effective, but few studies have applied this principle to the diverse contexts within South Africa.

2.5 Identifying gaps in restorative justice between South Africa, Tanzania, Nigeria, Kenya and Ghana

The literature reveals several gaps when comparing restorative justice practices in South Africa with those in Ghana, Tanzania, Nigeria, and Kenya. A significant gap lies in the institutionalization of RJ. In South Africa, RJ has been more systematically integrated into the formal justice system, particularly through initiatives like the Truth and Reconciliation Commission (TRC) and the Child Justice Act. In contrast, RJ in Ghana, Tanzania, Nigeria, and Kenya is largely informal and community-based, deeply rooted in traditional practices that predate colonial legal systems. In Nigeria, particularly in the northern regions, Islamic law (Sharia) coexists with customary law, and both systems incorporate elements of restorative justice, such as compensation (*diya*) and reconciliation between parties (Ojelabi & Agbakwuru, 2018). Whereas in Ghana restorative justice practices in Ghana often involve mediation by community elders and family heads, focusing on restoring relationships rather than imposing punitive sanctions. This customary approach has been integrated into the formal justice system, particularly in the resolution of minor offenses and civil disputes (Appiah, 2023; Osei, 2021). In Tanzania, restorative justice is primarily practiced through traditional justice mechanisms in rural areas, where community elders' mediate conflicts and disputes. These practices are rooted in the values of reconciliation, restoration, and the maintenance of social harmony. The formal justice system in Tanzania has begun to recognize and incorporate these traditional practices, particularly in the juvenile justice sector (Mdee, 2023;

Komba, 2021). This difference highlights a need for more research on how these informal, community-driven approaches could be harmonized with or formally integrated into the national legal frameworks of these countries. Furthermore, the gap extends to the level of empirical research, as there is limited scholarly focus on how restorative justice is perceived and practiced by community members in these countries, especially in urban areas where traditional and formal justice systems intersect.

Another gap in the literature concerns the comparative analysis of restorative justice's effectiveness and community acceptance across these contexts. While South Africa's restorative justice model has been extensively studied, particularly in the post-apartheid era, there is less research on the practical outcomes of restorative justice in Ghana, Tanzania, Nigeria, and Kenya. The existing studies often emphasize the restorative and community-centered nature of restorative justice in these countries but lack comprehensive data on its long-term impact, particularly in reducing crime and promoting social cohesion. Additionally, there is a need for more localized studies that explore the unique social dynamics and challenges faced by communities in these countries, which could inform the development of restorative justice practices that are both culturally relevant and effective in contemporary urban settings. This gap underscores the importance of understanding community perceptions of restorative justice and the potential lessons that South Africa might learn from the more traditional, community-driven approaches in other African countries. This gap is significant because it highlights the need for more empirical research that examines the perceptions of community members toward restorative justice in these countries, particularly in urban areas where traditional and modern justice practices converge (Nyang'oro, 2017; Ojelabi & Agbakwuru, 2018).

Finally, the existing literature suggests that restorative justice practices in Tanzania, Nigeria, Kenya and Ghana are often more restorative and community-centered than in South Africa, where the formal justice system plays a more dominant role. This difference underscores the importance of exploring how community perceptions of restorative justice in South Africa might differ from those in Tanzania, Nigeria, Kenya and Ghana, and what lessons can be learned from these different contexts (Agyeman, 2019; Petersen, 2010). While restorative justice is a shared concept across South Africa, Tanzania, Nigeria, Kenya and Ghana, its implementation and community perceptions vary significantly. The gaps identified in the literature point to the need for more localized and context-specific studies that explore how restorative justice is perceived and practiced in different African countries. By examining these perceptions, particularly in urban

areas like Cato Manor, Durban, this study aims to contribute to a more nuanced understanding of restorative justice in Africa, bridging the divide between formal justice systems and community-based practices.

2.6 Restorative justice programmes

2.6.1 Victim-offender mediation

Victim-offender mediation programs, commonly referred to as victim-offender reconciliation programs, were among the first restorative justice initiatives (Shapland, 2016). These programs are specifically designed to meet the needs of crime victims, while also ensuring that perpetrators are held responsible for their actions. Governmental organisations and nonprofit organisations can both conduct the programs, which often focus on less serious offenders (Dandurand, 2016). Gavin and McVean (2018) have identified three essential prerequisites for the utilisation of victim-offender mediation, namely:

- (i) The offender must accept or not deny responsibility for the crime;
- (ii) Both the victim and the offender must be willing to participate;
- (iii) Both the victim and the offender must consider it safe to be involved in the process.

Reijerink (2018) states that the victim-offender mediation process can be categorised into two forms: direct mediation or indirect mediation. Direct mediation entails a face-to-face meeting between the victim and the offender to discuss the consequences of the offence. If the victim is not willing to directly address the offender in a restorative justice meeting, the mediator can help organise remote communications. Originally, victim-offender mediation programs were employed to address minor offences perpetrated by juvenile offenders. Hansen and Umbreit (2018) have proposed the use of restorative interventions to address and assess serious offences committed by adults. Restorative justice programs often exonerate adult offenders who have committed violent crimes after they have been sentenced. In contrast to the judicial system, the restorative justice mediation process entails the victim and offender actively seeking a resolution to their issue. The facilitator's primary responsibility is to facilitate the process and encourage the parties involved to reach a consensual agreement. The facilitator does not impose any outcomes on them. In certain

situations, the involvement of the victim's parents or friends may be permitted to facilitate decision-making between the victim and the offender. As a result, minor offenders or victims are typically supported by their parents or other appropriate adults.

Prior to the mediation meeting, it is essential to have a caucus with the mediator, as outlined by Moss (2021). This caucus serves several purposes, including informing the parties about the process's role, gathering relevant information, comprehending the nature of the dispute, guiding the parties towards relevant issues, and preparing them for the mediation. This preparation is crucial because face-to-face meetings can evoke strong emotions or even trauma. In a mediation process, the discourse aims to identify the specific damages resulting from the crime, establish the offender's responsibility for these damages, and work towards preventing any future criminal behaviour. The primary objective of a victim-offender mediation meeting is to achieve a mutually agreed-upon resolution between the parties involved and to mitigate the harm inflicted by the offender (Pawlak, 2018). Throughout the mediation process, the offender has the opportunity to express remorse, while the victim has the option to extend forgiveness. Naturally, an apology and forgiveness are considered voluntary gestures, hence making it unnecessary for every encounter to involve an apology and forgiveness.

Braithwaite (2016) categorises remorse, apology, forgiveness, and mercy as emergent values of restorative justice, emphasising that their significance lies in their voluntary nature. Expanding upon Braithwaite's perspective, Skelton and Batley (2021:56) elucidate that restorative justice should not be equated with forgiveness. The philosophy of restorative justice does not necessitate forgiveness, nor does the restorative justice process actively pursue it. Even if the victim has granted forgiveness, it does not necessarily imply mercy. Forgiveness is a grace that liberates an individual from the burdens of past wrongs, releasing them from the lingering torment of unforgiven pain caused by the offender (Shaler, 2017:26).

The social benefits of victim-offender mediation are:

- (i) the victim's needs are more comprehensively served, including the need to be consulted.
- (ii) the victim and the offender can see each other as persons rather than stereotypes (a learning experience for both), and

- (iii) offenders are more affected by the mediation experience than by, for example, malprosecution and punishment, while being given a positive motivation to reform and a feeling that society is ready to offer them re-acceptance.

Mediation meetings should be conducted by a proficient mediator who has received specialised training. The mediator's main responsibilities are to create a secure and comfortable setting and establish clear guidelines for a productive discussion that promotes growth and provides a positive learning opportunity for both parties (Keanini, 2010). The mediator's role extends beyond facilitating communication and seeking a solution that meets the needs of all parties involved. They also aim to reconcile the conflicting interests of the two opposing parties by identifying their concerns and removing barriers to effective communication (Diaz & Navarro, 2020). They facilitate the conversation and the process to reduce or eliminate conflict and animosity. The mediators can be engaged by a professional organisation or may serve as unpaid volunteers. Both staff and volunteers undergo the identical training curriculum, which is tailored to the special duty of mediating between victims and criminals. The necessary abilities do not resemble those of counselling, social work, legal negotiations, arbitration, or any other profession (Díaz & Navarro, 2020).

Suzuki and Jenkins (2023) state that in certain instances, the perpetrator compensates the community for the rights that were violated by offering an apology. While an apology and forgiveness are not obligatory prerequisites in the restorative justice process, they serve as crucial indicators of offenders' sorrow and victims' readiness to receive an apology (Kunnen, 2018). Although this reasoning may appear appealing, the methods intended to elicit a genuine repentance from a wrongdoer are exceedingly unattainable. Charging the criminal a fee to the community contradicts the principles of restorative justice for two reasons. Firstly, it entails the use of force or threats. Secondly, victims need more than a superficial apology; they seek a sincere apology (O'Mahony & Doak, 2017). Undoubtedly, an apology pacifies individuals who have been harmed, empowers them to progress, and serves as a catalyst for promoting transformation in the wrongdoer. This is feasible in situations where the offender offers a sincere and authentic apologies rather than any other alternative. The victim-offender mediation procedure is typically empowering since it acknowledges the parties involved by involving them in the decision-making process (Oliver, 2019). Once a consensus is achieved, the mediator aids the parties in formally recording the agreed outcomes and establishing mechanisms for carrying out the restitution.

Nevertheless, the victim-offender mediation process faces problems in terms of limited community involvement, which may result in unmet requirements.

2.6.2 Conferencing circles

2.6.2.1 Victim-community

Daly (2017) posits that community support for victims primarily manifests through the victims' intimate friends or family, which is considered the most inherent and often esteemed kind of aid. However, some individuals may have limited access to such support compared to others. The voluntary organisation Victim Support aims to address this void by providing practical assistance, support, and solace to victims at a local level. This is achieved through the utilisation of trained lay volunteers who visit individuals who seek such aid (Johnstone, 2013). The victim support project addresses the issue of societal distrust and isolation experienced by many crime victims by demonstrating community concern. It aids in the restoration of the victim in terms of material, psychological, and social aspects (Johnstone, 2013). In addition, the specialised expertise of volunteers in understanding the psychological responses of crime victims can often provide more effective support compared to friends and family members who may not fully comprehend the victim's true needs (or may be dealing with their own difficulties in accepting the situation).

2.6.2.2 Offender-community

Various communities have numerous projects aimed at assisting different types of offenders. These projects include efforts to help offenders find employment, receive retraining, acquire literacy education, undergo relationship counselling, seek drug or alcohol counselling, receive mentoring, provide housing for the homeless, gather support for isolated individuals, and offer activities to channel energy and promote social integration (Block, 2018). Additional services help families in enhancing their parenting abilities. This provision lacks consistency and is subject to change, but it reflects the communities' sense of duty to reintegrate their deviant members into society and help those who have been affected by their actions. Instead of helping individuals and small groups, there exists a specific set of programs that focus on reducing the likelihood of crime among an entire community (Raynor, 2013). Clear (2018) defines these programs as unique instances of economic and community development initiatives that typically promote collective action and accountability. They offer the necessary resources, including skills, to empower communities in preventing and managing crime, while also enhancing the overall quality of life in the community.

2.6.2.3 Victim, offender and the community

In the conventional victim-offender mediation program, the involvement of the community is limited, except for the mediator who might be a resident of the local community. At times, victims may opt to take on this role during the mediation process, discussing with the offender ways in which they can avoid getting into trouble in the future. In rare instances, victims may even provide personal assistance, and, in some cases, it may be evident that the offender is more likely to suffer than the victim (Hayes, 2017). In circumstances such as group conferencing, the community takes on a more active role, basically expanding victim-offender mediation to involve additional participants. The victim-offender mediation role prioritises addressing the victim's suffering and facilitating the offender's restitution. On the other hand, conferencing provides an opportunity for the offender's family to acknowledge their responsibility and see the harm caused, with the aim of finding ways to make amends and prevent similar incidents (Young, 2019). It can be likened to a case conference, in which the offender's social network substitutes the formal agencies and assumes the task of examining what has gone wrong, the actions the offender can do to improve, and how others can help in this process.

Umbreit, Blevins, and Lewis (2015) argue that conferencing, as a means of reintegrating offenders, has the potential to be more effective than one-to-one mediation. This is because conferencing allows for the mobilisation of social resources, which increases the likelihood of the offender's sustained change of heart. While simultaneously attending to the requirements of the victims, it also addresses the needs of the offender and the society, which stands to gain from their rehabilitation. The initial implementation of conferencing in New Zealand revealed the potential challenges, particularly the difficulty of keeping the attention on the victim when most participants were present due to their connection and concern for the offender (Makiwane, 2015). Empowerment is also opposed by numerous families who are content to leave the duty of reintegrating their rebellious children into the system. Managing large groups of this nature necessitates even greater expertise in facilitating communication than individual interactions. Conferencing circles differ from other restorative justice procedures in that they engage a greater number of participants. Healing circles, a type of conferencing circles, can be conducted in a private setting (Zehr et al., 2022). Participants in a conferencing circle sit in a circular arrangement, representing the shape of the world, which is infinite, and emphasising the importance of community and human interdependence (Zehr, 2015). Adhering to the analogy of a circle, all participants possess an equitable entitlement to engage in dialogue on the problem and arrive at a consensus.

Occasionally, an eagle's feather is employed as a representation of 'respect' and 'knowledge' during a conversation, when participants give their insights. The conversation revolves in a circular manner, with the facilitator overseeing and guiding the process (Koskey et al., 2018). The procedure entails the performance of rituals that help participants concentrate on the fundamental principles of human interconnectedness and the imperative of establishing harmony within the society (Huda et al., 2020). Like any other method of resolving conflicts, the fundamental purpose of justice is to establish peace and harmony within the community, support victims, and promote the rehabilitation of criminals. The objective of achieving justice is accomplished by engaging community members who, in addition to being direct or indirect victims of the crime, also possess shared values with both the victim and the criminal. Zehr (2015) states that in Canada, conferencing circles are utilised for the purpose of determining sentences in circumstances where criminals have either pleaded guilty or have been convicted in a court of law. Contrary to other forms of restorative justice, the perpetrator is not brought before a circle for a hearing. Instead, the community plays a role in determining the punishment for the criminal (Lanni, 2021). These mechanisms facilitate the healing of all parties involved, thereby providing the offender with the chance to rectify their actions. This approach provides a platform for victims, offenders, family members, and communities to express their perspectives and take collective responsibility in seeking positive solutions. It also aims to tackle the root causes of criminal conduct and foster a sense of community based on shared values.

2.7 Community service

Community service is a crucial element of restorative justice, serving as a method to restore the harm caused to the community. Zatz (2020) defines court-ordered community service as the mandatory completion of a designated number of unpaid hours of labour for a charitable, non-profit, or governmental organisation. This requirement may be imposed as a condition of probation or as an alternative to imprisonment. Typically, a nonviolent criminal is designated to perform community service, and thorough evaluation is necessary to verify that the offender is suitable for the community service location and to guarantee public safety (Latessa & Lovins, 2019). Community service offers comparable advantages to restitution by facilitating a transformation in an offender's principles and beliefs (Umbreit, 2022). Completing court-ordered community service is typically the first instance where offenders make a positive impact on society, enabling them to repay the community (Umbreit, 2023). Therefore, the requisite surveillance and oversight procedures linked to community service are frequently more cost-effective than imprisonment.

2.8 Restorative practices on community's perception of crime prevention

Gal (2016) asserts that community involvement in restorative justice plays a crucial role in facilitating the reintegration, rehabilitation, and accountability of criminals. The community is also adversely affected by the crimes perpetrated by its members or occurring inside its geographical boundaries. Another rationale for engaging the community in conflict resolution processes is that it reinstates the "ownership" of the issue to the parties most impacted by it. According to Gal (2016), the contention is that professionals in the Criminal Justice System, such as the courts, correctional services, and police officers, typically take control of the conflict from the community (affected parties). The sole method of resolving the problem and returning it to the owner is by engaging the community in a restorative process. This is closely connected to empowering the community to handle its own conflicts and establishing procedures for reintegrating criminals.

Engaging the community allows for a chance to comprehend the needs and behaviours of criminals. It is a pathway that enables the community to restore the fractured social connections through community 'justice rituals.' The community experiences the repercussions of the dispute to a greater extent compared to professionals who are typically unfamiliar with the community and not directly influenced by the conflict (Schiff & Hooker, 2019). As previously mentioned, crime disrupts the social structure of the society, and it is necessary to engage the community to restore this structure and address the problem. The community is likely to possess a superior understanding of the underlying reasons for the crime, as well as the ability to identify a resolution and facilitate the reintegration of the perpetrator. Furthermore, the community, typically consisting of non-experts in dispute resolution systems, can effectively communicate with both the perpetrator and the victim, a skill that professionals may lack (Holder, 2018). However, given the varied composition of contemporary society and the inclination towards embracing less communal lifestyles, the assertion that non-experts possess superior knowledge about criminals compared to specialists becomes open to debate.

Since the community is responsible for safeguarding its own values, its involvement serves as a method of determining the value that the offender has violated and a strategy that may be employed to restore order within the community (Kilchling, 2019). However, there has been ongoing disagreement regarding the level of involvement it should have in restorative justice. There is no assurance that the community can effectively facilitate the reintegration of offenders or provide adequate support and healing for victims. Moreover, the potential risks linked to the improper utilisation of community authority in restorative justice should not be overlooked (Jorge, 2021).

Rossner (2017) raises the worry that communities may transform restorative justice initiatives into adjudication centres that can impose harsh punishment on offenders under the guise of rehabilitation or restoration. Without proper oversight, the community representatives' administration of justice might potentially create a system of unofficial judges operating outside the formal legal system. In addition, specific offences may receive lenient treatment if the community is required to engage in restorative justice procedures. For example, several groups hold the belief that a woman is subjected to sexual abuse due to her improper conduct.

Karp (2019) asserts that, despite the disputes, the community is delineated based on the geographical limits within which the crime has occurred. It is also characterised based on the victims' associations with those who have similar interests, such as friends, colleagues, educators, neighbours, extended family members, sports groups, coaches, or any other person who is indirectly impacted by the violation. Scheuerman et al. (2021) have classified stakeholders in the criminal justice system into two groups: the 'micro-community' (primary stakeholders) and the 'macro-community' (secondary stakeholders).

Scheuerman and Keith (2022) contend that neighbours, supervisors, and co-workers constitute an integral element of the 'meso-community' of offenders. The micro-community typically possesses distinct requirements that must be attended to by the criminal justice system. The organisation consists of both primary victims of crime, such as individual victims, and their immediate social circle, including their relatives and friends. The macro-community consists of those who are indirectly impacted by the crime, including neighbours, officials, and the broader community. Hence, for a justice system to be efficacious, it must cater to the requirements of primary and secondary stakeholders in both micro and macro communities. This can only be achieved by including the key stakeholders in the dispute resolution process (Zehr et al., 2022). Nuhu (2017) argues that disputes are inevitable in any community due to divergent ideas, interests, and demands among individuals. However, the methods employed for conflict resolution or mediation varies throughout communities. Nuhu contends that within the framework of African culture, conflict resolution techniques possess distinctiveness due to their focus on the reestablishment of communal bonds or relationships following the dispute (Nuhu, 2017). Community involvement can also strengthen relationships and promote increased collaboration between formal and informal control systems (Shapland, 2016).

Rautenbach (2015) found that the community recognised the negative impact of an individual's offence on the entire community. Instead of isolating the offender, the community should

collaborate to rehabilitate and reintegrate them. The researcher contends that the community serves as a residence for both offenders, victims, and other individuals. Therefore, those who are acquainted with the offender, as members of the community, are in a more advantageous position to facilitate the reconciliation and reintegration of the offender by holding them responsible for their criminal actions or behaviour. Ladan (2013) notes that restorative justice fosters and facilitates the reintegration of an offender back into the community. Reintegration is crucial since it enables the offender to be accepted back into the community, which in turn helps restore their sense of belonging and promotes their healing process. Research has demonstrated that when offenders are not successfully reintegrated into the community, the most likely outcome is a return to criminal behaviour, sometimes known as recidivism (Ladan, 2013).

Certain academics have contended that the State's assumption of victimhood in certain instances weakens the communal bond among persons who are geographically or socially impacted by the crime (Zahnow & Tsai, 2021; Jonathan et al., 2021). This gives rise to requirements that jeopardise the social welfare and collective mentality of the community. The psychosocial needs of a community resulting from crime include acknowledging their status as victims, creating opportunities for community cohesion and accountability, motivating individuals to fulfil their obligations towards the well-being of victims and offenders, and participating in initiatives that foster community restoration and social pride (Nascimento et al., 2023).

In addition, the Zwelethemba Model in South Africa has recently emerged as an innovative approach that aims to develop linkages between restorative justice and community-based judicial systems (Maglione, 2022). These projects aim to utilise restorative justice as a means of problem-solving, specifically focussing on addressing the underlying structural factors that contribute to criminal behaviour (Van Ness et al., 2022). While criminals are frequently involved in the restorative justice process, mostly to benefit the victim, their perspectives and advancement in the restorative process are often disregarded (D'Souza & Shapland, 2023). The researcher contends that an offender's rehabilitation can be achieved not only through restorative justice but is also vital to the community's reparation process. Reducing the likelihood of criminals committing further crimes will effectively enhance the safety and security of the community and its members (Cochrane et al., 2021). It is worth mentioning that the viewpoint of the perpetrator is significant in restorative justice initiatives. However, most of the research on restorative justice emphasises on the perspective of the victim (Aliu & Arifi, 2021). While criminals are frequently involved in the restorative justice process, mostly to benefit the victim, their perspective and advancement in

the restorative process are often disregarded. The researcher contends that the rehabilitation of the criminal can be achieved not only through restorative justice, but it is also vital to the community's process of making amends.

According to Wyble (2022), restorative justice fosters and supports the reintegration of offenders back into the community. Reintegration is crucial since it enables the offender to be accepted back into the community, which in turn restores their sense of belonging and promotes healing. Research has consistently demonstrated that the lack of successful reintegration of offenders often leads to a high likelihood of their reoffending. According to Gabagambi (2018), the State has appropriated conflict resolution capacities from the community, meaning that it has taken over the function that community justice systems formerly had in resolving conflict and dispensing justice. The researcher proposes that disagreements should be resolved by the primary stakeholders responsible for addressing criminal activity within the community. The impact of crime extends beyond the victim to include relationships. Therefore, involving them in the resolution and solution of the problem enhances their trust in the legal system and acknowledges the worth of their participation by the State.

The community serves as a residence for both offenders, victims, and other individuals. Therefore, the community members, who are familiar with the offender, are in a favourable position to facilitate reconciliation and reintegration by holding the offender responsible for their unlawful actions or behaviour. Hughes (2017) argues that to ensure the safety of communities, the modern State should establish partnerships to combat crime. Okafo (2016) claims that in pre-colonial Africa, every state and community had regulations governing the resolution of conflicts inside their respective areas. Upon the arrival of colonialists, they implemented their legal framework and traditional system of justice, ostensibly to safeguard the customs and laws of the local community. Practically, the colonial laws that were enforced, including common law, civil law, and statutes, became the official laws of the territory, eventually supplanting the traditional laws of the colonised communities. After achieving independence, the colonised nations were confronted with the choice of whether to maintain the rules imposed by their former colonial rulers or return to their traditional legal systems (Okafo, 2016).

The engagement of the community in criminal justice processes is of paramount importance, as it plays a crucial role in reintegrating offenders and has a facilitative influence on the labelling process. Research has shown that including the victim and community members in the criminal justice process has a beneficial effect on the rehabilitation of the offender. When implemented

appropriately, this approach can reduce the likelihood of the offender reoffending (Umbreit, 2023). The premise of this research is that if individuals who have experienced crime, those who have committed crimes, and members of the community engage in a program that offers extensive opportunities for interaction, restitution, reintegration, and involvement, their satisfaction levels with the program or process will also be high. This assumption also assumes that high levels of pleasure are equivalent to the existence of restorative justice. Restorative intervention places emphasis on addressing the needs of the victim, the community, and the offender. This approach has an impact on tactics for rehabilitating offenders, imposing sanctions for crimes, ensuring community safety, implementing preventative measures, and providing a more satisfactory response to crime (Maglione, 2017).

2.9 Psychosocial benefits of restorative justice on both the victims and offenders

Lloyd and Borril (2020) argue that the abrupt, unpredictable, and frequently aggressive characteristics of crime have an impact not just on the individuals directly affected by the crime, but also on their families, friends, and communities. It disrupts the victims' usual state of order. The abruptness and intensity of the situation surpass typical methods of dealing with it and may render victims inadequately prepared to handle future crises. Crime is commonly characterised by its three main consequences: physical, financial, and emotional. The emotional impact of crime, which can encompass several effects, is often the most severe and sometimes overlooked (Link et al., 2019). The redefining of crime as a transgression that generates responsibilities grants the essential acknowledgement to crime victims from both the community and the legal system. Therefore, the harmed individual is regarded as a key participant in the legal proceedings. This is in direct opposition to the current judicial system, which views the State as the aggrieved party and marginalises the victim in the justice process. Granting the crime victim the status of a crucial stakeholder affirms their value as a part of the community, a sense of worth that is frequently stripped away during the occurrence of the crime and seldom regained through the existing justice system (Herman, 2023). The notion of violations creating responsibilities designates the victim as the primary individual to whom the offender is liable and designates the offender as the one accountable to their victim for the harm inflicted (Lloyd & Borril, 2020).

Restorative justice prioritises the restoration of harm, allowing the victim to have a more active role in identifying the harms and needs, as well as determining what they require from the offender, the community, and the judicial system (Bolivar, 2019). Restorative justice places a strong emphasis on promptly and directly assisting all victims of a crime by addressing the identified

harms. This enhances the probability of a reaction to individuals who have been victimised by crime in cases where the perpetrator is unknown (Gavrielides, 2016). Due to the current emphasis of the legal system on the actions of the criminal and the appropriate punishment, victims have little chance to participate if their attacker remains unidentified or uncaught. The existing system places a higher importance on handling offenders rather than supporting victims in their rehabilitation and rebuilding efforts. This emphasises the necessity of shifting the focus towards addressing the victim's needs as the initial step in the justice process (Ashworth, 2019). Facilitating the process of victims recognising and determining their requirements is the initial and crucial stage in the path towards recuperation and rebuilding.

A study conducted by Angel et al. (2014) investigated the impact of restorative justice conferences on the post-traumatic stress symptoms (PTSS) experienced by victims. The study revealed that victims who took part in these conferences experienced a decrease in the devastating consequences of the incident. More precisely, the individuals who encountered their perpetrator(s) at a conference displayed reduced scores of post-traumatic stress symptoms (PTSS) after engaging in the program, compared to the control participants. This improvement was shown both immediately after the program and six months later. Moreover, the findings of the aforementioned study revealed that conferences not only mitigated the adverse impact of crime on victims but also served as a prognostic factor for decreased post-traumatic stress symptoms (PTSS) six months after attending the conferences. This study aims to address the existing gap by examining the perspectives of community members regarding restorative justice programs that involve both crime victims and offenders.

Lloyd and Borrill (2020) investigated the correlation between restorative justice and the victim's recuperation from victimisation. Despite the fact that the design of the program involved a meeting between the victim and the offender, the victim's well-being was evaluated by asking them if their participation in the program helped them move on from the occurrence. The study's findings revealed that most of the victims perceived the victim-offender meeting as beneficial, resulting in an improved emotional state regarding their victimisation following the program. The victims were interviewed about the advantages they believed they gained from participating in the process. Most of them reported receiving psychological benefits, and in some instances, monetary rewards, in addition to the informative benefits. This study identified a gap in the existing research, which this study aims to fill by investigating the perspectives of community members on the impact of restorative justice on crime victims and offenders in Cato Manor, an informal settlement in Durban.

Furthermore, Walters (2015) explains that in criminal instances, families can become secondary victims and may experience symptoms of trauma as a result of the victimisation of another family member. According to the study, the perpetrator of the event answered the victim's family's questions during a victim-offender meeting. According to Walters (2015), this has been claimed to provide a clearer understanding of the crime and question certain views about the case that had previously caused anguish for the family members, thereby intensifying their trauma. The researcher contends that the establishment of a platform for both criminals and victims of crime could potentially reduce conflicts between them. Therefore, the objective of this study is to explore this possibility.

Restorative justice involves assessing the harm caused by the criminal to the victim of a crime and the offender's acknowledgement of their responsibility for that wrongdoing. The retributive judicial system frequently falls short in addressing the crucial demands of victims, including the requirement for reparations for the harm inflicted and the process of emotional recovery (Oudshoorn, 2016). Restorative justice provides offenders with the opportunity for social and moral growth. Toscano (2022) asserts that restorative justice plays a crucial role in the emotional and moral-psychological rehabilitation of victims by facilitating acts of kindness, respect, remorse, and forgiveness. Apology and forgiveness are essential components of the restorative process. Without these, reconciliation between the persons involved is unattainable. Reconciliation involves transforming the offender's emotions of worry, fear, shame, humiliation, and worthlessness into empathy for the victim, remorse, and a readiness to compensate for the harm inflicted (Rodogno, 2019). Reconciliation, from the perspective of the victim, is transitioning from a condition of insecurity, fear, shame, embarrassment, and anger to a state of being able to acknowledge and understand what occurred, display empathy, and demonstrate a readiness to forgive (Mullet et al., 2021).

Umbreit (2022) argues that achieving a sense of satisfaction that justice has been served is challenging for both the victim and the offender. This can only be accomplished when they openly communicate their beliefs about what is fair or unfair, just or unjust, and when they express their emotions such as grief, disappointment, anger, or other related feelings. According to Ashworth (2019), victims and offenders in the traditional criminal justice system often do not feel acknowledged or have their emotions and perspectives considered throughout the decision-making process. The victims and offenders, who are key participants in the criminal justice system, can be

motivated to select either restorative justice or punitive justice as alternative methods for resolving the conflict.

2.10 Effects of restorative practices on recidivism

When evaluating the effectiveness of a restorative approach to crime, a key finding in many research studies is that restorative justice has a greater influence on decreasing the rate of repeat offences compared to the conventional criminal justice system (Hayes, 2017). Likewise, the probability of engaging in criminal behaviour is reduced for individuals who took part in the restorative process. According to a study conducted by Yukhnenko, Farouki, and Fazel (2023), comparative statistics exhibit varying rates of recidivism across different surveys. However, all these surveys consistently demonstrate a decrease in re-offending. Sered's (2021) research on restorative programs in the United States demonstrates a 33% decrease in recidivism among participating offenders over a one-year period. In England, certain research studies indicate a lower recidivism rate (14%) among offenders engaged in direct mediation. One factor contributing to this decline in reoffending is the fact that confronting the repercussions of their crime fosters empathy and authentic remorse among offenders. Several studies indicate minimal decreases in recidivism rates. For instance, data from England indicates a 14% decline in the recidivism rate from 1993 to 1994. Young offenders who were prosecuted in a court trial experienced a decrease in the rate of recidivism by around 32% to 34% compared to a control group. Furthermore, a meta-analysis carried out in 2005 across 25 diverse cities in the United States of America, involving a sample size of 11,950 young individuals, revealed that victim-offender based programs effectively reduced the rate of repeat offences by 34% (Sered, 2021).

According to Hamacher (2022), the factors that were most strongly linked to the likelihood of reoffending following a restorative conferencing intervention were characteristics of the offenders themselves, such as their current age, age at the time of their first offence, gender, and previous criminal behaviour. The conferencing intervention confirmed that males have a higher likelihood of re-offending compared to females. Additionally, when young individuals engage in criminal behaviour at a young age, the chances of recidivism are increased (Hamacher, 2022). This study demonstrates that in addition to age, gender, and prior criminal behaviour, which are already known to be linked to re-offending, there are other factors that are associated with a decrease in re-offending. Specifically, when offenders' express remorse and when conference agreements or outcomes are determined through genuine consensus, the likelihood of re-offending is reduced. Reduced rates of reoffending are also seen when individuals who have committed crimes

participate in impactful meetings, are not subjected to stigmatising shame, actively participate in decision-making during the meetings, adhere to the agreements made during the meetings, genuinely regret their actions, and have the opportunity to meet and apologise to their victims, thus feeling that they have rectified their wrongdoing (Shem-Tov et al., 2024).

The degree of victim involvement is a factor in restorative justice interventions that seems to impact subsequent criminal behaviour after the intervention (Kiefer et al., 2020). The inclusion of victims in face-to-face meetings as part of restorative justice processes seems to hinder offenders' ability to use neutralisation strategies. Consequently, criminals find it challenging to reject the presence of victims and the harm caused when presented with clear proof, resulting in the denial of harm and denial of the victim (Piggott & Wood, 2018). Conversely, when a victim chooses not to engage or just engages indirectly, it becomes far simpler for an offender to uphold their denials. This conclusion is corroborated by the results of a study carried out by Maxwell and Morris (2001), which revealed that offenders who engaged in face-to-face encounters with their victims and expressed remorse were less prone to being convicted again. This study is important because it investigates the attitudes of community members regarding restorative justice techniques for victims and offenders of crime in Cato Manor.

According to Wilson (2022), the involvement of victims in restorative justice interventions has an impact on the likelihood of reoffending after the intervention. The author asserts that interaction rituals (IR), such as restorative justice treatments, promote adherence to law-abiding behaviours by fostering social solidarity and eliciting powerful collective emotions (Wilson, 2022). For an IR to be successful, four essential aspects are necessary: the physical presence of all participants, the deliberate exclusion of non-participants through physical or psychological barriers, a collective emphasis on a common aim, and a shared mood or emotional experience (Wilson, 2022). Piggott and Wood (2018) contend that when certain conditions are fulfilled during an interactional ritual (IR), participants establish a conversational and bodily rhythm. This leads to the development of a shared sense of group membership and a sustained increase in positive emotions, such as confidence, enthusiasm, and elation. These emotions serve to reinforce the participants' commitment to the group's shared moral values over the long term. The researcher contends that providing these four components to both the perpetrator and the victim is likely to deter criminals from engaging in repeat offences. This highlights the significance of the research conducted in Cato Manor, Durban, since the researcher aims to investigate the perspectives of community members regarding restorative justice programs in this area.

However, there is limited evidence supporting these theoretical paths to decreased criminal behaviour. Currently, research indicates that offenders view restorative justice as more conducive to reintegration than court proceedings (Paul & Swan, 2018). Restorative justice involves the inclusion of current positive social connections, and the imagined encounter of social rejection and reintegration anticipates the emergence of shame and remorse in those who have committed offences (Braithwaite, 2020). Another aspect of certain restorative procedures, which are often claimed to decrease repeat offences, is the involvement of those who help offenders, referred to as "communities of care" by supporters of restorative justice (Braithwaite, 1989), as endorsed by the Reintegrative Shaming Theory.

According to Paul and Borton (2021), restorative justice approaches that involve the offender's network of support can help to enhance or mend damaged connections with mainstream individuals and, consequently, the broader society. The researcher considers the current study valuable since it aims to investigate the opinions of community members (whether favourable or negative) regarding the restorative justice programs that involve offenders and victims of crime in Cato Manor. These subtle distinctions make the study worthwhile. Various forms of restorative justice treatments are expected to have varying effects on recidivism (Strang & Sherman, 2015). Even within distinct categories of restorative justice methods, such as restorative justice conferencing, variations among programs can nevertheless influence assessments of recidivism rates.

A recent assessment of the evaluations of a restorative justice program revealed that restorative justice interventions are generally linked to modest yet meaningful decreases in repeat offences (Piggott & Wood, 2018). The effectiveness of these interventions appeared to be greater among low-risk offenders, since the study revealed that restorative justice treatments had minimal impact on reducing recidivism rates for higher-risk offenders (Fulham et al., 2023). Studies on recidivism following a restorative conferencing intervention indicate that the most reliable indicators of reoffending are factors related to offenders, such as their age, age at first offence, gender, and previous criminal behaviour. According to Vitopoulos et al. (2019), males have a higher tendency to commit crimes again compared to females. Additionally, when young individuals start engaging in criminal activities at a young age, the likelihood of repeating such behaviour is increased. Evaluating the influence of restorative justice processes on nonoffender aspects, such as the degree to which these programs empower communities and its citizens, is very challenging. This study demonstrates that in addition to well-known factors such as age, gender, and prior criminal

behaviour, certain factors occurring during conferences are linked to a decrease in reoffending. Specifically, when young offenders' express remorse and when conference agreements are reached through genuine consensus, the likelihood of reoffending is reduced (Vitopoulos et al., 2019). Reduced rates of reoffending are also seen when juvenile offenders participate in impactful conferences, are not subjected to stigmatising shame, actively participate in decision-making during the conference, adhere to the agreements made during the conference, express remorse for their criminal behaviour, meet with and apologise to their victims, and believe that they have rectified their wrongdoing (ShemTov et al., 2024).

Certain restorative justice programs appear to have a more significant influence on deterring repeat offences compared to others. An example of this is face-to-face restorative justice conferences. A recent comprehensive analysis of restorative justice programs has demonstrated that, on average, these programs result in a moderate yet very cost-effective decrease in repeat offences, while also providing significant advantages for victims (Maryfield et al., 2020). Braithwaite (2021) assessed the results of restorative justice programs in Australia, mostly focussing on juvenile offenders. The study concluded that restorative justice has the potential to reduce the likelihood of reoffending. This conclusion is supported by a gradually expanding body of research, although it has not yet reached a level of overwhelming evidence.

Contrary to some preconceptions, restorative justice is not deemed ineffective. A restorative justice approach can be highly effective in circumstances involving severe offences or offenders deeply engaged in patterns of serious criminal behaviour. Restorative justice can effectively be utilised in cases when the perpetrator and victims have a preexisting relationship, even in situations involving violence (Sherman & Strang, 2015). Restorative justice programs should not be limited to cases involving first-time offenders or relatively minor acts. Restorative justice can have a more profound healing effect on major offenders compared to others. Additionally, it becomes highly significant to the community when violent acts are involved. A comprehensive analysis of existing evidence on the effects of the restorative justice approach, conducted by Sherman and Strang (2015), determined that restorative justice programs yield the most favourable outcomes in terms of aiding victims in managing and confronting offenders during restorative sessions, as well as reducing the likelihood of reoffending. These positive outcomes are particularly pronounced when the programs target offences that involve a direct victim and entail intentional harm or violence, as opposed to non-violent property offences.

The psychosocial impact of peer groups, family, and community-related factors on the overall growth and well-being of an individual is substantial. The impact of these prominent factors on repeat offending is often observed to be indistinguishable, as individuals who reoffend are usually found to associate with delinquent peers and are susceptible to their influence (Lekalakala, 2016). The immediate family unit also plays a vital role in deterring recidivism. Many persons are estranged from their families when they are imprisoned, depending on the severity of the crime and the financial resources available to the family. The relationship between the perpetrator and his family is weakened due to either personal considerations associated to seeking forgiveness for the offence or practical and economical constraints that prevent the family from visiting (Stansfield et al., 2022). This strain frequently leaves the person without a support system following their release as they strive to find a way to become a productive member of society. The significance of these entities as support systems has been demonstrated; nevertheless, the psychosocial impact of the peer group, family, and community has also been proven to have a more immediate effect on self-esteem and recidivism, owing to their importance as providers of evaluative standards for the individual engaging in offending behaviour.

2.11 Conclusion

Many African countries have embraced restorative justice because of its similarities with the indigenous justice system. Some of the challenges facing the modern restorative justice system, such as the existence of ‘community debate’ in modern societies, are not a cause for concern in Africa because communities still maintain a collective lifestyle. The integration of modern restorative justice processes with those of the indigenous or African justice system can provide the basis for instituting restorative justice mechanisms. The next chapter describes the theoretical basis for this thesis.

CHAPTER 3

THEORETICAL FRAMEWORK

3.1 Introduction

A robust and pertinent theoretical framework is vital as it elucidates a research study (Savin-Baden & Major, 2023). The study's theoretical framework consisted of three ideas that elucidate the phenomenon of restorative justice. The above reasons were derived from Braithwaite's (1989) Reintegrative Shaming Theory. This theory posits that when shaming is reintegrative, criminals are less likely to reoffend due to their acceptance and reintegration into the community, which strengthens their moral values. Therefore, re-integrative shame facilitates the reintegration of offenders into the community. The Social Bond Theory, established by Hirschi (1969), posits that social links serve as robust connections to society, effectively deterring individuals from engaging in illegal behaviour. The Labelling Theory, formulated by Becker (1963), posits that when an individual is stigmatised as deviant by society, their ability to adhere to socially acceptable norms diminishes, leaving them with limited options for engaging in non-deviant behaviours. The chosen theories are applicable in a flexible manner to both the subject and purpose of the research, as well as the research questions and the objectives that guide the study.

3.2 Reintegrative Shaming Theory

Braithwaite's (1989) Reintegrative Shaming Theory (RST) posits that criminal behaviours can be discouraged by reintegrative shame, which involves criticism that aims to reintegrate individuals rather than stigmatise them (Braithwaite, 1989). According to Braithwaite (1989), this theory posits that offenders prioritise the opinions of their family and friends over the punishment given to them by the prison system. According to the notion, reintegrative shame decreases the likelihood of the offender engaging in more illegal activities. The theory emphasises the condemnation of the offender's deviant behaviour while avoiding condemnation of the individual. Consequently, deviant behaviour is penalised, and the person is readmitted to the community once they have fulfilled their penalty. Reintegrative shaming has a limited duration and typically concludes with expressions of forgiveness, either through words or gestures. Throughout the shaming process, there is a deliberate attempt to uphold respect for the individual being humiliated. According to the theory, if shame is reintegrative, it is unlikely that criminals will commit another crime since they are embraced and reintegrated into the community, which strengthens their moral values. Re-

integrative shame actively encourages offenders to return to their community. This approach promotes the recognition of the necessity to implement restorative justice on individuals who have committed offences in the Cato Manor informal settlement. The notion posits that employing shame as a means of punishment may decrease the likelihood of the offender repeating their criminal behaviour.

A significant number of individuals express dissatisfaction with the implications of the Reintegrative Shaming Theory, as it can be prone to misuse and misinterpretation. For example, it contradicts Braithwaite's (1989) original ideas, particularly the involvement of State agents in implementing reintegrative shaming. This is evident in its application within social work or even in family group conferences organised by youth justice workers or the police. State agencies face an inherent conflict when they try to orchestrate a community-based approach. Although agencies may take steps to create conditions for reintegrative shaming through community involvement efforts, whether it happens largely depends on the individuals involved. Therefore, it cannot be used as a justification for State action. However, it should be noted that Braithwaite's Reintegrative Shaming Theory primarily focusses on crime control and prevention and does not fully address the victim's interests and justice concerns, which are fundamental aspects of restorative justice (Makiwane, 2015).

Shaming is a potent element in an informal process that aims to unite the crime victim and the offender as they seek a fair and restorative resolution to their issue (Mongold & Edwards, 2014). If, on the other hand, the ruling concludes that an offence requires the implementation of forceful legal measures, then the specific function of the justice system involved must be explicitly delineated. Clearly, it is neither reasonable or appropriate to anticipate that the judiciary will participate in public humiliation, nor should the primary objective of the intervention be the reintegration of the criminal. Justice should not humiliate or reintegrate individuals; instead, it should solely focus on assigning obligations and working towards creating circumstances that encourage repair (Braithwaite et al., 2017). In addition, it is desirable that the cultural atmosphere in society, and in social institutions specifically, progresses towards greater communitarianism. This would result in the development of an environment that permits the use of shame as a means of addressing harm, fosters a readiness for restoration, and, if required, imposes an obligation to make amends as a chance for reintegration (Stearns, 2016). However, the establishment of this cannot be achieved solely by formal public regulations, but rather through the human and interpersonal methods by which they are implemented.

The Reintegrative Shaming thought posits that institutions of criminal justice and criminological thought have traditionally undervalued the significance of social disapproval. To comprehend the patterns in crime rates, it is necessary to analyse the extent to which criminal behaviour is subjected to public disapproval, and to ascertain if this disapproval is aimed at reintegrating offenders into society or stigmatising them. According to Braithwaite (1989), reintegrative shaming refers to a form of disapproval that treats the person with respect, ends with forgiveness, avoids labelling the person as bad, and prevents condemnation from becoming a defining characteristic. According to the notion, the use of reintegrative shaming leads to a decrease in criminal behaviour. On the other hand, stigmatising shame lacks respect for the individual, cannot be resolved by forgiveness, categorises the person as wicked, and enables them to acquire a dominant characteristic. According to the hypothesis, the latter form of shame is expected to lead to higher rates of reoffending, as suggested by Braithwaite (1989) and Makkai & Braithwaite (1994). This complicates the understanding of the theory because it posits that offenders will have encountered comparable shaming contexts, whether they are permissive or stigmatising. Therefore, based on this sample of offenders, the absence of a distinction between the categories aligns with the theory. RST places significant emphasis on the social phenomenon of shaming as the key mechanism in controlling crime. Shaming, as defined by the theory, refers to any societal processes that involve expressing social criticism with the purpose of making the person being shamed feel remorseful and/or causing those who are aware of the shaming to condemn them (Braithwaite, 1989).

This conceptualisation of shaming is notably expansive, leading to the possibility that shaming may not always be public, humiliating, or even categorised as a unique form of conduct. For instance, it could entail a conversation between parents and child regarding the consequences of an action on other people. Similarly, a court may assess a fine based on its level of shame, which indicates the degree to which it serves as a disapproving expression towards the offender's actions. The use of the term "shaming" implies that disapproval is expected to elicit a certain emotion connected to shame, which is a significant aspect of the encounter. Braithwaite (1989) emphasises two factors that support the good benefits of reintegrative shaming. Reintegrative shaming, especially when it originates from others with close relationships to the person, is an effective means of deterring undesirable behaviour due to the potential harm it poses to important social connections. Braithwaite argues that the second factor, which he deems more significant, is that reintegrative shame effectively conveys the message that specific acts are morally incorrect, hence fostering the development of internalised self-regulation. While the exact emotion is not explicitly stated, both mechanisms, namely the dread of rejection and the presence of a guilty conscience,

refer to feelings associated with shame. The untested implication suggests that the impact of disapproval on behaviour is influenced by the emotions triggered by the disapproval.

3.2.1 Introducing the Emotion of Shame

While shame-related feelings are acknowledged as being distressing and linked to self-awareness (Miller, 2013), there is still a lack of comprehensive understanding about them. Defining these emotions has been the primary focus of research, and multiple conflicting perspectives have been prominent. According to Miller (2013), one perspective views shame as a direct reaction to criticism or disapproval from others. Approaches that have stressed this perspective define emotion as a response to the deprivation of interpersonal connections or social standing, or merely a recognition of negative evaluation from others (Mackie & Smith, 2016). Shame is commonly seen as different from guilt, as it is considered a response to the breach of personally adopted principles. Another significant aspect of shame is the critical evaluation of one's own self (Mackie & Smith, 2016). Once again, this depiction of shame contrasts sharply to guilt, which is characterised by an individual's negative assessment of their own personal action. The crucial comparison in this case pertains to whether the failure is ascribed to oneself or to a certain behaviour inside a particular context. Shame is defined as an emotional reaction to the recognition of having committed a crime, in contrast to embarrassment, which is considered a social feeling that arises from fewer ethical matters (Pivetti, Camodeca & Rapino, 2016).

These descriptions of shame revolve around beliefs about how it differs from other related emotions. The primary method employed involves prompting participants to recollect instances in which they have experienced feelings of shame, guilt, and/or humiliation, and to provide detailed accounts of their emotional experiences. Research has shown that individuals remember shame as encompassing worry about the disapproval of others, critical assessment of oneself, and a sense of having committed a wrongdoing (Daniels & Robinson, 2019). Furthermore, they have documented variations in individuals' encounters with shame, guilt, and embarrassment. In their study, Plante et al. (2022) discovered that individuals expressed heightened feelings of helplessness, self-consciousness, and social isolation when discussing their experiences of shame compared to their experiences of guilt. Rodogno (2019) had comparable findings, indicating that the participants regarded embarrassment as less detrimental and morally significant compared to shame or guilt.

Restorative community service is more likely to promote the act of making amends since it necessitates that offenders engage in direct interaction with members of the community. This

approach aligns with Braithwaite's (1989) Reintegrative Shaming Theory, which proposes that offenders can be reintegrated into society by participating in positive social behaviour alongside law-abiding peers. When the service is carried out in a way that promotes reintegration without guilt or condemnation, offenders may undergo additional positive cognitive transformations and perceive themselves as valuable members of their community (Fox, 2016). For example, engaging in restorative community service can provide individuals a feeling of power and influence over their own lives and surroundings, so increasing their personal effectiveness. Engaging offenders and community members in restorative community service can enhance their exposure to individuals from diverse ethnic, economic, and cultural backgrounds. This experience may also heighten offenders' understanding of social disparities and the diverse cultures and customs within their community (Church, 2019). This exposure has the potential to break down the current social barriers and reduce the stereotyped ideas that impact criminal activity. In a restorative community service program, the combination of an offender's identity and values is more prone to change. This is because offenders participate in meaningful service activities alongside law-abiding community members.

3.3 Social Bond Theory

Hirschi (1969) outlines four 'control' variables under the Social Bond Theory: attachment, commitment, involvement, and belief. Each of these symbols reflects a substantial social connection that promotes social interaction by instilling values in individuals within the society. Control theorists contend that in the absence of these connections, criminal behaviour is an unavoidable consequence (Lilly, Cullen & Ball, 2018). Control theories diverge from other explanatory frameworks of deviant conduct by focusing on the reasons behind individuals' abstention from illegal activities. These theories believe that criminality is a potential inclination for everyone, but individuals avoid engaging in such behaviour by upholding strong familial and societal connections. Hence, restorative methods can direct former criminals into activities that promote positive social behaviour.

Hirschi's (1969) Social Bond Theory posits that strong social relationships to society serve as a deterrent to engaging in illegal acts. These social links encompass the emotional connection to conventional individuals, dedication to and participation in conventional activities, and favourable attitudes (beliefs) towards laws and regulations. When individuals form these bonds, they abstain from participating in criminal activities due to their desire to avoid disappointing their close associates. They prioritise engaging in conventional activities, leaving no time for committing

such acts. Alternatively, they may simply believe that engaging in criminal behaviour is morally wrong or irrational. Social relationships are formed within families, schools, activities, and other institutions.

Embracing this theory has helped the researcher understand the relationship of 'attachment', which is mostly rooted in individuals' ongoing affiliations with traditional institutions. The important factor is in the extent to which restorative interventions utilise the untapped potential of informal social control and incorporate social interactions and networks. Seeking assistance and collaboration from others, including key stakeholders and utilising social networks and connections, can also speed up modifying harmful behaviour. These persons who are considered 'significant others' can provide support in maintaining commitments, thereby guaranteeing that the connections of 'attachment' are preserved by continued interactions with law-abiding individuals, traditional groups, and institutions. Restorative justice posits that crime arises from fractured or impaired social connections among people or between the perpetrator and the broader community. To address crime-related concerns and facilitate true victim recompense and criminal rehabilitation, it is imperative to repair these connections. As a result, restorative justice argues that the community should take on the main role of controlling crime, rather than relying on the bureaucratic criminal court system.

The Social Bond Theory posits that robust personal relationships operate as a deterrent for individuals, but it is also influenced by individual behaviour, decision, and action. This raises the issue of whether it is necessary to involve the community and consider its structural elements. The original purpose of the idea was not to explain why individuals engage in deviant behaviour, such as criminal activities, but rather to understand why certain individuals adhere to societal norms, which is known as a strength's perspective. However, scholars persist in regarding this theory as one of the initial theories to investigate social bonding as a key determinant of criminal behaviour. The four components of social bonding aid in identifying protective factors for school-aged children who are influenced by their family and community (Chiang et al., 2020). Hoffmann (2021) proposes that social connections are influenced by the decline of structural and community-driven elements, which in turn contribute to engagement in undesirable behaviours. Undoubtedly, the geographical area in which a person resides and the primary setting of their upbringing (such as the school environment where they spend around 6-8 hours each day) significantly impacts their behaviour (Lamb, Pleck, Charnov & Levine, 2017).

3.3.1 Attachment

Attachment is a fundamental element of Hirschi's (1969) Social Bond Theory and is present in most social control research and theory. It is commonly regarded as the paramount element of the bond. It pertains to the fondness and admiration that individuals have for important people in their lives, such as parents and teachers (Peterson et al., 2016). Hirschi (1969) posits that the development of socialisation, conscience, and guilt occurs when an individual forms attachments with others. Individuals who fail to form successful attachments with others may be considered to display all the traits associated with a psychopath (Hirschi, 1969). For instance, the absence of emotional connection to others implies being liberated from moral inhibitions, so accounting for the absence of remorse experienced by psychopaths. Insufficient emotional connection may also be a factor in the development of impulsive behaviour and aggression. Attachment, as defined by Hirschi, refers to the emotional bond that individuals form with important individuals in their lives, such as friends, teachers, and parental figures. Hirschi (1969) posited that a child's attachment to their family influences their sensitivity to their parents' desires and expectations. This sensitivity is contingent upon the degree to which the child aligns their beliefs with those of their family.

3.3.2 Commitment

This connection is focused on a dedication to traditional courses of action. An adolescent is expected to simultaneously finish their schooling, start their desired employment, and attain adult status (Hirschi, 1969). An individual must prioritise the benefits that result from adhering to traditional values. They are aware that straying from these principles results in societal repercussions. An individual's level of criminal deviance is determined by their degree of commitment to the customary ideals of society. For instance, if a person performs well in academics and has traditional aspirations, they are less inclined to engage in offensive behaviour since they would be afraid to jeopardise their promising prospects. Young individuals comprehend the repercussions of engaging in illicit behaviour and would be unwilling to jeopardise their promising future. To achieve their desired occupational career and eventually attain adulthood, young individuals comprehend the importance of maintaining unwavering commitment to their educational pursuits. They have prioritised their own self-interest and, as a result, will not put it at risk. Hirschi (1969) did study to examine individuals' commitment to educational and vocational goals as part of his bond of commitment theory. When young individuals allocate resources towards these two components of the commitment bond, their likelihood of engaging in criminal deviance decreases. The Strain Theory posits that criminal behaviour arises from the frustration

stemming from the inability to attain goals through conventional means, a viewpoint that Hirschi did not agree with.

3.3.3 Involvement

Most control theorists, notably Hirschi (1969), commonly acknowledge the significance of involvement. Hirschi contends that a lack of chance to engage in negative behaviours often leads many individuals to lead a virtuous life. The involvement bond is manifested in the Social Bond Theory. When individuals are involved in traditional activities, there is limited chance to participate in criminal activity. Individuals who may identify with this social connection of engagement are focused with their job schedule, scheduling activities, meeting deadlines, attending appointments, and similar responsibilities. Consequently, they are completely devoid of any free time to partake in criminal activities. Former convicts engage in traditionally organised activities that are closely monitored, such as community service programs. Some of them even secure employment based on the recommendations they receive from prison, a sports team, church, and so on. The primary inference here is that if individuals engage in a favourable affiliation with their peers, they are more inclined to avoid engaging in misconduct.

This restricts individuals' access to criminal opportunities that they may become victims of. By engaging these individuals who have previously committed offences in productive activities and preventing them from being in public spaces, the probability of their resorting to criminal behaviour is diminished. However, in contrast to unsupervised unstructured activities, these individuals with a criminal record are more prone to engaging in problematic behaviour.

3.3.4 Belief

It centres on an individual's perspective on the societal laws that regulate their living environment. Individuals who possess a profound affinity for the beliefs, values, and norms of society are more inclined to conform to those social standards (Perkins, Wiley & Deaux, 2014). Naturally, this viewpoint varies among countries and individuals that adhere to diverse cultural ideas. Conversely, individuals who lack a firm conviction in the prevailing values or norms of society are less inclined to conform or adhere to them. When individuals perceive the established rules imposed on them as unjust or intolerable, it undermines their trust in those norms, hence enhancing the likelihood of engaging in illegal activities. Therefore, if ex-offenders adhere to an alternative set of values that differs from the normal standards of their society, they will not conform. These two parallel cultures, which are occurring simultaneously, are inevitably destined to clash at some point.

Individuals who possess a firm conviction in specific societal norms and values are more inclined to adhere to them. It is crucial to recognise that society is a dynamic and constantly evolving entity. What is considered acceptable today may not be considered acceptable tomorrow, and vice versa.

The chain of causation extends from parental attachment to the desire for approval from authoritative figures to the conviction that societal laws must be followed (Hirschi, 1969). This statement is striking because it highlights the intersection between the attachment bond and the bond of belief. An individual's adherence to societal standards and laws is derived from their emotional connections to their parents. Parents desire their children to acquire the endorsement of individuals in society, particularly those in positions of power. These parents adhere to societal norms and regulations, and by forming an attachment bond, they impart these values to their children, aiming to influence their behaviour in society. The emotional bond between a parent and their child is believed to transmit parental ideals and goals. A child who experiences alienation from their parents is unlikely to develop moral values, a feeling of moral duty, or a robust and sufficient conscience or superego (Hirschi, 1969). Consequently, there is a lack of compliance with traditional regulations and statutes. Crime arises when individuals are inadequately socialised to conform to conventional views. The greater the degree of detachment between an individual and their parental attachment tie, the more challenging it becomes for a parent to instill the beliefs that are necessary for the development of a strong belief link with societal standards. An individual who considers the opinions and judgements of their society or family when faced with temptation has a stronger adherence to moral values compared to an individual whose conscience does not prompt them in the same manner (Nisbet, 2023).

3.3.5 Forms of involvement and commitment

Hirschi (1969) argues that individuals comply to social norms because they have a vested interest in doing so, which is motivated by their pursuit of and desire to achieve conventional goals. According to the study, any divergence from these aims by an individual inherently puts their chances of success in society at risk. To prevent divergence, an individual must maintain their enthusiasm to pursue traditional objectives. Ideally, individuals would successfully finish their school and then go on a professional career. Consequently, their involvement in conventional game leads them to conform to societal norms (Hirschi, 1969). Nevertheless, not all situations are optimal. Hirschi (1969) proposes that granting adult privileges such as smoking, drinking, dating, and driving to individuals who have limited prospects serves as a form of compensation. These privileges are more likely to be sought after by students who anticipate receiving minimal formal

education. Hirschi argues that the factor of the connection that has the strongest correlation with criminal behaviour is engagement in conventional activities. The expression "idle hands are the devil's workshop" serves as the foundation for this concept (Hirschi, 1969; Rosenbaum & Lasley, 1990). Rosenbaum and Lasley (1990) argue that idle minds serve as the antecedent of criminal behaviours, motivations, and aspirations.

3.3.5.1 Social bond from family

The Social Bond Theory posits that individuals or former offenders refrain from engaging in illegal activities because of their profound emotional connection to their parents, family, and fellow community members (Hirschi, 1969). Parental attachment frequently correlates with decreased criminal behaviour, although this relationship does not hold true in all instances. According to Mowen et al. (2019), the Social Bond Theory measures the level of attachment to family, which has been proven to be associated with reduced substance use, as well as lower rates of property and violent criminal behaviours.

Aside from the emotional relationship between parents and their children, the level of control parents have over their children's actions and the amount of time spent together as a family are additional factors that contribute to the formation of social bonds. These bonds can potentially discourage offenders, as well as those who may be inclined to engage in criminal acts in the future. Likewise, the act of supervising individuals who have committed crimes or have a criminal record by providing them with tasks and employment reduces their involvement in unlawful behaviour. The impact of surveillance is associated with reduced alcohol use and decreased association with delinquent peers, particularly those engaged in drug use (Hoeben et al., 2021). Furthermore, the study conducted by Hoeben et al. (2021) shown that engaging in family activities had a significant impact on reducing alcohol consumption, cigarette smoking, drug abuse, and involvement in criminal behaviour. Previous research investigating the impact of family on criminal behaviour has discovered that gender and ethnicity can influence the relationship between family and criminal behaviours (Gase et al., 2016; Freiburger & Romain, 2018).

Additional attributes exist that have the potential to create social connections inside families. Other elements often moderate the impact of family structure. For instance, a comprehensive measure of parental attachment, which encompasses both direct and indirect supervision (such as time spent together on weekends and knowledge of one's whereabouts), effective communication between mothers and fathers (including discussions about problems), and positive relationships with

parents, completely explained the impact of family structure on individuals' behaviours. Additionally, other factors have a moderating effect on the influence of family structure. Engaging in household chores, looking after younger siblings, and watching television did not have any impact on substance abuse. This allowed individuals to divert their attention from criminal actions and instead focus on building connections and involvement with those around them. On the other hand, spending time alone and relaxing was associated with increased drug use. Upon being released from prison, offenders frequently struggle to form positive social connections in the community and are prone to either joining delinquent peer groups or facing financial hardship, both of which greatly heighten their likelihood of reoffending.

3.3.5.2 Social bond from peers

Interactions with peers foster social connections as individuals form emotional attachments, demonstrate commitment, and actively engage in positive interactions. Furthermore, individuals uphold societal values to ensure the continuation of these favourable relationships within peer groups. These social connections are believed to provide protection. However, if individuals choose to socialise with peers who engage in criminal activities, they are more likely to commit further offences, receive a conviction, and wind up incarcerated. Associating with the wrong peers was positively correlated with increased substance use (alcohol, tobacco, and drugs), which then led to involvement in criminal behaviour (Hoeben et al., 2021).

3.3.5.3 Religion

Religious institutions can foster social cohesion by facilitating interpersonal connections among individuals, such as with parents and community members. This is achieved through the acquisition and adherence to the institutions' rules and beliefs, as well as active participation in religious activities, which engenders a strong commitment to the faith. Religion is commonly understood as encompassing individuals' views towards religion, such as the significance they place on it or their belief in God or the Bible, as well as their religious behaviours, such as attending religious services or actively participating in religious activities. Research often indicates a correlation between religion and reduced levels of crime in society. More precisely, religious attendance was shown to be associated with reduced drug use, while religiosity was found to be associated with decreased involvement in criminal activities, as well as lower levels of alcohol and drug use (Mak, 2019).

Mathebula (2020) suggests that communities can facilitate the reintegration of offenders by helping, acceptance, and by recognising the underlying factors contributing to criminal activity. The reconciliation process facilitates a transformation in behaviour and offers a forum for the victim and the offender to alleviate the consequences of the criminal occurrence. The objective of restorative justice is to promote personal transformation in the offender, facilitated by the assistance and encouragement provided by the legal system and society. Restorative justice is an approach to rehabilitation that focusses on reconciliation and preventing repeat offences through the implementation of rehabilitation policies (Gona, Mugari, & Maziti, 2014). Nevertheless, the predominant criminal activities in South Africa are characterised by acts of violence. Typically, the families of the victims are not inclined to interact with the perpetrator. Although the reconciliation process may have a purifying effect on the offender, it is generally seen as an unproductive experience for both the victim and the offender's family.

3.4 Labelling Theory

Becker (1963) proposed the Labelling Theory, which suggests that when the community labels individuals who have committed crimes, it promotes more criminal behaviour. This is because the act of branding someone as a criminal limits their opportunities to engage in positive social activities and join pro-social groups, thereby potentially leading to an escalation in deviant behaviour. Once an individual is labelled as aberrant by the community, their chances of engaging in conforming actions decrease while their chances of engaging in deviant activities continue to exist, according to Becker (1963). Labelling individuals leads to the manifestation of self-fulfilling prophecies and assertions, hence promoting criminal behaviour and deviant actions. Murhula (2019) posited that the Labelling Theory, in the context of crime, is a sociological methodology employed to examine crime and deviant behaviour. This text elucidates the sociological phenomenon in which specific individuals and groups acknowledge and categorise the behaviours of others. An individual who is branded and rejected from conventional social groupings is more inclined to seek membership in deviant groups (Bernburg, 2019). These non-traditional collectives offer social assistance and motivation for deviant activities, including drug consumption, property crimes, and theft (Bernburg, 2019). The Labelling Theory posits that society's adverse reaction to individuals with criminal records leads to a higher likelihood of their committing further offences. This is due to the diminished availability of positive social resources for these individuals as a result of being stigmatised.

The Labelling Theory provides a comprehensive explanation for the influence of stigmatisation on recidivism. Research consistently validates the utilisation of the Labelling Theory to elucidate how the stigmatisation of individuals with prior criminal records contributes to an increase in the rates of reoffending. Bernburg (2019) asserts that individuals with a criminal past are more inclined to join deviant social groups. The study finds that members of these groups often seek solace from the critical reactions of others who have classified them as deviant. In a similar vein, Mingus and Burchfield (2012) utilised the Labelling Theory to elucidate the challenges faced by ex-offenders in their process of societal reintegration. According to the Labelling Theory, individuals who are assigned a stigmatising label often find it easier to conform to that label rather than trying to escape from it (Mingus & Burchfield, 2012). Consequently, individuals are more prone to engage in criminal activities and repeat their transgressions. In addition, Abrah (2019) found that the endorsement of ex-offenders by their neighbours, family, and friends increased the likelihood of them reoffending.

As the branded person's relationship with society worsens, the probability of them engaging in deviant behaviour and associating with other deviants grows (Abrah, 2019). Therefore, the temptation to commit another offence increases. Former convicts are prone to facing negative societal reactions due to their criminal history, even if they want to improve themselves and reintegrate into the community after being released from jail. Due to the adverse attitudes, they are unlikely to attempt to manipulate the public's perception of them. Instead, individuals often find it more convenient to conform to the role that society has assigned to them, which poses a risk of deviant behaviour. Individuals often embrace the perspective of the community if they believe that the community does not consider them capable of conforming to the law. Many individuals in this group ultimately turn to criminal activities due to the rejection they face from their conventional social counterparts.

The Labelling Theory posits that an individual's behaviour is shaped by the designations attributed to them (McNeil, 2012). Using stigmatising terms such as "felon" or "rebel" can potentially promote deviant behaviour. According to the hypothesis, aberrant behaviour can be diminished by the prevention of labelling or reduction. Recidivism is mostly caused by the labels that the public assigns to ex-offenders upon their release from correctional facilities, rather than the ineffectiveness of rehabilitation programs. This is supported by the Labelling Theory and the cognitive model of offender rehabilitation (Bernburg, 2019). Policy makers' endorsement is crucial

for the effectiveness of rehabilitation efforts, and criminologists should establish correctional science that promotes treatment programs aimed at reducing repeat offences (Cullen, 2013).

After being released from jail, individuals who have committed crimes often face difficulties in establishing meaningful connections with people of the community, especially those who are aware of their past illegal activities. Ex-convicts are more prone to forming relationships with delinquent peer groups due to the government practice of stigmatising and shaming them, which pushes them to withdraw from mainstream society (QuinnHogan, 2021). Conversely, offenders who interact with deviant peer groups face harmful social influences that strengthen the antisocial ideas, attitudes, and motivations displayed by their peers (Goff & Gilbert, 2017). Releasing convicts exposes them to the danger of reverting back to criminal behaviour and, consequently, increases the likelihood of recidivism as these deviant norms are reinforced through continued interactions.

Ex-convicts who are unable to leave their homes due to limited means and live in neighbourhoods with low income and high crime rates, are especially susceptible to a higher likelihood of reoffending due to their association with delinquent acquaintances. The official categorisation of offenders heightens the likelihood of subsequent criminal behaviour as a result of diminished economic opportunities, as well as heightened affiliation with delinquent companions (Agnew, 2017). Upon reintegration into impoverished areas, ex-offenders are confronted not only with fellow individuals engaging in deviant behaviour, but also with precarious economic circumstances. Job prospects are limited in specific communities, especially for individuals with a criminal history.

Released ex-offenders face significant challenges in securing lucrative career opportunities, hence hindering their ability to break free from poverty circumstances. Consequently, individuals engaged in criminal behaviour often become ensnared in circumstances marked by unstable financial situations and resort to unlawful actions as a means of sustaining themselves. An individual's self-concept, which refers to their perception of oneself, is formed by their personal beliefs as well as the opinions held by others. This is essential to this study as rehabilitation and reintegration involve modifying an offender's thoughts, attitudes, and behaviours to instill hope for a seamless reintroduction into society.

Abrah (2019) states that societal stigmatisation often hinders the successful reintegration of ex-offenders into society. Due to their incarceration in a correctional facility, individuals who have

committed crimes are often assigned categorisations. After being released, individuals can face difficulties in securing employment because of their classification as "former prisoners." According to Becker (1963), a deviant designation can potentially promote further acts of transgression (Abrah, 2019). The process of reintegrating individuals into society is contingent upon the act of categorising and the type of identity formation it promotes, as it elucidates to the community how formerly incarcerated individuals should be perceived and how they will respond to support (Bernburg, 2019). Moreover, labelling fosters a specific type of identity development. Individuals who engage in illegal behaviour may be subjected to social stigmatisation by society, causing them to internalise the negative label and further perpetuate the stigma (Oruta, 2019).

This finding is crucial for the process of reintegration as it provides an explanation for the challenges faced by several former offenders in successfully reintegrating into society following their release from incarceration (Besemer, Farrington & Bijleveld, 2017). Former convicts face the danger of being categorised based on preconceived notions, which continues the stigma, as well as engaging in behaviours that reinforce their association with a delinquent community. Hence, there is a potential for ex-offenders to behave in a manner that validates the preconceived notions associated with the label "offender" (Oruta, 2019). Consequently, those who have committed crimes may encounter more difficulties in successfully reintegrating into society. For example, the term "convicted" alone incentivises individuals who would not typically be willing to commit another offence to do so, and it is possible that the label has additional benefits (Oruta, 2019).

Social groups establish norms that determine what is considered deviant behaviour and subsequently enforce these norms on individuals, categorising them as outcasts (Murhula, 2019). Deviance is formed in the following manner. Deviance does not stem from the inherent nature of an individual's actions, but rather from the way in which others interpret the law and impose punishments on those who violate it (Murhula, 2019). Being stigmatised can lead to a person's views, beliefs, and self-perceptions changing, hence strengthening their connection with criminals. Due to their alignment with the criminal stereotype, these individuals are likely to exhibit heightened aggression in their criminal endeavours. Individuals may have a stronger association with deviant social groupings due to being stigmatised as criminals (Murhula, 2019).

Former convicts gradually adopt a self-perception that aligns with the societal label imposed upon them after acquiring a criminal record. Murhula (2019) asserts that the tagging process serves as a deterrent for ex-offenders, effectively preventing them from breaking free from the cycle of criminal behaviour. Murhula (2019) argues that social branding significantly exacerbates

recidivism by motivating former offenders to engage in more criminal activities to reintegrate into society and gain approval. Criminals are often depicted as intrinsically deceitful, astute, and distinct from individuals who conform to societal norms. Consequently, possessing a criminal record increases the probability of a former offender reverting to criminal behaviour to sustain themselves, as they encounter difficulties in successfully reintegrating into their communities.

3.5 Relevance of the Theories: Reintegrative Shaming Theory, Social Bond Theory, and Labelling Theory (How these theories complement each other)

In the current study, the three theories explain how restorative justice programmes are viewed by all the parties involved in the crime causation. According to the Reintegrative Shaming Theory, criminals are far more worried about their reputation among friends and family than they are about the punishment they are likely to receive from the legal system. If convicts are welcomed back into the community and their behaviour is condemned rather than judged, they are therefore likely to abstain from committing new crimes. This notion denotes that although the behaviour is penalised, the offender is eventually accepted back into the community.

The Social Bond Theory was used in this study to illustrate how the control theories explain why people do not commit crimes. According to the theory, individuals with close social ties to a community tend to abstain from criminal activity. The relationships that ex-offenders have with members of their families and communities determine whether they reoffend. When people have these ties, they either do not think that committing crimes is appropriate or acceptable, they are too busy with traditional activities and do not have time to conduct crimes or they do not want to let those close to them down by engaging in illegal activities. Families, schools, extracurricular activities, and other institutions help to create these social links.

According to the Labelling Theory, branding someone might boost their participation in deviant behaviours as it prevents them from joining pro-social organisations and activities. This theory posits that most people refer to ex-offenders as "criminals" or call them names, thus aggravating their propensity to more crime and deviance. Eventually, the labels become self-fulfilling prophecies. A branded person may find themselves cut off from traditional social circles, which makes them more likely to want to fit in with alternative groups. These out of the-ordinary organisations offer social support, while promoting criminal activities that land members in jail, like drug usage, property crimes, and robbery. According to the theory, society's unfavourable attitudes towards ex-offenders' lower pro-social resources, thus raising the likelihood of reoffending.

3.6 Conclusion

This chapter has used the Reintegrative Shaming Theory to explain how continued shaming makes offenders deviate from criminal activities as they are largely concerned about what people around them think of them. Secondly, the study used the Social Bond Theory to explain how the bonds created by ex-offenders with people around them make them refrain from criminal activities because they dislike disappointing those close to them. Lastly, the study used the Labelling Theory to explain the notion that continued labelling from other people encourages crime and deviance, which materialise as self-fulfilling prophecies. The next chapter focuses on the research methods and techniques adopted to elicit and analyse data for this study.

CHAPTER 4

METHODOLOGY

4.1 Introduction

In this chapter, I describe the methodology that I used in the current study to make important decisions. Research methodology plays an important role in influencing knowledge, policy development and social change. The chapter is structured in the following manner: location of the study, research approach, research paradigm, research design, selection of participants, entry into the field, data collection, data analysis, trustworthiness of the study, and ethical considerations.

4.2 Location of the study

This study was conducted in Cato Manor, which is one of the numerous informal settlements under the administration of eThekweni Municipality (Holder, 2012). Cato Manor is an impoverished township situated approximately five kilometres west of Durban city centre. It was classified as one of the criminal centre points in KwaZulu-Natal province (Xulu, 2006). The township was named after Durban's first Mayor, George Christopher Cato. Your Worship Cato was given the land, which later became Cato Manor as remuneration for another piece of land that was acquired for military purposes (Xulu, 2006). It was additionally proposed as a reward for his long years of individual devotion to community service and acknowledgment as Durban's first Mayor in 1865 (Xulu, 2006). Cato Manor covers 2 000 hectares and is located seven kilometres to the west of the central business district of the city of Durban (Xulu, 2006).

The history of Cato Manor is one in which discrimination and injustice have prevailed since the apartheid government attempted to control where certain racial groups could live and work (Popke, 2000). It is also an area where poverty and inequality are widespread, and this can have a dramatic effect on the level of crime and violence (Xulu, 2006). The increasing crime rates are a great concern in South Africa and as a result, the "tough on crime" approach is widely proclaimed (Stats SA, 2021). The practical application of this approach is primarily evident in the focus on more arrests and prosecutions, and harsh sentences for individuals convicted of crimes (Batley & Maepa, 2005). Despite this strategy, crime remains a problem, leading to

increased awareness and realisation that the current methods of responding to crime are not effective.

The researcher's interest in this area began when they were doing voluntary work at the Cato Manor community hall under a voluntary non-governmental organization (NGO) called Ikamva Lethu Community Development, which was educating the community about crime. During the researcher's master's studies, the study focused on communal responses to burglary and some participants in the study indicated how difficult it was for perpetrators of crime and crime victims to co-exist in the same space. It is against this background that an interest in restorative justice studies grew and prompted the researcher to engage in a study that explores the adoption of restorative justice programmes in this informal settlement. Thus, the researcher saw the importance of conducting research on communal responses to burglary in this area.

Figure 4.1: Map of Cato Manor



Source: Map Data 2023 AfriGIS (Pty) Ltd Airbus, CNES / Airbus, Maxar Technologies

4.3 Research approach

A qualitative approach was adopted in conducting this study. This approach is appropriate to the study aim, which is to describe and comprehend human behaviour instead of clarifying it (Mpofu, Sibisi & Sibisi, 2023). It additionally has the centre motivation of understanding how individuals see a specific issue and how they feel about it. The qualitative research approach empowered the researcher to comprehend the participants' points of view, encounters and

feelings about responses to restorative justice programmes in the Cato Manor area. Qualitative research esteems words more than numbers; it is inductive, interpretative and constructionist, implying that the gathered information is the result of associations between people (Bryman, 2012). Qualitative research is concerned about the emic point of view, which aims to investigate the thoughts and perceptions of the participants (Babbie & Mouton, 2001; Malagon Maldonado, 2014).

4.4 Research paradigm

The researcher adopted the interpretivist paradigm. According to Durkheim (2006:40), paradigms go about as points of view that give a method of reasoning to the exploration and submit the scientist to particular methods of information accumulation, perception and understanding". Thomas (2003) maintains that qualitative methods are normally supported by interpretivists. This is particularly important, given that the interpretive paradigm depicts a worldview wherein the truth is socially developed, complex and regularly evolving. Qualitative research is a method for exploring and understanding the significance people or groups credit to a social or human issue. Subsequently, if the researcher is looking for understandings and encounters of individuals, qualitative methods are probably going to be used. Interpretivism usually seeks to comprehend a specific situation, and the core belief of the interpretive paradigm is that truth is socially constructed (Willis, 2007). Interpretive research is more subjective than objective. Thus, interpretive researchers do not look for the solutions to their questions in inflexible manners. Rather, they approach the truth from subjects, ordinarily from individuals who claim their encounters and are of a group or culture and in this occasion the researcher approached individuals from Cato Manor region as they were the ones who had a better understanding of responses to restorative justice programmes.

The acknowledgment of numerous perspectives in interpretivism regularly prompts an increasingly complete understanding of the circumstance (Klein & Meyers, 1998; Morehouse, 2011). This will altogether encourage researchers when they need 'in-depth' and 'insight' data from a given population as opposed to statistics. Interpretivism was appropriate in this instance since it gave the researcher the platform to elicit in-depth knowledge on the perceptions of community members on restorative justice programmes, the psychosocial benefits of these programmes and their influence on recidivism/re-offending and on offenders and victims of crime in Cato Manor Durban.

Since the aim of this study was to explore the perceptions of community members on restorative justice programmes, the psychosocial benefits of these programmes and their influence on recidivism/re-offending and on offenders and victims of crime in Cato Manor Durban, an interpretivist paradigm was most suitable as it enabled participants to share their personal stories emanating from lived experiences, their emotions and subjective viewpoints. It also enabled participants to provide detailed accounts of their perspectives on the phenomena at the heart of the study through a dialogue between the researcher and the participant.

4.5 Research design

A research design is the plan that guides the researcher on how to select participants, and the techniques for data collection (Welman, Kruger & Mitchell, 2005). Selecting a good research design should be guided by an overarching consideration that specifies whether the chosen design does the best possible job of providing trustworthy answers to the research question (Polit & Beck, 2004). The nature of the present research problem, aims, research objectives and questions could only be fully covered by adopting a case study research design. A case study is a type of qualitative research design often used in the social sciences because it involves observing subjects, or cases, in their natural setting, with minimal interference from the researcher (Pacho, 2015). This design was appropriate for this study since the researcher sought to gain concrete, contextual, in-depth knowledge about a specific real-world subject in this case the perceptions of community members on restorative justice on offenders and victims of crime in Cato Manor allowing the researcher to explore the key characteristics, meanings, and implications of the case.

In this research, Cator Manor community was selected as a case study. In this instance the case study method enabled the researcher to closely examine the data within a specific context, which is participants' points of view, encounters and feelings about responses to restorative justice programmes in the Cato Manor community. In most cases, the case study method selects a small geographical area or a very limited number of individuals as the subjects of study (Pacho, 2015). Case studies, in their true essence, explore and investigate contemporary real-life phenomena through detailed contextual analysis of several events or conditions, and their relationships (Ebneyamini & Sadeghi Moghadam, 2018). A case study is defined as "as an empirical inquiry that investigates a contemporary phenomenon within its real-life context;

when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used” (Flyvbjerg, 2011: 124).

4.6 Selection of participants

As indicated by Blanche, Blanche, Durrheim and Painter (2006), sampling is the process of choosing research participants from the overall population. It involves making choices regarding the individuals, places, activities, behaviours and social processes to be observed. It is difficult to incorporate everyone, which is why there is a need for sampling. For the sampling to be applicable to the research questions, purposive and snowball techniques, which are both non-probability sampling strategies were utilised. As indicated by Marlow (2010) purposive sampling is a procedure which is reasonable for specific cases. It is used to improve understanding of selected group encounters, and snowball sampling technique expects that a ‘bond’ or ‘connection’ exists between the underlying example and others in a similar objective population, enabling a progression of referrals to be made within a circle of colleagues (Brickman Bhutta, 2012). Thus, snowball sampling includes primary information sources assigning another potential primary information sources to be used in the research. As it were, snowball testing sampling technique depends on referrals from initial subjects to generate extra subjects.

Participants in this study, who were key informants from community organisations (Cato Manor Development Association and IKhamva Community Development) and community members of the Cato Manor informal settlement (male or female) were purposively selected. Carter and Little (2007) posit that qualitative research samples purposively, emphasizing that participants are selected not to be statistically representative of a bigger population, but rather to fulfil an investigative purpose. Therefore, study participants were not only selected because they were conveniently available at the time the researcher wanted to conduct the study, but rather they were chosen because they met certain stipulated characteristics which are (i) aged between 18 and 50 years (ii) a community member of Cato Manor informal settlement. These were selected through snowball sampling. Key informant participants were chosen from the community organisations that the researcher approached in this study (Cato Manor Development Association and Ikhamva Community Development). An informant in field research is a reliable person that is knowledgeable about the field. Key informants are those participants whose social positions in a research setting give them specialist knowledge about other people,

processes or happenings that is more extensive, detailed or privileged than ordinary people, and who are therefore particularly valuable sources of information to a researcher (Payne & Payne, 2004). The researcher develops a relationship with the key informant (Neuman, 2014). Key informants constitute an important resource in social research because they make the process of recruiting participants relatively easy. Most importantly, they help researchers to locate hidden or hard-to-reach participants (Peek & Fothergill, 2011). Key informants helped the researcher to identify additional participants by referring them to the relevant people, in this case other community members and community leaders.

For the purposes of this study the researcher recruited 16 participants. The researcher sampled four (n=4) key informants from the community organisations who were also community leaders of Cato Manor informal settlement [Cato Manor Development Association (n=2) and Ikhamva Community Development (n=2)] and 12 participants were community members of the Cato Manor informal settlement. The study followed the tenets of data saturation. Guest, Bunce and Johnson (2006) who argue that in qualitative research, views are repeated at the 12th participant. However, in this study, data saturation was reached at the 16th participant as no new information was obtained. The researcher obtained adequate data related to the aim of the study.

4.6.1 Demographics of study participants

Table 4.1 Participants' demographics

Codes	Position in the community
CL1	Community leader (Ikhamva Community Development)
CL2	Community leader (Cato Manor Development Association)
CL3	Community leader (Cato Manor Development Association)
CL4	Community leader (Ikhamva Community Development)
CM1	Community member
CM2	Community member
CM3	Community member
CM4	Community member
CM5	Community member
CM6	Community member
CM7	Community member

CM8	Community member
CM9	Community member
CM10	Community member
CM11	Community member
CM12	Community member

4.6.2 The researcher as the key instrument

The level of researcher involvement in qualitative interviewing is indeed the embodiment of the unique role of the researcher as the instrument for qualitative data collection (Cassell, 2005; Rubin & Rubin, 2011; Turato, 2005). Data collection techniques involve observation and interviewing that bring the researcher in close contact with the participants. Thus, the qualitative researcher takes an interactive role where he or she gets to know the participants and the social context in which they live. The researcher as an instrument entail that the researcher is an active participant in the research process. Researchers use their sensory organs to grasp the study objects, mirroring them in their consciousness, where they are then converted into phenomenological representations to be interpreted. It is through the researcher's facilitative interaction that a conversational space is created, that is a place where participants feel safe to share stories on their experiences and life worlds (Owen, 2006). The researcher in this instance developed the research topic, questions and identified keywords. The researcher took part in collecting and analysing data by means of conducting interviews, writing, organising, and communicating information to the participants. Prior to collecting data, the researcher rigorously reviewed the instrument with the help of the supervisor to align the instrument to the questions the study seeks to answer.

4.6.2.1 Self reflexivity

In qualitative research, the researcher is an instrument in semi structured or unstructured qualitative interviews, unique researcher attributes have the potential to influence the collection of empirical materials (Pezalla, Pettigrew & Miller, 2012). Self-reflexivity is an essential component of qualitative research, particularly when examining topics like community perceptions of restorative justice programmes in Cato Manor, Durban, KwaZulu-Natal. The researcher's role as an instrument in data collection means that their personal attributes such as cultural background,

beliefs, values, and experiences can influence how participants respond during semi-structured or unstructured interviews.

In the context of Cato Manor, where issues of crime and justice are deeply intertwined with community identity and history, the researcher's positionality significantly impacted how community members perceived and engaged with the study. The researcher was perceived as someone who belonged to the community and someone who has the same social and cultural values with the participants as an individual who had been involved with the community before during their masters journey. This helped the researcher to be able to build trust more quickly, potentially leading to richer, more candid data. Self-reflexivity allowed the researcher to continuously evaluate these interactions, ensuring they remain aware of their influence on the data collection process and take steps to mitigate any potential biases. Furthermore, self-reflexivity played a crucial role in the analysis and interpretation of data. As the researcher delved into the narratives provided by Cato Manor community members regarding restorative justice programmes, their own preconceptions and values unconsciously shaped how they interpreted these stories.

4.6.3 Entry into the field

The researcher had to obtain permission from various gatekeepers to conduct the study in Cato Manor. Firstly, the researcher applied for permission and received a gatekeeper letter from the ward councillor of Cato Manor, which is under the Umkhumbane District. Secondly, the researcher had to apply for ethical clearance from the University of KwaZulu-Natal's Humanities and Social Sciences Research Ethics Committee. A letter of approval (Protocol reference number: HSSREC/00004924/2022) was received. A clear explanation of what the study was about was given before each interview commenced. The nature of the questions that would be posed was also highlighted prior to the signing of the informed consent form.

For this study, the researcher recruited a sample of 16 participants who were either community members or community leaders of the Cato Manor community. The community leaders were selected because they had better knowledge when it comes to everything that happens within the community, and mostly they participated in many restorative justice programmes. The community members were selected because of their experiences in restorative justice programmes. The researcher began the recruitment process on the 27th of November 2022 using purposive and snowball sampling. In recruiting the desired participants, the researcher was

assisted by the councillor of the Cato Manor area who referred the researcher to the relevant community leaders. Subsequently, the community leaders referred the researcher to the community members who were known to have participated in restorative justice programmes. As the participants were unknown to the researcher, it was necessary to present the topic to them, as well as introducing the researcher and giving a general background and purpose of the research study.

4.7 Data collection method

Qualitative research techniques are concerned with looking for participants who can give rich information about their natural environments, enabling outcomes to be more descriptive instead of being calculated (Babbie & Mouton, 2001). The qualitative research procedure enables the researcher to hear the viewpoints of the participants as well as watch and interpret non-verbal communication. Participants' lived encounters can incorporate disputable or sensitive information, which needs the researcher to be equipped with the suitable skills (Babbie & Mouton, 2001; Creswell & Báez, 2020). Data collection for this study depended on in-depth interviews conducted on an individual (one-to-one) basis. In-depth interviews were suitable for this study since it considered a free and open dialogue with the interviewees and gave the researcher an opportunity to acquire in-depth information about the effectiveness of restorative justice programmes in the area. This entailed an incredible level of flexibility and incited participants to talk about issues that were important to this research study.

All the interviews were recorded using a digital audio recorder. Permission was obtained from the interviewees to audio record the conversations. The advantage of using a digital audio recorder is that “it allows the researcher the opportunity to listen to the flow of discussion and the exact vocabulary used by informants” (Activist Guide to Research and Advocacy, 2003:74). Audio recording allowed the researcher to capture all the information that was relevant to the study.

4.7.1 Data collection instrument

The researcher used an interview guide, which is a list of questions that was created prior to the interviews to aid with the process (Roulston & Choi, 2018). It allows the researcher to stay within the confines of the topic while the interviewee has enough leeway to answer freely (ibid, 2018). The interview guide was generated after a thorough literature search was conducted, and

this helped the researcher to generate knowledge that is relevant to filling the knowledge gap and avoiding reduplicating previous studies. One does not have to follow the guide to the letter nor ask questions in any precise order. Thus, the interview guide is just there to serve as a provision while allowing for flexibility (Bryman, 2012). Leading questions are a trap that should be avoided while devising one's interview guide, unless they are there on purpose (Kvale & Brinkmann, 2009). The semi-structured interview type was chosen in this instance because it allowed the researcher to concentrate on the specific information on restorative justice programmes. The researcher had two interview guides, one for the key informants (community leaders) and the other one for community members. The two interview guides were formulated because they were two different sets of questions that were meant for the community leaders and community members.

4.7.1.1 The interview guide

The interview guide for the in-depth interviews consisted of several major parts. The first part included the background questions about participants' work experiences, age, and occupation. The second part had questions about the general restorative justice-kind and the dominant one in the study area. The third part consisted of general questions that were more pertinent to the specific restorative justice programmes. The fourth part included detailed questions about the challenges and interventions with specific reference to restorative justice. The last part consisted of various questions that had to do with the effectiveness of the restorative justice programmes. The guide was concluded with an open-ended question which inquired whether there was anything that was left out.

4.7.1.2 Time frame and place

The interviews were conducted in both English and IsiZulu to accommodate the different participants. Cato Manor township is dominated by Zulu speaking people; hence, some participants were comfortable to use their native language to communicate with the researcher. The duration of the interviews ranged from 45 to 60 minutes each, depending on how much information was given by the participant. Since the study aimed at eliciting rich qualitative data, the researcher facilitated the in-depth one-on-one interviews in an environment that was conducive to uninterrupted conversations between the participant and the researcher. The times of the interviews were allocated in consideration of the availability of each participant.

4.8 Data analysis

The recorded interviews were transcribed by the researcher. Important to note is that verbatim transcripts are considered both loyal and authentic, because they can be true to the intentions of the participant (Kvale, 1996). Once the information had been transcribed in sequence, the next stage was to analyse data utilising a procedure of qualitative analysis known as thematic analysis. As indicated by Neuendorf (2018), thematic analysis is a procedure of analysing data using themes emerging from the data. In this process, the researcher reads through the data and categorises key thoughts and words into connecting themes and views. Making note of examples and subjects that are delineated in the data reinforces qualitative interpretation. It is the main way that the researcher can come up with logical clarifications that may address the objectives of the study.

The responses were coded into separate themes. Categorising the data into themes was done through thorough reading and re-reading of the transcripts and grouping similar information together. Data coding was done manually and entered on a word processing document. According to Braun and Clarke (2006), phrases in the collected data summarise the main themes in the data set. Thematic analysis seeks to undo the themes prominent in a text at diverse levels and aims to enable the organising and portrayal of these themes (Braun & Clarke, 2006).

(a) Familiarisation and immersion

Data analysis begins before, continues during, but culminates after the data collection process (Blanche et al., 2006). According to Blanche et al. (2006), this stage is critical in that the researcher immerses himself/herself in the data and pays attention to field notes and interview transcripts. The first step in analysis is to become familiar with the topic and to become immersed in the data (Terre Blanche et al., 2006). This process began when the researcher listened to the audio recordings so that they could transcribe the data, which also included translating the audio recordings.

Transcribing and translation also form part of familiarisation because they involve listening to the audio recordings repeatedly. The researcher continued with immersion by reading and re-reading the transcripts generated through the semi-structured interviews with the intention to listen to cues that could have been missed and to identify various topics embedded in the data. The researcher brainstormed ideas as they went over the transcripts and notes and made notes

of the themes that emerged with the intention to categorise them at a later stage (presentation of findings stage). This made it easier for the researcher to be able to quickly and efficiently find the relevant information as they knew what to find and where to find it.

(b) Deducing themes

Once the researcher had familiarised with and immersed herself in the data, they started to develop themes and sub-themes. This required the researcher to search for recurring content that emerged from reading the transcripts. These were then grouped into sub-themes. The themes were arranged in a manner that resembles narrating, in that it flows and links from one theme to the next. This comprised grouping similar, repeating data and putting it under an umbrella theme. Information which did not fit under any of the themes was excluded.

(c) Coding

After the theme inducing stage, the researcher continued with the data coding process. However, this procedure had already started during theme induction. Blanche et al. (2006) affirm that data coding should not be separated from the process of developing themes. According to Blanche et al. (2006), coding includes checking various areas of information as being instances of, or applicable to, at least one of the themes. The researcher featured all the comparative responses or textual 'bits' in various colours and utilised abbreviated capital letters for the themes recognised by their containing material that relates to the themes under consideration (Blanche et al., 2006).

(d) Elaboration

During this part of the process, themes more closely to each other offered ~~each~~ the better nuances of implying that which may have been missed during the underlying coding stage (Blanche et al., 2006). This is done by re-reading information and contrasting areas of content to gain a sense of whether they are adequately comparable or too extraordinary to be grouped together. Elaboration required the researcher to further immerse the self in the information with the receptiveness to recognise any inconsistencies or unexpected discoveries.

(e) Interpretation and checking

This last step in the analysis process refers to the reviewing and adjusting of the gathered data into proper and legitimized interpretations (Blanche et al., 2006). This step required the researcher to return to the data and check if they had missed any significant information or themes. Blanche et al. (2006:144) propose that “the researcher should go through the interpretation with a fine-tooth comb and try to fix weak points”. The researcher re-visited the information to check whether they had missed any significant data and had the option to make the necessary changes. Re-reading of the information guaranteed the researcher that indeed, they had given the voices of the participants as much space as could reasonably be expected, which is significant in a qualitative interpretative and descriptive study. Besides, during this stage, the researcher additionally searched for any gaps, irregularities and logical inconsistencies. This was done through the researcher’s own reflections, peer review and member checks.

4.9 Trustworthiness

Ensuring the trustworthiness of a study is an indispensable part of qualitative research. Babbie and Mouton (2001) aver that trustworthiness is dictated by asking how ‘an inquirer’ [can] convince their audience that the findings of an inquiry are worth focusing on or worth assessing. Drawing on Guba and Lincoln (1994), Babbie and Mouton (2001) describe a trustworthy study as one that is credible, transferable, dependable and confirmable, and stress that these four measurements are interlinked. The researcher guaranteed the credibility, transferability, dependability, and confirmability of this study as follows:

4.9.1 Credibility

Credibility seeks to discover similarity between the constructed realities that exist in the minds of the participants in a study and those that are credited to them (Babbie & Mouton, 2001). At the end of the day, the findings presented by the researcher must match the participants’ encounters and what they shared during data gathering. Credibility can be accomplished through a few systems and in this study the researcher employed: member checks, peer review and persistent observation.

(a) Member checks

According to Babbie and Mouton (2001:275), member checks “take place when we take the transcripts and analysed texts back to the participants and check with them whether what has been constructed from the data is actually what they have said”. To ensure the credibility of this research study, the researcher engaged in member checks with the participants from whom data were collected from. This was done with three community leaders and five (n=5 members of the community. During this process, the researcher checked with participants if the transcriptions and interpretations were accurate, by reading inserts from the discussion. This allowed the researcher to make corrections to the interpretations rather than to assume that they had understood.

(b) Peer review

Peer review is described as the evaluation of work by one or more people with similar competences as the researcher. Peer review was accomplished through the researcher engaging with the study supervisor. During this process, the researcher and the supervisors discussed the study in-depth, and the supervisors scrutinised the questions and findings to check for validity, reliability and authenticity.

(c) Persistent Observation

Babbie and Mouton (2001) describe persistent observation as pursuing interpretations in different ways, engaging in constant and tentative analysis, looking for multiple influencers and searching for what counts and what doesn't count. In this study, the researcher ensured this by not only being observant during the interviews but also by exploring the data further and focusing on the relevant aspects. During the interviews, the researcher was aware of non-verbal communication. This was noted down immediately after the sessions so as not to interrupt or make the participants anxious. The observations assisted the researcher in making connections between what the participants were saying and what they were feeling. This enabled the researcher to be aware of any contradictions, inconsistencies and incongruencies.

4.9.2 Transferability

According to Babbie and Mouton (2001), the term transferability refers to the extent to which the findings can be applied in other contexts or with other respondents. They further elaborate that

qualitative researchers are “not primarily interested in (statistical) generalisations and believes that all observations are defined by the specific context in which they occur” (Babbie & Mouton 2001:277). Transferability involves the degree to "which the researcher’s working hypothesis can be applied to another context” (Babbie & Mouton, 2001: 277), thick descriptions occur when researchers provide sufficiently detailed descriptions of data in context and [report] them with enough detail and precision to allow judgments about transferability to be made by the reader.

4.9.3 Dependability

As indicated by Babbie and Mouton (2001), an inquiry must provide its audience with proof that if it somehow managed to be repeated with the same or similar participants in the same or similar setting, its findings would be comparable. To this end, Guba and Lincoln (1994) cited to in Babbie and Mouton (2001) attest that a request review ought to be utilised. Gasson (2004:94) proposes that “clear and repeatable procedures concerning the manner in which we conduct the research be required to ensure the dependability of findings”. Making the process through which findings are derived is a useful way of ensuring their dependability.

4.9.4 Confirmability

Gasson (2004) proposes that distortions regarding confirmability be minimised by the researcher making explicit assumptions and frameworks regarding research findings. Confirmability is accomplished through the upfront explanation of a researcher's suspicions and potential biases. To guarantee confirmability and dependability, the researcher kept an audit trail. Other than the audio recordings and ethical documents, this also included observation notes, a reflexive diary, member checks, peer review and transcripts. Throughout this study, the researcher kept a reflexive diary where personal feelings and biases were entered. This helped the researcher to recall information that couldn't be captured on audio recording.

4.10 Ethical considerations

Ethics ensures that the research is conducted responsibly and that researchers have complied with the appropriate standards (Wassenaar, 2006). Thus, a research proposal describing the study, and its methodology was presented to a colloquium, which was approved by the University of KwaZulu-Natal’s Humanities and Social Sciences Research Ethics Committee (Protocol number: HSSREC/00004924/2022); data collection did not commence until ethical clearance was provided by the Humanities and Social Sciences Research Ethics Committee and

the moral principles of autonomy and respect, non-maleficence, beneficence and justice proposed by Wassenaar (2006) were considered prior to, and during the research process. The researcher and study participants must have a solid ground of understanding and cooperation. It is of paramount importance that the researcher is as transparent as possible about the aims and objectives of the study from the beginning.

Before the data collection commenced, the researcher explained the dynamics of the data collection method to the participants and obtained their full consent to voluntarily participate in the study. The autonomy of all people engaged with in a given study and the researcher's regard for the dignity of people must never be undermined (Sobočan, Bertotti & Strom-Gottfried, 2019). To guarantee the autonomy of and demonstrate the researcher's regard for the dignity of the participants in this study, informed consent was requested. Participants were informed about the purpose and aims of the research and that their participation was voluntary (which incorporated their entitlement to withdraw from the study at any time), that no payment would be offered, as well as requesting their consent to audio record the sessions. Wassenaar (2006) contends that no harm should befall research participants, either as a direct or indirect consequence of the research. To this effect, the researcher emphasized confidentiality with the participants by including a confidentiality clause in the informed consent form. Furthermore, the researcher also reiterated this point verbally during the interviews. In this study, confidentiality of research participants was maintained by use of pseudonyms.

Wassenaar (2006:68) contends that, "justice requires that researchers treat research participants with fairness and equity during all stages of research". This includes fair selection of participants, provision of support to participants who may become distressed during the study and meaningful benefits to the community. Participants were selected fairly through a combination of purposive and snowball sampling. The researcher also took care to treat all participants with fairness and equity during the interviews. In undertaking research, ethical considerations assumed a significant role. This research ensured anonymity, confidentiality and privacy by using pseudonyms. An informed consent was and obtained from the participants prior to each interview session.

4.11 Conclusion

The methodology of this study was discussed in this chapter of the thesis. This methodology was selected with the aim of effectively addressing the qualitative objectives and research questions that guided the study. The present chapter presented the research methodologies and procedures employed in participant selection, data collection and processing, and analysis. The chapter ended with a discussion of how the study's credibility was ensured. The findings of this study are presented in chapters 5–7 of this thesis.

CHAPTER 5

PRESENTATION AND DISCUSSION OF FINDINGS

5.1 Introduction

Data gathered in this study were presented in three chapters. These chapters present an analysis of the data obtained during the course of the study, drawing out findings, and elaborating on them through a discussion. These chapters present verbatim quotations from the participants. The quotations are presented in italics and are block indented. Individual participants are not identified by name in keeping with the ethical principle of anonymity discussed in the methodology chapter. While many of the themes overlap, the discussion has been clustered in terms of the study's objectives and aims as outlined in Chapter One. The participants were divided into two (n=2) categories which are community leaders and community members. The community members were assigned codes, ranging from CM 1 to CM 12, meaning Community Member 1 to Community Member 12. Community leaders were assigned codes ranging from CL 1 to CL 4 meaning Community Leader 1 to Community Leader 4. The themes were arranged into logical groupings (see Table 5.1 below).

Table 5.1: Summary of themes and sub-themes

Themes	Sub-themes
Chapter 5: Perceptions of community members on restorative justice programmes on offenders and victims of crime	<p>I. Restorative justice programmes enabling the offender to take responsibility for the harm done to the victim and the community</p> <p>II. Restorative justice programmes contributing to the healing of the victim, the offender and the community at large</p> <p>III. Measures that have been taken to make these restorative justice programmes known by the community</p> <p>IV. Successes that these programmes have achieved in the community</p>

Chapter 6: Influence of restorative justice programmes on recidivism (reoffending)	<p>I. The role community members, victims and offenders play in the prevention of recidivism</p> <p>II. Support given to the offenders during and after the programmes reduces recidivism.</p> <p>III. Effectiveness of programmes in reducing recidivism</p> <p>IV. What can be done to improve the effectiveness of the programmes in reducing recidivism</p>
Chapter 7: Psychosocial benefits of restorative justice programmes	<p>I. The successes of restorative justice programmes in terms of the psychological well-being of both the offenders and victims of crime</p> <p>II. Victims and offenders having other people present during mediation</p> <p>III. Offenders and victims being able to express themselves in terms of the impact of the crime, the losses and the harms sustained</p>

5.2 Perceptions of community members on restorative justice programmes involving offenders and victims of crime

This section highlights the four sub-themes that are derived from the above-cited theme. The sub-themes focus on community involvement in the various stages of restorative justice programmes. The section also dwells on the programmes contributing to the healing of the victim, the offender and the community at large. The chapter also focuses on the measures that have been taken to make the programmes known and the success of the programmes in the community at large.

5.2.1 Sub-theme 1: Restorative justice programme(s) enabling the offender to take responsibility for the harm done to the victim and the community

The victim-offender mediation programmes (also known as victim-offender reconciliation programmes) constituted one of the earliest restorative justice initiatives (Shapland, 2016). These programmes are designed to address the needs of crime victims, while ensuring that offenders are held accountable for their offending. The participants expressed the following sentiments on the effectiveness of restorative justice programmes in relation to giving the offender a chance to speak:

“The restorative justice programmes in this community are very effective. For example, the victim-offender mediation programme gives the offender a chance to pour out their heart to the victim. While some offenders are rude during the sessions, as suggested by their body language, others are so remorseful that they even shed tears during these sessions” (CL-2).

” Restorative justice programmes, like victim-offender mediation programmes, indeed offer a unique platform for offenders to take responsibility for their actions by directly engaging with those they have harmed. By providing offenders with the opportunity to speak, these programmes encourage accountability and empathy, which are crucial elements of the rehabilitation process” (CM-3).

“The effectiveness of restorative justice programmes, including victim-offender mediation, lies in their ability to promote dialogue, understanding, and healing among all the parties involved. By emphasising accountability, empathy, and active participation, these programmes contribute to a more holistic and community-centred approach to addressing crime and its consequences” (CM-2).

The benefits of community service replicate those of restitution. Changing an offender’s values can be very helpful (Bazemore & Stinchcomb, 2004). While community service does not seek to address the needs of a specific victim, it gives offenders the opportunity to repay the entire community. In addition, the necessary monitoring and supervision associated with community service is often less expensive than incarceration. The participants indicated that the community at large appreciates the activities given to ex-offenders as it makes them deviate from criminal activities. The participants had this to say:

“The community members always appreciate the offenders who undergo community service within our community. They are mostly given tasks such as cleaning the community hall, the schools around the community. Sometimes they are made to clean the streets. As a community, we know that this keeps them away from committing crime” (CM-3).

“Community members often appreciate the involvement of ex-offenders in community service activities, as it demonstrates their commitment to positive change and contributes to the overall wellbeing and safety of the community. By diverting individuals from criminal activities and towards productive and constructive endeavours, community service plays a crucial role in reducing recidivism and promoting public safety” (CL-4).

Basing their arguments on the Identity Transformation Theory, Bazemore and Stinchcomb (2004) stated that helping others in a meaningful way can allow offenders to recover their prosocial identities, including ideas of themselves as giving individuals. Although the psychological process of developing a pro-social identity may occur during a community service experience or independently of service work, interactionist researchers suggest that identity development can be facilitated by “amend-making activity” that enables offenders to empathise with others in need and understand how their actions can benefit their community (Bazemore & Karp, 2004). The participants highlighted the fact that a person needs to do acceptable things and be considered good by other people for them to forgive them, thus:

“I believe that a human being is not difficult to please if the wrongdoer is remorseful. Conducting community service within the community is enough for an offender to be forgiven by the victim of the crime and the community at large. Singabantu abamnyama njalo siyazi ukuthi amaphutha ayenzeka (We are Black people, and we are prone to making mistakes as per tradition). I was fortunate enough to be forgiven by the community after coming back from prison; so, who am I to not forgive others” (CM-9).

“I understand that the notion that doing good by others is essential for seeking forgiveness resonates with the principles of restorative justice, which emphasise repairing harm and

rebuilding broken relationships. By demonstrating genuine remorse and actively working towards making amends, offenders can take meaningful steps towards earning forgiveness and being reintegrated into society” (CM-11).

“The idea that engaging in meaningful activities, such as community service, can facilitate identity transformation among offenders and aligns with the concept of restorative justice. By actively participating in activities that benefit others, offenders can rebuild their pro-social identities and develop a sense of empathy, responsibility, and accountability” (CL-1).

While conferences vary in size and makeup, the focus of victim-offender conferences (VOC), that offer a mediated space where victims, offenders, community and family members can discuss a crime and its impact, appears consistent across the programmes (Strehorn, 2004). One of the community leaders highlighted that the programmes allowed the offenders to take responsibility for their actions, thus:

“I believe that the victim-offender mediation programme is enough for the offender to take responsibility for what they have done to the victim and the community at large, and during this programme, the offender is able to express themselves about everything related to the crime” (CM-11).

The presence of people that are respected and loved by offenders in restorative justice programmes may have a positive outcome for ex-offenders who seek reintegration back into the community. The participants indicated that offenders assumed accountability for their actions in the presence of the people they loved and respected in the community:

“I think this programme is the most consistent of all these programmes because in this instance, and in as much as the offender wants to pretend to take accountability, it is a bit difficult because almost everyone that they respect, and love is always present during these sessions” (CM-6).

“As a community leader who always makes a follow-up on these participants, participants in restorative justice programmes often report that offenders are more likely to accept responsibility for their actions in the presence of their loved ones and respected community members. This accountability is reinforced by the support and

encouragement of these individuals, who may provide guidance, encouragement, and emotional support throughout the restitution and rehabilitation processes” (CL-2).

In this study, restorative justice programmes have reportedly been producing positive results. Apt to note is that the participants admitted to these programmes creating a conducive space for reconciliation to occur. The participants indicated that restorative justice programmes brought about closure to both the victims and the offenders, thereby seeking common ground and creating a conducive environment for the society to accept ex-offenders. They said:

“Yes, I think it gives them the chance to own up and make amends and bring closure to the victim and the family by them apologising and being present during these sessions. I believe that being present during VOMs and conferencing circles contributes a lot to the offender accepting accountability” (CM-10).

“I believe that restorative justice programmes play a crucial role in bringing closure to victims and offenders alike, while also promoting social acceptance and community healing. By emphasising accountability, empathy, and restoration, these programmes offer a transformative approach to addressing crime and its consequences, ultimately contributing to a more just and compassionate society” (CM-4).

Indeed, the offender’s willingness to take responsibility for their actions is crucial for the success of any restorative justice programme. According to Van Ness et al. (2022), while these programmes provide a structured framework for facilitating accountability and reconciliation, genuine acknowledgment of wrongdoing and a commitment to making amends must be the offender’s prerogative. Some participants highlighted that it is not only restorative justice programmes that should enable the offender to take responsibility for the wrong they have done to the victim and the community, but it must be the offender who is willing to take that responsibility.

“As a community, we can only do so much for the offender; as the restorative justice programmes can only help to a certain extent. Generally, it takes the offender to be willing to take responsibility for the harm done by their actions” (CM-11).

“A person cannot be forced to take responsibility for their actions. They can be made to attend each programme one can think of, and one can preach any word to them but if they do not want to take responsibility, they won't” (CM-3).

Participating in restorative justice programmes provides offenders with a structured opportunity to acknowledge the harm they have caused, understand its impact on others, and take steps towards repairing the damage (Lanni, 2021). By engaging in facilitated dialogue with the victims of crime and other affected parties, offenders can demonstrate their willingness to take responsibility for their actions and work towards reconciliation. Some participants felt that an offender needs to take responsibility for their actions by simply partaking in restorative justice programmes and apologising to the people they have wronged. Some participants said:

“Yes, definitely, because after having been released from prison, some offenders come back to the community and continue engaging in criminal activities, terrorising their victims. On the other hand, when an offender decides to partake in these programmes and apologise and show remorse for their wrongdoings, they would be considered to have taken responsibility for their actions and expressed their willingness to be part of the community” (CM-2).

“Yes, that is very true, because apologising directly to the people they have wronged is a crucial aspect of the restorative justice process. A sincere apology not only acknowledges the wrongdoing but also expresses genuine remorse and a commitment to change. It allows offenders to take ownership of their actions and demonstrate their willingness to repair the harm done” (CM-9).

According to Zehr, MacRae, Pranis and Amstutz (2022), offenders' presence at restorative justice sessions serves as the first and most crucial step in the process of taking responsibility for their actions and seeking reconciliation with victims of the crimes and the entire community. This demonstrates the offender's willingness to engage in meaningful dialogue and to work towards attaining positive change, thereby contributing to the restoration of relationships and the promotion of healing and justice. The participants highlighted that offenders must take full responsibility for their actions through attending the sessions as this conveys a positive message to the victims and all the people that were affected by the crime. It was reported that:

“I believe that attending victim-offender mediation sessions is the first step that offenders should take to right their wrongs and be able to assume full responsibility for their actions. These sessions are supposed to determine whether the offender has changed their ways, or they are still involved in criminal activities” (CM6).

“The presence of the offender in restorative justice sessions can foster a sense of accountability and closure for all the parties involved in the crime. It allows the victims to directly communicate the impact of the crime on them, seek answers, and express their needs for restitution and healing. Similarly, it provides offenders with an opportunity to listen, reflect, and take concrete steps towards repairing the harm that has been done” (CL-3).

While the involvement of offenders in restorative justice programmes is essential for the sake of accountability and reconciliation, it is crucial that their participation is sincere and motivated by a genuine desire to take responsibility for their actions and make amends. The community members highlighted that in as much as it is good for the offenders to partake in these programmes, some offenders do not genuinely partake in them, but do it to please those close to them.

“I think it is a very good opportunity for the offenders to take full responsibility for what they have done, although I would also like to believe that some of these offenders just partake in these programmes to please either their family members or for them to be accepted back into the community; otherwise, they are not remorseful” (CM-8).

“I believe that some offenders participate in restorative justice programmes solely to please those close to them, rather than out of a genuine commitment to change; thus, the effectiveness of the process may be grossly compromised. Without sincere engagement and willingness to confront the harm caused, some offenders may fail to fully understand the impact of their actions or to take meaningful steps towards restitution and rehabilitation” (CM-1).

Integrating restorative justice programmes into parole programmes can serve multiple purposes. First and foremost, it emphasises accountability by making offenders directly confront the harm they have caused and take concrete steps towards making amends (Kilchling, 2019). This requirement clearly suggests that offenders are expected to take responsibility for

their actions and actively engage in restitution and rehabilitation processes. Nonetheless, some participants highlighted that offenders must take responsibility for the harm they have caused. In fact, attending restorative justice programmes must be part of their parole programme, and they must not be given a choice.

“I think that it must not be a matter of them being given a choice. If it means that we must force them to take responsibility for their actions, we really have to. We cannot afford to have offenders behave the way they want in our community. We are here because of them, and the community is dysfunctional because of them” (CL-3).

“We cannot have offenders refusing to take responsibility for the wrongs they have done. They must adhere to the rules of the restorative justice programmes. If it says they must partake in community service, it should not be a matter of them being given a choice. There must be a way of dealing with those who do not adhere to these rules, even if it means reporting them to the parole officer” (CM-7).

Community participation affords an opportunity to all the parties to understand the offenders’ needs and behaviour. It is an avenue the community can exploit to re-establish the broken social bonds through the community’s ‘justice rituals’ (Shuker, 2013). One participant highlighted that to repair harms caused by the offenders on communities, it is necessary to address the root causes of crime to facilitate healing, and responsibility, as well as the prevention of crime.

“I think that before we even expect the offender to take responsibility for the crimes they committed and the harm caused, we need to consider the causes of the crime in this community. We might want the offenders to take responsibility for the crime committed but what we do not know is why the crime was committed. It can be an issue that requires the community’s attention, for example, gender-based violence at home. So, as a community we need to address the causes of these criminal activities before expecting a lot from the already traumatised offenders” (CL-3).

This realisation process can be profound and transformative for offenders. It enables them to develop empathy, insight, and a heightened sense of responsibility for their actions. By confronting the consequences of their behaviour and acknowledging the harm they have caused, offenders can begin to take meaningful steps towards making amends and repairing the

damage caused. Some participants highlighted that it takes the offender to be part of these programmes to then realise the harm they have caused to the victim and the community at large.

“It is very difficult for an offender to face the person they have wronged and for the victim to be reminding the offender of the crime they have committed and how much they destroyed them. But when one gets to hear them talk about how much trauma they went through and their family members highlighting how they saw their daughter or son suffer because of the offender’s wrongdoings, the offender realises that what it might not have been a big deal for them was actually a big deal to someone else” (CM1).

“I think that when these programmes are taking place, the offender is able to seek forgiveness and peace, and they are able to acknowledge the wrongs they have done and they are also able to take full responsibility for their actions” (CM-4).

Participation in restorative justice programmes signifies the offender’s commitment to accountability and reconciliation. It demonstrates the importance of acknowledging the harm done, listening to the perspectives of victims and other affected parties, and taking concrete steps towards restitution and rehabilitation (Simons, 2021). Moreover, the decision to participate in restorative justice programmes reflects recognition of the value of dialogue, empathy, and understanding in the healing and restoration processes. Some participants believed that by participating in these programmes, the offender already shows that they want to take responsibility for the harm caused.

“I think the offender would not agree to the programmes they know they won’t benefit from in any way. So, the offender’s willingness to participate in these programmes already shows that they want to take responsibility for their actions, and they want to apologise to those they have wronged. They want to prove to the community that they can still do better if they have been given another chance” (CM-3).

“The fact that the offender agrees to be part of the restorative justice sessions, knowing very well that the victim and the community members are going to be present during these sessions, shows that they are willing to account for their mistakes and take full responsibility for their actions and this also proves that they are remorseful” (CM-5).

“By participating in these programmes, the offender gets a chance to own up to their

crimes and make amends. It also brings closure to the victim, the victims' family and the community members" (CM-9).

"Yes, I think that once an individual decides to participate in this programme, they will be willing to take responsibility for their actions, which shows that they are willing to right their wrongs and no person would want to be part of a programme if they are aware that they will have to take responsibility for their actions and they don't want to" (CL-3).

According to White (2022), restorative justice programmes are not about absolving offenders of their responsibility or seeking quick fixes. Instead, they provide a structured framework for offenders to take accountability for their actions, acknowledge the harm they have caused, and work towards making amends and repairing the damage done. Forgiveness is a complex and deeply personal process that often takes time. Victims may need to undergo their own journey towards healing and reconciliation before they can consider forgiving the offender. Therefore, forgiveness can neither be rushed nor forced. One participant highlighted that these programmes cannot take away the wrongs the offender has done to the victim and the community members in general; so, even if they partake in these programmes, they should not expect to be instantly forgiven by the victim.

"Personally, I believe that one cannot wrong someone and then come back to the community and partake in community service programmes or restorative justice programmes and expect all the wrongs they did to the victim and the community members to be forgiven. It takes a lot for the community members to trust these offenders" (CL-2).

It is essential to recognise that restorative justice programmes are just one part of a larger justice and social support system. Literature indicates that addressing the root causes of crime and promoting accountability and behavioural change requires a multi-faceted approach that encompasses prevention, intervention, rehabilitation, and community support (Rafail, 2023). While restorative justice programmes can provide a valuable framework for offenders to take responsibility for their actions and engage in the process of repair and reconciliation, it is ultimately up to individuals to genuinely confront and address the harm they have caused. The participants believed the restorative justice programme alone does not do enough; thus it is up

to an individual to take responsibility for the harm they have caused to the victim and the community as a whole. Some offenders will always have an excuse for committing a crime. They said:

“Using the example of Chris Hani’s murder, the murderer never apologised from the time he went to jail till he was recently released. He was jailed for more than 20 years. I am absolutely sure he engaged in some prison-based restorative justice programmes, but he still does not see the need to apologise to the family or take responsibility for the wrong he has done but instead he said that he cannot be blamed for war disputes. So, I believe they do not enable the offender to take responsibility for the harm done to them” (CM-11).

“The restorative justice programmes enable the offender to take responsibility for their actions only if they are ready to do so. At the end of the day, restorative justice programmes can only do much if the individual wants to take responsibility for their wrongdoings” (CM-9).

Ongoing monitoring, support, and follow-up programmes done after the restorative justice process can help to reinforce the sincerity of offenders' apologies and to hold them accountable for their commitments to change (Moss, 2021). Not all offenders may genuinely feel remorseful for their actions. Some offenders may apologise simply to appease others or to fulfil a perceived obligation, rather than out of sincere recognition of the harm they have caused and a genuine desire to make amends. One participant highlighted that the victim must be present during the restorative justice sessions in order for the offender to apologise. The participant added that some offenders are not always remorseful, as they apologise only to please others.

“Restorative justice programmes can give an offender the platform to apologise simply by having the victim present during the mediation sessions but, at the same time, the offender might not be remorseful but apologising for the sake of others” (CM-1).

For offenders, reconnecting with the victims and others who have been affected by their criminal behaviour is a difficult process. According to Tyler (2006), in many instances, interpersonal relationships have been so seriously damaged that they cannot be easily or immediately repaired. Restorative justice processes and other mediated interventions, starting from the time when the offender is still in prison, can help the offender find their place in the

community. This is sometimes referred to as a “restorative reintegration process” (Tyler, 2006). A growing movement seeks to use restorative justice practices to facilitate the social reintegration of ex-prisoners returning to their communities. The participants highlighted that even though it might be difficult for offenders to repair the broken relationships, restorative justice processes help them to reintegrate into the society. The participants said:

“I think restorative justice processes help the offenders reintegrate into the society and re-establish a good relationship with fellow community members. Although it is very difficult to repair broken relationships, it can only be possible if the offender proves themselves to the victims and the community members in general” (CL-4).

“I think by starting the restorative reintegration process while offenders are still in prison, the ex-offenders can have the opportunity to begin their journey towards rehabilitation and reintegration early on, laying the groundwork for a successful transition back into the community upon their release from prison. This does not only benefit offenders, but it also contributes to the community’s overall safety, well-being, and cohesion” (CL-3).

Restorative justice attempts to meet the needs of the victim, the offender and the community. There is need to determine what then constitutes the community’s need. Certainly, the community needs a sense of justice. Like the victim, the local community suffers a loss of sense of safety and needs to be reassured that something is being done to address the loss, and that steps are being taken to discourage its recurrence (Johnstone, 2013). One participant highlighted that the safety of community members must be prioritised during the restorative justice sessions.

“A frequently mentioned aspect of the community’s needs is the need for the feeling of safety. Safety is the community’s first consideration. All the decisions regarding the damage that the crime caused should be based on this consideration” (CM-3).

5.2.2 Sub-theme 2: Restorative justice programmes contributing to the healing of the victim, the offender and the community at large

A community is a feeling or perception of connectedness (Abrahamson & Beck, 2011). This feeling of connectedness allows restorative justice to work because people do not want to disappoint those who they are connected to and care about. Communities are also considered a

“way to be”; a place that provides individuals an opportunity to interact, care and trust. Consequently, a community serves as a conduit for the reconciliation between the offender and the victim and a figurative incubator where standards of behaviour are established, monitored and reinforced (Abrahamson & Beck, 2011).

One of the participants highlighted that for the restorative justice programmes to be successful, the community needs to be connected to some extent.

“As a community, we abide by our own rules. Just like any other place, we have a way in which we want our community to be. Before anything else, we need to be connected as a community. We need to agree on certain things to a certain level. Restorative justice programmes help a lot in the healing of the community at large, because we already care for each other and there is trust amongst us” (CM-12).

“When individuals feel a sense of connectedness and belonging within their community, they are more likely to uphold shared values, norms, and standards of behaviour. This connectedness forms a foundation on which trust, empathy, and mutual support are based, and these are the essential ingredients for effective reconciliation and restoration of relationships within the community” (CM-7).

Literature indicates that direct communication with the offender allows victims to voice their feelings, concerns, and needs, and to receive validation, restitution, and closure (Kilchling, 2019). This process of confronting the harm done and seeking resolution can be profoundly healing, empowering victims to reclaim a sense of agency and control over their lives (ibid, 2019). One participant highlighted that expressing oneself as a victim and getting answers from the offender helps enhance the healing process. Friends, the family and psychologists cannot fill the void created by the offender and when offender has apologised, they get some sort of relief.

“I think expressing oneself is a very important aspect of life. It is also essential for enhancing one’s mental health. However, I believe that no matter how much one talks to people, be it one’s friends, the family, or psychologists, there is always that void of one wanting to speak to the person who caused the harm. It is only then that the offender can tell why they committed the crime in the first place. So being given the opportunity to ask the person questions regarding why they committed the crime, whether they were

cognisant of their actions at that time or not, contributes to one's healing, especially the victim and the community members. Also, the offenders get some sort of healing once they have acknowledged their wrongdoings, and the amount of pain inflicted on them and also being given the opportunity to apologise and be given the opportunity to be part of the community to prove themselves helps them heal and motivates them to be better individuals” (CM-1).

When offenders take accountability for their actions, this can have a profound impact on the healing of the victims and the broader community. Accountability acknowledges the harm caused, validates the experiences of victims, and signals the offenders' willingness to take responsibility for their actions and make amends. This recognition of accountability can provide victims with a sense of validation and closure, empowering them to move forward in their healing journey (Nascimento, Andrade & de Castro Rodrigues, 2023). The participants highlighted that assuming accountability for one's actions may help enhance the healing process involving another, also by apologising the offender needs their apology to be accepted and not be reminded about the crimes they committed.

“I believe that when an offender takes accountability and own up to their actions, the victims and the community members get healed, because some victims blame themselves for the crimes committed against them. So, when an offender confesses that they are at fault, and the victim was not at fault, this plays an important role and contributes a lot to the healing process. An offender just needs the victim to accept their apology and to accept them back into the community without always reminding them of the crimes they committed. This also plays a huge role in the offender's healing journey” (CM-2).

“I was once a victim and I guess when offenders offer sincere apologies, it can contribute to the healing process by acknowledging the harm done, expressing remorse, and seeking forgiveness. However, for apologies to be accepted, they must be genuine, heartfelt, and accompanied by tangible efforts to make amends and change behaviour. Victims need to feel that the apology is sincere, and that the offender truly understands the impact of their actions” (CM-11).

Restorative justice programmes provide a platform for exploring the dynamics of criminal behaviour and the underlying factors contributing to it. Through facilitated dialogue and engagement, offenders have the opportunity to reflect on their actions, acknowledge the impact of

the crime on victims and the community, and gain insights into the root causes of their behaviour (Karp, 2019). One participant highlighted that restorative justice programmes assist in understanding the dynamics of the criminal activities, and it is part of the healing process involving others. The participants had this to say:

“After conferencing circles or victim-offender mediation sessions, the way in which the victim sees the offender changing, and this applies to the community members as well, the stakeholders will all understand the reason behind the commitment of crime. The offender will apologise, and this might be the first step in the healing process for some and maybe the final phase in the healing process for others” (CM-5).

When offenders are accepted back into the community, this does not only signal a willingness to forgive and move forward but also fosters a sense of belonging and inclusion for both the offender and the entire community. Some participants indicated that accepting the offender back into the society plays a big role in making them feel a sense of belonging to the community again. They had this to say:

“The programmes allow the offender to live a normal life as well as those closer to the victim and the community members. So, once a community sees that the individual has changed, they are more inclined towards accepting the person back into society. This does not only help the offender, but the community members, the victim and those close to the victim” (CM-3).

“I think that for the offender, regardless of the crime they committed, their partaking in these sessions already indicates that they are going through the healing process, or they have healed. For the victims and the community members, it only takes the offender to attend these sessions and demonstrate remorseful during these sessions” (CM-12).

A meeting with the victim or the offender in the context of restorative justice can be a transformative experience, offering opportunities for open communication, empathy, and understanding (Pereto, 2021). By directly engaging with the person who has been harmed or who has caused harm, individuals have the chance to express their feelings, seek answers, and find resolution in a supportive and structured environment. The participants highlighted that once the offender meets up with the victim or the offender, there is some sort of ease that they will feel as an individual. They said:

“Participating in these programmes helps the three parties involved to heal. Just by seeing someone who wronged you, talk to them and have your questions answered helps you get closure, and by getting closure your healing process becomes easy” (CM-4).

“For the victims, a meeting with the offender can provide a sense of validation, closure, and empowerment. The meeting allows them to voice their experiences, express their needs, and seek restitution, helping to alleviate feelings of fear, anger, and powerlessness” (CM-11).

“There are community members who may be indirectly affected by the crime; therefore, meeting with the victim or the offender can offer a sense of connection, empathy, and solidarity. It allows them to bear witness to the impact of the crime, offer support and validation, and contribute to the healing and reconciliation processes within the community” (CM-9).

Bennett (2022) suggests that an apology should be regarded as a sanction in restorative justice. While this argument seems attractive, mechanisms to induce a true apology from an offender are far beyond reach. Of course, an apology appeases a victim, enables them to move on, and should be a catalyst for an offender to change. This is possible where the offender gives a free and genuine apology rather than otherwise. Some participants indicated that healing between the victim, the offender and the community members is achieved through an apology, with each party having to take accountability and apologise for their actions. It was reported that:

“In terms of the victim, I feel like it really helps to know that the offender is genuinely sorry for what they did, or they do take accountability for their actions. In terms of the offender, I would like to believe that in some sense, it makes them believe they can be a better person because they have taken the first step into doing the right thing. In terms of the community, knowing that both the victim and the offender have forgiven each other, and that the offender has apologised to the community as well, is beneficial to everyone’s healing at the end of the day” (CM-6).

“I think the apology from the offender to the victim and the community goes a long way. The victims and community members get closure from the offender, and the offender is also relieved to know that they have been forgiven. This contributes to the healing of the victim, the offender and the community members” (CM-9).

The success of restorative justice programmes lies in their ability to respect and honour the agency and autonomy of individuals, thus allowing them to choose the healing processes that are most meaningful and effective for them. The participants highlighted that the programmes can only do so much, but it must also be up to the individual, because individuals believe in different healing processes so the programmes cannot determine their healing processes.

“I think it depends on the individuals and not the programmes because some victims would want to go through the process of hearing the offender’s side of the story and to hear them apologise. Some of them neither want to be involved nor to participate in these programmes because they trigger them” (CM-8).

“Restorative justice programmes can provide valuable opportunities for healing, reconciliation, and personal growth; they are not a one-size-fits-all solution. Everyone may have different needs, preferences, and beliefs when it comes to their healing journey, and it is essential to respect and accommodate these differences within the restorative justice process” (CM-4).

“As individuals, we must not forget that for others, traditional healing methods, therapy, support groups, or personal reflection may be more effective or preferable. These individuals may choose to pursue alternative avenues for healing and growth processes that align with their values, beliefs, and needs” (CL-4).

According to Umbreit (2022), the act of holding offenders accountable for their actions not only goes a long way towards healing the victim, but it is the beginning of some real healing benefiting the offender as well. Among the needs of the crime victims is the offender’s need to understand the injury they have caused to the victim as well as their family and friends. If the offender could be made to appreciate the injury caused and develop a sincere sense of lament, the victim could have the chance to attain emotional healing from the harm and go on with their lives. One participant highlighted that the offender’s willingness to take responsibility and apologising for their actions does not only help the victims but the offenders as well; it is not easy for the offender to face their victims after their release from prison. The participant said:

“When trying to heal both the victim and the offender, it takes the offender to understand and take responsibility for the harm they have caused the victim. This does not only help with the healing of the victim but also that of the offender. Some offenders from

prison often tell stories, intimating that it is not easy for them to be locked up, knowing very well they cannot face their victims and apologise to them” (CL-5).

It is important for the offenders to balance the support they receive with being accountable for their actions. Lanni (2021) posits that while offenders should be supported and guided through the restorative justice process, they must also be held accountable for the harm they have caused and be prepared to take meaningful steps towards restitution and rehabilitation. The participants highlighted that offenders need to be supported throughout the restoration and reintegration processes and, in as much as they are supposed to be held accountable, they do not need to be reminded of their actions. Some participants intimated that:

“Offenders do not necessarily need to be punished, but they need to be held accountable for their actions. Real accountability includes the offender taking responsibility for the results of their behaviour. Offenders must be allowed and encouraged to help decide on what should be done to make things right, or what they can do to undo the harm they have caused. It is only by empowering offenders in this process that they can learn to take responsibility for their criminal actions. That way, they begin to learn to become responsible” (CM-7).

“I believe that supporting offenders throughout the restorative justice process can empower them to take an active role in their own rehabilitation and reintegration into society. By providing opportunities for reflection, self-awareness, and personal growth, offenders can develop the skills and resilience needed to make positive choices and thus contribute positively to the wellbeing of their communities” (CM-2).

These restorative justice programmes are based upon the premise that crimes are harms done by one person to another person, and that the resolution thereof must directly involve all the parties to the crime in question. According to Wemmers (2020), the victim-offender reconciliation programmes, like restitution, assume that offenders owe a great deal to their victims, and need to assume direct responsibility to the victim. The details of what is owed are worked out in an agreement made directly between the victim and the offender. A trained mediator helps the parties find a mutually satisfactory method of reparation and restitution. One participant indicated that there must be a professional psychologist who mediates between the

victims and offenders during these programmes. The professional assists in getting both parties to talk and open about their feelings. The participant said:

“I believe that by wronging the victim, the offender already owes them a lot. The victim experiences emotional harm after the crime has been committed. Both parties ought to sit down with a trained mediator, either a psychologist or any other professional from the criminal justice system. The two parties get to talk to and understand each other on why the crime was committed and the two apologise to each other” (CM-9).

According to De Gruchy (2002), reconciliation helps in identifying what is best for everyone, that is, for his or her own sake, not for the sake of the community or society. The goal of reconciliation is quite simple; to bring together the estranged elements of the community and restore their original trust. Among those parties to be reconciled are the transgressor, the victim, and, most importantly, the community at large. If the community itself does not re-establish trust with the transgressors, the latter may remain isolated and alienated from the community. The participants highlighted that reconciliation repairs the damage caused by the conflict and restores harmony and balance to the community, thus:

“I believe that in as much as we would want both the offender and the victim to heal, we must first focus on reconciliation of both parties. The offender will need to gain the trust of the victim and the community members. This helps the offender to heal, as they will feel a sense of belonging to the community” (CM-3).

“In my opinion, reconciliation is not just about resolving disputes or achieving a superficial sense of peace, but it is about addressing the underlying causes of the conflict, repairing the damage done, and restoring relationships and trust among all the community members. It requires a collective commitment to understanding of the background to the crime as well as a willingness to acknowledge past wrongs, take responsibility for one's actions, and work towards healing and restoration” (CM-8).

Transformative justice deals fully with the offender's deep need both to assume responsibility for their crime, and to find healing for its causes, while accepting social controls meant to prevent a recurrence of the crime (McGill, 2019). Similarly, society's needs for both healing and security are maximised through the empowerment and cooperative building processes of transformative justice. The participants highlighted that offenders are also in a way affected by

the crimes they commit against other people and, therefore, they also need to be part of the healing process.

“I believe that in as much as the offenders need to take responsibility for their wrongs, they also need to heal from their wrongs. They are also affected by the crimes they have committed, and it becomes worse if they have experienced a jail sentence. Jail conditions are so unfriendly that they can affect the inmate’s mental health” (CL-3).

“An offender, just like the victim, is often deeply affected by the crime they have committed. They may have experienced trauma, abuse, or other adverse circumstances contributing to their harmful behaviour. As such, they also need healing and support through the restorative justice process” (CM-5).

5.2.3 Sub-theme 3: Measures taken to make restorative justice programmes known to the community

It is the responsibility of the community members and community leaders to spread the word regarding the existing restorative justice programmes because not everyone is knowledgeable about these programmes. In Cato Manor community, the participants, who were also community leaders, indicated that not all community members knew about the existing restorative justice programmes. The participants posited that:

“Well, not really. I’d say yes and no because there are some residents who know about although there are others who, if you try to talk about this thing, ask you what it is all about. So, we still need to work as community leaders and as community members to publicise these programmes” (CL-1).

“It seems there is a need for increased awareness and education about restorative justice programmes within our community. As community leaders, we can play a crucial role in informing people about the availability and benefits of these programmes. This might involve hosting informational sessions, distributing flyers, or utilising social media platforms to reach a wider audience. By actively engaging with the community and providing information, more individuals can become aware of and potentially participate in these restorative justice initiatives” (CL-3).

The dissemination of information about restorative justice programmes within the community involves various communication methods, including informal channels such as discussions being held in taverns. This suggests that community members are sharing information about these programmes during their social interactions, which indicates a grassroots effort to raise awareness. It is interesting to note that informal settings like taverns serve as platforms for discussing important community matters. This highlights the importance of the need to understand the social dynamics of community well-being when promoting the restorative justice initiative. The participants indicated that they heard about the restorative justice programmes in taverns during socialisation with their peers as well. Some participants reported:

“Well, I believe we all know about these programmes because there are posters all over the community. Posters are even found at taverns because they know most of the people in this community spend their time there. Posters are even found at schools. So, it is difficult for one to say they have no knowledge about these programmes” (CM-7).

“As a community leader, I believe that posting posters in high-traffic areas such as taverns and schools can indeed help ensure that a broad spectrum of community members is aware of these initiatives. This multi-pronged approach to communication, which utilises both formal and informal channels, helps to maximise the reach and effectiveness of the awareness campaign” (CL-4).

Being proactive and involved in community issues can result in the community being more cohesive and empowered. Encouraging participation may involve finding ways of making meetings more engaging and relevant to community members, addressing any barriers to attendance, and emphasising the tangible benefits of community involvement (Terry & Townley, 2019). Some participants indicated that some community members do not take the community meetings seriously, as evidenced by their non-attendance and persistent complaints about not knowing what is happening within the community. Evidently, one has to be proactive with regard to community issues.

“The way we work in this community is amazing. Every Friday we hold meetings in the community hall. Here, we discuss everything regarding this community. So, if one does not attend these meetings, it is highly unlikely that they know about these programmes.

Yes, we have community members who think these meetings do not benefit them at all” (CM-2).

“I think we must also consider the fact that some community members may not take community meetings seriously, as shown by irregular attendance. There could be various reasons for this lack of seriousness, including competing priorities, lack of perceived relevance, or even scepticism about the effectiveness of community meetings. However, it is essential to recognise the importance of active participation and engagement in community affairs” (CM-6).

By utilising these various communication methods, community leaders demonstrate a commitment to transparency and inclusivity, ensuring that all community members have the opportunity to stay informed about community programmes and participate in important discussions and events. Flyers distributed throughout the community serve as visual reminders catching the attention of community members as they go about their daily activities (Schutz, Carter, Gajjar & Maves, 2021). The findings also indicate that community leaders always go an extra mile in informing the community members about the restorative justice programmes and meetings that take place around the community. Some participants indicated that communication takes different forms. Flyers are put all over the community for the community members to note. The participants also indicated that announcements are made in the community to make community members aware of these programmes. They said:

“Sometimes, we even have community members who volunteer to go around the community telling others about the meetings we usually have on Fridays. Some volunteers go from door to door distributing flyers to the community members” (CM-3).

“As far as these programmes are concerned, I think that the information is fairly spread to the community. You can’t say you know nothing about these programmes when there are people who go around preaching about them, and when you are invited to the meetings that are held every Friday. There are flyers all over the community from Upper Cato Manor to Lower Cato Manor. There are posters all over, even at taverns and clinics where most people spend their time” (CM-7).

“We make announcements inviting community members to community meetings. We have put in place street committees in different parts of the community, and these can keep us informed about the programmes that are taking place. Community meetings are held more frequently in our area due to the great need to ensure the safety of our residents and to keep them updated about what is happening in Cato Manor” (CM-3).

Literature indicates that social media platforms are a modern and effective way community leaders utilise to communicate to engage with community members, sharing information about local issues and initiatives (Erete et al., 2022). Social media enables quick and widespread dissemination of information, reaching a large audience in real-time. Additionally, approaching governmental departments can provide access to resources and support to address community concerns and implement solutions. The findings indicate that community leaders are using social media to communicate with other community members regarding current community issues. This interactive approach fosters greater transparency and collaboration between leaders and residents, which ultimately leads to more informed decision-making and stronger community engagement. The participants highlighted that they were utilising social media and approaching other governmental departments. One participant highlighted that:

“I am privy to the information regarding the issue of aggressive marketing of this policy. This involves use of social media to as another way of marketing this initiative. This publicises programmes like these, showing what the programme involves and individuals’ roles because sometimes when you talk about trying to get people involved, they think they are not going there to waste their time. When one tries to change their mentality and say look, you are not wasting your time, but you look at the possible scenarios that would help the community as a whole. We might even approach the police stations around our area calling on them to help spread the word around the community” (CL-4).

“We have a community group on Facebook. We know that most of these youngsters love these social media apps, so we usually post our announcements there and it sometimes helps us to spread the information especially to the youth” (CM-12).

Effective communication between community leaders, such as community councillors and community members, is vital for ensuring that everyone is informed about important matters,

including the release of offenders. The participants indicated that each community member is free to participate in the programmes, and communication is made with the community members, when information on the release of an offender is known to the community leaders, including the councillor. A participant intimated that:

“It is paramount that when community leaders are aware of the release of an offender, it's important for them to communicate this information to us as the general community in a timely and transparent manner. This fosters a sense of safety and awareness among us, and it allows us to take appropriate precautions if necessary” (CM-12).

“When an offender is about to be released from prison, the community members are invited by the community leaders and the councillor for the community will also be present and adverts are put out in the local newspaper. In that way, they are informed, so the community is aware of the programmes that are going to take place in their community. They have absolute access to these programmes and can participate in them” (CM-1).

The findings indicate that the community leaders were doing everything in their power to make sure that these programmes are known by the community members. If they had the resources, they could be using other media platforms to make announcements regarding the existing programmes. The participants indicated that:

“What is left now is for us to just parade ourselves because we have had events where, if there were community events, we would notify the community members about these programmes and hand out pamphlets. If we could afford making announcements on radio or television, we would have done so, because these programmes benefit everyone in this community. What has been working for us most is the open-door policy and making ourselves available as much as possible” (CL-4).

“Expanding communication efforts to include other media platforms could significantly enhance outreach and engagement within the community. Local radio stations and websites are valuable tools for reaching out to diverse audiences and disseminating information effectively. If the community could afford, it would make the job easier for both community members and community leaders” (CM-10).

5.2.4 Sub-theme 4: The success of restorative justice programmes in communities

Community involvement can increase the ability of restorative justice to enhance reintegration by bringing together people who are part of the offender's and victim's 'community of care' to provide support before, during and after a restorative justice encounter (Gerkin, 2012). The participants indicated that restorative justice brings everyone together and it should be adopted more often, as it is very effective in enduring that people are behaving.

"I think part of the problem with crime is that the Western society does not have that village mentality where everybody is watching over everybody. I think one good thing about it [restorative justice] is that it makes everybody small again. It makes the community small again. I think if we could break our cities down into a series of small villages, people would behave themselves a lot better" (CL-1).

"As a community leader, I think involving the community in restorative justice processes can have significant benefits, particularly in terms of supporting the reintegration of both the offenders and the victims into their communities. By bringing together individuals who are part of the offender's and victim's "community of care," such as family members, friends, neighbours, and other community stakeholders, restorative justice programmes can provide a supportive network that helps individuals navigate the challenges associated with reintegration" (CL-2).

"Sometimes, community involvement not only offers emotional and practical support, but also promotes accountability and encourages positive behaviour change. When individuals feel connected to their community and are held accountable by those they care about, they are more likely to take responsibility for their actions and strive to make amends" (CM-5).

Communities have responsibility for initiating action to protect victims and others from further harm, to protect the offender from vengeance, to initiate a process that brings healing to the parties and the community, and to promote restoration of the victim and the community at large (Achilles & Zehr, 2001). The responsibility to partake in these programmes lies on every community member, and this is done to prevent offenders' future recidivism harm caused to the victim. The participants indicated that restorative justice programmes give everyone a responsibility to avoid further harming others. Some participants said:

“It is the responsibility of every community member to make a difference in their own lives. I think that as a community, we also have the responsibility to protect both the offender and the victim from further harm. The offender ought to be protected because some people would want to revenge. For the victim, protection is imperative because the offender would still want to further harm them through insults or stalking” (CM10).

“Communities have a large responsibility in terms of participating in the process of repairing the harm done when a crime has been committed. This responsibility is grounded in the fact that the community may have failed, in some respect, to provide the victim with adequate protection against the crime and may have failed to provide adequate opportunities for the success that would have prevented the offender from perpetrating the crime” (CM-8).

The positive behaviour exhibited by individuals participating in these programmes can serve as a crucial indicator of success. Positive changes in the behaviour of individuals include taking responsibility for their actions, showing remorse, and actively contributing to society’s wellbeing, it reflects the effectiveness of the programme in promoting accountability and facilitating rehabilitation (Karp, 2019). The findings indicate that there are various factors demonstrating the success of the programmes in the community where offenders are seen contributing to community building programmes or community engagement programmes.

Also, the individual’s behaviour indicates whether the programme is a success or not by them contributing to the society. A participant said:

“The success of these programmes is seen by positive changes in the behaviour of individuals. For example, the offender would apologise for their wrong doings and by contributing to the society. In this case, offenders should be seen helping juveniles around the area. We have a soccer team in this community and most of the people that are part of that team are ex-offenders. This is a way in which ex-offenders deviate from criminal activities, as they keep themselves busy with extra-curricular activities” (CM11).

According to Hopkins (2023), effective communication is essential for building trust, resolving conflicts, and fostering a sense of belonging within a particular community. By providing opportunities for dialogue and collaboration, restorative justice programmes can strengthen relationships and promote a culture of mutual respect and understanding. The participants

indicated that the community achieved much because of these programmes. For instance, there is better communication between the community members, even though the community participation in these programmes still needs to improve. Some participants reported that:

“There has been success as good communication has been established between the community members. Since becoming the chairperson of one of the organisations, we have had good communication for the past two years. Although challenges had been in existence, they have been manageable. But when it comes to the community, we still need to emphasise participation, and because of that historical element, there are still those shortcomings. However, people are still able to get hold of us when there are problems. So that is a success” (CL-3).

“I would say that while progress has been made, it is also important to acknowledge that there is still room for improvement, particularly in terms of community participation in these programmes. Encouraging greater involvement from community members can enhance the effectiveness and impact of restorative justice initiatives. This might involve raising awareness about the benefits of participation, addressing barriers to access, and actively engaging with diverse segments of the community” (CM-6).

When offenders participate in restorative justice programmes and take responsibility for their actions, they often gain insight into the harm their actions would have caused and the consequences of their behaviour. This increased awareness, in combination with the support and accountability provided by the community, can help offenders effect positive changes in their lives and avoid further involvement in criminal activities. The participants indicated that offenders who have been part of the restorative justice programme avoided criminal activities, which was also beneficial for the community members, as the community was peaceful, and community members enjoyed their freedom. The participants commented:

“The offenders who have attended the programmes are peaceful. Their being at peace with the community means that as a community we also at peace. We are moving around freely without fearing that the ex-offenders would want to attack us” (CM-6).

“As a community, we need to experience lower rates of crime and enjoy a greater sense of peace and security. When community members feel safe and free from the threat of

crime, they can fully participate in and contribute to community life, fostering a vibrant and thriving community environment” (CM-2).

“I believe these programmes make a difference in the offenders’ lives mostly because one can tell by their changed behaviour that they are no longer hanging out with their “criminal” friends. They are more involved in community activities, with some of them even becoming motivational speakers going around schools talking to the youth about the adverse consequences associated with engaging in criminal activities” (CM-10).

The ongoing relationship between the offender, the victim, and the community members after a restorative justice session is crucial for assessing the effectiveness of these programmes and for fostering long-term healing and reconciliation. When all the three parties maintain positive connections and communication following the resolution of a conflict or harm, the restorative justice process would have succeeded in building understanding, empathy, and trust among all parties involved (Paul & Borton, 2021). It is paramount for the offender, the victim and the community members to have a cordial relationship after a restorative justice session. This indicates how effective the programmes are and gives room for future recommendations. The participants highlighted that:

“These programmes have achieved a lot in the community. The victims tend to forgive the offenders, and they later become friends or colleagues. This helps in rebuilding relationships with fellow community members, especially for the offenders” (CM-9).

“I think these programmes are a success because offenders exhibit positive behaviours. They are partaking in programmes such as community service and helping the community in different ways, such as clean-up activities and motivational talks. The victims are also being assisted and there is peace amongst them, and they are demonstrating civility with each other” (CM-9).

“I believe that the relationships that are maintained after the restorative justice programmes create a foundation for future recommendations and interventions aimed at preventing future conflicts and promoting the well-being of the community. By staying connected and actively engaging with one another, the participants can identify areas that need improvement, share insights and resources, and work collaboratively to address underlying issues and build a more resilient community” (CL-3).

Restorative justice programmes are mostly designed for the victims of crime. They cater for and are responsive to the needs of those affected by crime, with particular attention being paid to the needs of victims and the reintegration needs of all the parties. One participant indicated that the success of restorative justice programmes in the community reflects a collaborative effort to address harm, promote healing, and build stronger relationships among community members. The participant said:

“In this community, restorative justice programmes have been helpful to the victims, even though our focus is to help both the victims and the offenders. The fact that we have people that frequently check up on both the victims and the offender after the sessions is evidence indicating that the programmes are responsive and very helpful to the whole community” (CM-5).

The participants believed that the programmes had increased public confidence and accountability in the administration of justice by enhancing community engagement, leadership and partnership in responding to conflicts and addressing harm connected to crime, hold the offender accountable in a meaningful way. Some participants indicated that:

“I think the way these programmes are conducted makes the offender realise how wrong they have been and the criminal justice system is held accountable for a lot of things, including not following up on offenders who are on parole” (CM-4).

“As a community leader, I believe that by holding offenders accountable in a meaningful way, restorative justice programmes prioritise restitution, rehabilitation, and community reintegration over punitive measures. This approach not only addresses the immediate needs of crime victims but also addresses the underlying factors that contribute to offending behaviour, thus ultimately promoting long-term healing and prevention” (CL-1).

5.3 Discussion

This chapter presented a discussion on how restorative justice programmes enable the offender to take responsibility for the harm done to both the victim of the crime and the community members who became secondary victims of the convicted crime. It also focused on the programmes contributing to the healing of the victim, the offender and the community from

the criminal activities committed. The chapter focused on the measures taken by the community leaders to make restorative justice programmes known to the community and the success of these programmes in Cato Manor, an area located in Durban, KwaZulu-Natal Province.

For the offenders, reconnecting with the victims and others who have been affected by their behaviour is a difficult process. In many instances, relationships have been so seriously damaged that they cannot be repaired easily or immediately. According to Armour and Sliva (2018), restorative justice processes and other mediated interventions, starting while the offenders are still in prison, can help them find their place in the community. There is a growing need to use restorative practices to facilitate the social reintegration of prisoners into the community. The study unpacked that the effectiveness of the restorative justice programmes gives offenders a chance to pour their hearts out to the ones they offended. The participants argued that programmes such as victim-offender mediation meetings are the most effective because they are a dialogue between the offender and the victim. They are both given a chance to talk about the effects of crime. The researcher argues that the victim-offender mediation initiative might be seen as the most effective restorative justice programme; however, most offenders during these programmes are vulnerable and scared because they would be seeing the victims for the first time after the criminal incident. It then becomes difficult for them to fully express themselves in terms of their taking responsibility and apologising for the harm done.

In addition, some participants agreed that community service is one paramount restorative justice programme that helps in changing offenders' values. It gives the offender an opportunity to repay the entire community. According to Zondi (2012), mandated community service projects can be more meaningful when they involve the community, help people, encourage offenders to be active in the community, increase offender empathy towards victims, facilitate changes in community's perceptions of the offender, and help offenders develop a more positive sense of the self. While there are no assurances that offenders will feel more connected simply because they have provided services to the community, community service projects should be designed to increase the probability of increasing those connections and strengthening the offender or community linkages. This may be accomplished by providing opportunities for ex-offenders to participate in high-value community-based projects, engage in work volunteers, establish interpersonal relationships, and develop employable skills. Offenders are offered opportunities to be accountable for their behaviour through providing

service to the community and the community is offered an opportunity to reclaim members who have gone astray (Priestley, McGuire, Flegg, Hemsley, Welham & Barnitt, 2023). The researcher argues that in fact, community service is part of the foundation of pre-trial interventions, one of the best methods of avoiding a conviction for first-time offenders. A volunteer service can help a client re-examine how they view themselves in relation to the society. It can help a client feel that they are part of a community.

More so, the findings of this study also indicated that some offenders hardly realised the intensity of their actions till they partook in these programmes and get to understand how the victims and the secondary victims were affected by the crime. Taking full responsibility for behaviour requires understanding how that behaviour affected other human beings (not just the courts or officials), acknowledging that the behaviour resulted from a choice that could have been made differently, acknowledging to all the affected parties that the behaviour was harmful to others and taking action to repair the harm where possible. This further involves making the necessary changes to avoid such behaviour in the future. According to Folger and Cropanzano (2001), accountability goals are often met through the process itself as much as through actions decided by the process. To be accountable for behaviour is to answer to individuals who are affected by the behaviour (ibid, 2001). The study unpacked the face-to-face meetings held with community members or victims in which offenders would take responsibility for and hear about the impact of their criminal actions on others, which constitutes significant forms of accountability. The researcher argues that fully acknowledging responsibility for the harm caused to others is a very painful experience. It is, however, a process that opens the opportunity for personal growth and that may reduce the likelihood of repeating the harmful behaviour. It is difficult to accept full responsibility for harming others without a support system being put in place and a sense that there will be an opportunity to gain acceptance in the community. Therefore, accountability and support must go hand in hand.

However, the findings also indicate that restorative justice programmes do not adequately ensure that the offender takes responsibility for their wrongdoing. Rather, it is up to individuals in the community to take responsibility for the harm caused and, in this case, it is difficult to rebuild damaged relationships. However, it is advisable that these programmes begin whilst the offender is still under incarceration to ensure effective reintegration back into the society. The study unpacked the notion that the offenders are directly responsible for their behaviour and therefore must learn the full impact of their criminal actions and therefore develop a plan for

making amends, to the degree possible, to the persons they violated. However, the study found that restorative justice is not an appropriate option for all incidents involving harm. It is a voluntary process in which both the harmed party and responsible party need to willingly engage in restorative dialogue.

Furthermore, restorative justice is only effective when the responsible party is taking responsibility for their actions. According to Rodogno (2019), this justice system does not have a mechanism for determining guilt. It is not necessary for offenders to exhibit feelings of remorse, *per se*, but admitting guilt and accepting responsibility are the requirements that render most restorative programmes and judgements eligible for restoration and reintegration. Agnihotri and Veach (2016) indicated that it is unlikely that a fully restorative justice system will ever be established, as some cases simply do not fit the restorative justice model. Some restorative justice programmes require the offender to plead guilty, while others occur after the offender has been found guilty by a court of law. The researcher argues that the requirement that offenders must admit guilt and accept responsibility for their actions and the harm their actions caused is a logical one, as neither the victims nor the offenders are likely to get anything out of a restorative justice process without taking this first step. However, this raises an important question as to whether this inherently limits the offenders who can be eligible for restorative justice programmes because the current justice system encourages offenders to deny guilt at all costs.

More so, the findings also indicate that community members need more than just an apology; they need a sense of justice and a feeling of safety in the presence of offenders. Achieving community safety requires practices that reduce risks and promote the community's capacity to manage the behaviours of its members. Squires (2017) indicated that balanced and restorative community safety is not only focused on short-term external control of individual offenders. Risk reduction strategies often focus on individual offenders, but building the community's capacity to manage individuals' behaviours focuses on adults and organisations within the community. The study unpacked the fact that community safety is achieved when community members live in peace, harmony, and mutual respect and when citizens and community groups feel that they personally can prevent and control crime. Many strategies used to enhance accountability and competency development goals can also contribute to other goals, such as community safety. For example, community service, through structuring time and increasing the offender's investment in the community, contributes to community safety. The researcher

argues that most forms of competency development involve structured activities with supervision, which reduce the opportunity to offend. Accountability strategies emphasise taking responsibility for an individual's behaviour, which reinforces internal behaviour control, the most effective way to achieve long-term community safety (Clear, 2018). A major goal of competency development strategies is to establish a place of value for the offenders in the community that creates an incentive for abiding by the norms of the community (Pavelka & Thomas, 2019). Therefore, the community's safety goal is dependent upon effective accountability and competency development strategies.

The findings indicated that community service should be of value to the community and should benefit the person providing it. Meaningful community service projects are those that encourage offenders to become and remain active in community life. According to Lanni (2021), making a positive and lasting connection between the offender and the community is one of the primary objectives of meaningful community service. As such, restorative community service provides an opportunity for the offender to make amends with the community in a way that is valued by the community (Church et al., 2021). The study established that community members and the offender should recognise the offender's capacity to contribute towards the general well-being of the community by ensuring that successful community work service helps in changing the offender's negative view of the community into a positive one. The researcher argues that community work service must have personal meanings to both the community and the offender performing it. The best examples of such projects are those that use offenders as mentors, resources, leaders, and interactive community members. Whenever possible, crime victims should be afforded an opportunity to determine the specific type of community service the offender should perform (that is, their choice of a particular charity, church, or agency that is important to them).

The findings have indicated that addressing the root cause of crime helps to facilitate healing, responsibility and prevention. The participants further highlighted that the root cause of crime must be addressed communally. There are factors that drive offenders into committing crime, for example, gender-based violence occurring at homes. According to Metcalfe, Baker and Brady (2019), the Social Bond Theory entails that the stronger the offender's connection to their parents and the community, the more likely that they would want to be like their conventional parents. The study unpacked the reality that an offender would be less likely to engage in criminal behaviour if they value the opinions of their parents and hold them in high

reverence. Through this type of connection, parents can exert indirect control on their children. Hirschi (1969) also refers to indirect control as virtual supervision, which essentially means that if the bond of attachment is strong, it makes parents psychologically present. The study further noted that primary prevention efforts try to ensure the health of the entire community by attempting to stop the development of adverse conditions in the first place. Programmes which address parenting, family support, and etcetera could all be considered primary prevention efforts if they are universally accessible and offered before any difficulties could be identified (Rubio, 2018). The researcher argues that individuals need to be responsible for their own actions for all the parties to be healed from the criminal activities. An understanding of the root causes of crime cannot and should not be seen as a way of absolving people from personal accountability. However, while individuals have an obligation to act responsibly and with respect in relation to their fellow community members, communities have a responsibility to address those conditions, which hinder healthy development and can become the breeding ground for crime.

The findings from the study indicate that the initiation of restorative justice programmes helps to strengthen the bond amongst the victim, offender and the whole community. Already, community members care for and trust each other. So, the healing of all the involved parties becomes easier. According to Wilson et al. (2018), restorative justice programmes are designed to develop consensus among the stakeholders, including victims, victim supporters, community members, offenders, offender supporters, on an appropriate outcome that addresses the concerns of all the interested parties. The study unpacked the notion that these processes promote the healing of all the affected parties, giving the offender the opportunity to make amends. The study also unpacked the fact that restorative justice gives the victims, offenders, family members and communities a voice and a shared responsibility in arriving at constructive resolutions, thus addressing the underlying causes of criminal behaviour, and building a sense of community around shared community values. Connected to this conception is the belief that the restorative justice process is about the victim forgiving the person who committed a crime against them in order for all the parties to be healed, and while forgiveness is an admirable goal, it can also be a burden for some victims, and this is not the focus of restorative justice (Warden, 2018). The researcher argues that no victim should be pressured into forgiving an offender if they do not want to. The purpose of restorative justice is to acknowledge the victim as part of the justice system, and to help the offender learn from their harmful criminal actions. There is no failure if a victim does not forgive the offender, but there is supposed to be some

sense of healing for all the parties involved and after partaking in the restorative justice programmes.

The findings indicated that expressing oneself during the VOM or conferencing circles is a very important aspect of healing for the offender, the victim and the community members. Being given an opportunity to talk about the effects of the crime to the victim or the offender and get one's questions answered as to why events unfolded the way they did, is an important aspect of the healing process. According to Imiera (2018), the offenders get some sort of healing by acknowledging their wrongdoings, which involves taking accountability for their actions by either apologising or being part of the restorative justice processes. The study unpacked the notion that engaging in self-expression can provide a safe outlet for individuals' emotions. This allows them to express and release their pent-up feelings, which can help alleviate emotional distress and promote a sense of emotional wellbeing. The study also unpacked self-expression as capable of enhancing communication skills, thus enabling individuals to express themselves more effectively. This can help individuals to find alternative ways of communicating their thoughts and emotions, especially when verbal expression faces challenges. This improved ability to communicate can foster better relationships and connections amongst community members.

According to Pyles (2018), engaging in self-expression cultivates resilience and coping skills, with self-expression serving as a powerful tool for enhancing self-care and self-compassion. The researcher argues that engaging in self-expression can provide individuals with a sense of relief, release, and catharsis, as they are allowed to channel their emotions, thus reducing the burden of emotional distress. The act of expressing oneself creatively can also foster a sense of empowerment and self-ownership. It can remind individuals that they have agency over their own narrative and can actively participate in their own healing.

The findings indicate that the actions of the offender after partaking in the restorative justice programmes contribute to the healing of both the victim and the whole community. By agreeing to partake in community service and demonstrating willingness to help and serve the community, offenders indicate how remorseful they are. It takes a lot for the offenders to be willing to partake in these programmes, especially community service. The benefits of community service are very similar to those of restitution, as the former can help to change the offender's values (Umbreit, 2022). Although community service does not address the needs of

a specific victim, it gives offenders the opportunity to repay the community at large. The study found that some restorative justice programmes involve community conferences where the offender, the victim and the community members converge to discuss the criminal incident and its impact. The study also avers that the offender's active participation in these forums can result in them acquiring a sense of community ownership in the healing process. The researcher argues that the actions of the offender in a restorative justice context can have a profound impact on the healing of both the victim and the rest of the community. Genuine remorse, restitution, education, and a commitment to positive behavioural changes contribute to a more comprehensive and sustainable approach to justice and healing.

The findings indicate that offenders also need to heal from the wrongs they committed. They are equally affected by the crime just like the victim's, as experiencing prison is equally not easy for them. Restorative justice programmes often emphasise the reintegration of offenders into the community as responsible and accountable individuals. This reintegration process can contribute towards the healing of the offenders by providing them with a sense of belonging and a chance for acquiring positive change (Moreland-Capuia & Moreland-Capuia, 2019). Offenders often experience strained family relationships and connections with friends due to their criminal behaviour and incarceration. Maintaining or rebuilding these relationships can be crucial for their healing and rehabilitation. The study found that recognising that offenders are affected by their experiences and acknowledging the potential for rehabilitation is a key aspect of the restorative justice approach. According to Van Ness et al. (2022), addressing the root causes of criminal behaviour and providing opportunities for personal growth can contribute to the offender's healing. The researcher argues that it is essential to consider the complex factors influencing an offender's journey toward healing, and the criminal justice system may as well benefit from approaches that prioritise rehabilitation and reintegration alongside punitive measures. Programmes and interventions that address the well-being of offenders can contribute to a reduction in recidivism, simultaneously fostering a more just and compassionate criminal justice system.

Posters are placed all over for the community to know about these programmes and these posters are strategically put in places where community members spend most of their time at for example taverns, schools and clinic. Strategically placing posters in key community locations, such as taverns, schools, and clinics, effectively raises awareness about existing programmes. This approach leverages on the high-foot traffic in these areas, ensuring that a

diverse range of community members access the information. Placing posters in high-traffic areas increases the visibility of the programmes (Wilson & Suh, 2018). People frequent places like taverns, schools, and clinics, and they are more likely to notice and read the information presented on posters. The study unpacked that different locations attract different demographics, for example, schools may target parents and students, while taverns may reach out to a more adult audience. By placing the posters at strategic places, messages can be tailored suit the needs of specific groups within the community. Seeing the same posters regularly helps reinforce the message and key information about the programmes. Repetition is a key factor in memory retention, and multiple exposures to the same information increase the likelihood of community members remembering and acting on it. The participants indicated that placing posters in community hubs encourages community members to engage with the information, thus opening opportunities for discussions and questions, fostering a sense of community involvement and awareness. Posters are a tangible and an easily accessible source of information. People can read them at their own pace and refer to the information as need. Placing posters in communal spaces fosters a sense of community ownership of the programmes. This implies that these initiatives benefit everyone in the community and encourage collective participation. The researcher argues that placing posters at strategic places in community hubs is a practical and impactful method of making programmes known to the community, leveraging the power of visibility, accessibility, and community engagement.

The Findings also indicate that there are weekly meetings held in the community hall and this is where everything that concerns the community is discussed. These community meetings provide a direct platform for programme organisers to communicate with community members. This direct interaction allows for a more personal and detailed presentation of the programmes, immediately addressing any questions or concerns. The study revealed that the frequency of these weekly meetings ensures that there are regular updates on ongoing programmes, with community members having to share successes, simultaneously addressing any challenges. This consistent communication helps to keep the community informed and engaged. According to De Weger et al. (2018), the weekly meetings allow community members to actively participate in them, providing input and feedback on the programmes, which does not only make them feel more involved but also ensures that the programmes are better tailored to satisfy the community's needs and preferences. The study unpacked the notion that through face-to-face discussions and presentations, community members are likely to have a deeper understanding

of the programmes. This increased understanding has led to greater support for and participation in the initiatives, and the information shared during community meetings often spreads verbally. The study unpacked the view that during these meetings, organisers actively encouraged community members to participate in the programmes. Whether through volunteering, spreading the word, or taking direct action, the meetings fostered community engagement. The researcher argues that weekly community meetings held in the community hall play a crucial role in making programmes known to the community by providing a regular, direct, and an inclusive communication channel. This approach fosters understanding, trust, and active community participation, thus contributing to the overall success of the initiatives.

The findings further indicate that there were committees that go around publicising these programmes, even going from door to door handing out flyers to the community members. The door-to-door outreach programme provides a personalised approach to community members. It allows for direct communication, giving residents the opportunity to ask questions and seek clarifications, fostering a more personal connection to the programmes (Russell, 2023). Doorto-door distribution of flyers and information ensures a broad reach within the community. The study unpacked the fact that this approach helped reach individuals who may not be regularly present at the weekly community meetings or those without access to digital platforms. The study has further revealed that when people saw their neighbours or community leaders being actively involved in spreading the word, it created a sense of importance and urgency around the programmes. Face-to-face interactions allow for immediate feedback from the participants. The participants indicated that door-to-door outreach programmes contributed to a sense of community unity. It shows that collective efforts are being made to inform and involve every member, fostering a shared responsibility for the success of the programmes. The researcher argues that committees engaging in door-to-door outreach exercises play a crucial role in making restorative justice programmes known to the community by providing personalised, targeted, and immediate communication. This approach helps in overcoming barriers, building trust, and encouraging active community participation, ultimately contributing to the success of the programmes.

The findings indicate that there is a community group on Facebook where everything concerning the community is posted. In Cato Manor there is a community newspaper where information about the community is published. The study unpacked the reality that the

Facebook-based community group allowed for the information to reach a large audience quickly. As such, members of the community, especially those who are active on social media, easily accessed and shared information about the restorative justice programmes. The study further indicates that the group provided a real-time platform for sharing updates, announcements, and event details related to the programmes. This ensures that community members promptly informed each other of any developments in the community. Facebook allows for the utilisation of a two-way communication system that enables community members to ask questions, provide feedback, and engage in discussions centred on the programmes. This interactive element enhances understanding and participation. Community newspapers often focus on publishing local news and events, making them an ideal platform for the featuring of programmes that directly impact residents. The localised content makes the information more relevant and relatable. Community members can access details about the programmes through the platform they find most convenient to them, which enhances overall outreach. The researcher argues that both platforms provide opportunities for community members to actively engage with the information, share their thoughts, and participate in ensuing discussions. This sense of involvement fosters community empowerment and programme ownership. Not everyone in the community may have the same preferences regarding information consumption. Having both online and print options caters to the diverse preferences of community members, which then ensures broader accessibility.

The study confirmed that it is the responsibility of every community member to ensure that the restorative justice programmes are successful. This is done by protecting both the offender and the victim from further harm. Hirschi's (1969) Social Bond Theory suggests that strong social bonds are essential for maintaining social order and preventing deviant behaviour. Restorative justice programmes aim to address conflicts and offenses by involving all stakeholders in repairing the harm caused. The application of the Social Bond Theory to support the success of restorative justice programmes involves fostering these key social bonds within the community (Rogers & Miller, 2018). Individuals need to feel connected to other community members. Building positive relationships helps create a sense of belonging and responsibility. The study noted that to support restorative justice programmes, community members should actively engage with one another, which fosters empathy and understanding. People are less likely to engage in deviant behaviour when they are committed to their society's conventional values and norms. According to Lanni (2021), encouraging community members to actively support and participate in restorative justice programmes reinforces their commitment to the use of

non-punitive conflict resolution strategies. The study further reiterated that community involvement and participation are crucial and supporting and participating in restorative justice initiatives, such as community conferences or mediation, reinforce a sense of shared responsibility for justice and conflict resolution. Individuals must believe in the legitimacy of the social system and its rules. Restorative justice programmes align with the belief in the possibility of repairing harm and reintegrating offenders into the community (Imiera, 2018). Building awareness and trust is essential for the success of these programmes. The researcher argues that open and effective communication is vital for maintaining social bonds. Transparent communication about the goals, processes, and outcomes of restorative justice programmes helps in building trust among community members, which ensures they understand the value and importance of these initiatives. Ultimately, everyone in the community plays a role in creating an environment that supports restorative justice. By strengthening social bonds, individuals contribute towards the overall success of these programmes in terms of fostering accountability, reconciliation, and healing within the community.

More importantly, communities have a large responsibility in the process of repairing the harm done to all the parties involved. Restorative justice programmes aim to repair the harm caused by criminal behaviour by involving all the affected parties, including the offender, the victim, and the community. The success of these community-based programmes is indeed influenced by various factors, with community involvement playing the most crucial role (Lanni, 2021). The study found that communities play a vital role in fostering social cohesion and facilitating the smooth running of the healing process. By actively participating in restorative justice processes, communities contribute to the creation of a supportive environment for both the victims and the offenders to address the harm caused. The study further unpacked the notion that communities need to engage in educational initiatives to raise awareness about restorative justice and its benefits. This helps dispel misconceptions about restorative justice and its benefits and fosters a sense of collective responsibility for addressing harm within the community. The researcher argues that restorative justice relies heavily on building trust among all the involved parties. Communities can contribute to this process by creating an atmosphere of trust, empathy and understanding. Trust is essential for effective communication and conflict resolution.

In addition, the success of restorative justice programmes is seen by a change in individuals' lifestyles, such as offenders partaking in community activities. Also, the forgiveness between

the offender and the victim signifies the success of these programmes. Success is also evident when individuals demonstrate positive changes in their attitudes, behaviours, and lifestyles. This positive change includes seeking education, gaining employment, or engaging in prosocial activities instead of exhibiting criminal behaviour. The study unpacked the notion that offenders' active involvement in community activities suggests that they are taking responsibility for their actions and working towards rebuilding trust within the community. Also, by participating in community service or other positive activities, offenders demonstrated their commitment towards making amends and contributing positively to society. The study also established that when victims and offenders can engage in reconciliation and forgiveness processes, the success of the restorative justice approach would have been registered. This demonstrated that the programme has not only addressed the harm caused but has also facilitated the healing process for both the crime victim and the offender. Successful restorative justice programmes aim to repair the relationships adversely affected by the commission of the crime (Van Ness et al., 2022). If victims and offenders can find a sense of closure and understanding, the programme would have achieved its goal of promoting healing and harmony. The researcher argues that the success of restorative justice programmes is multifaceted, encompassing individual rehabilitation, community engagement, reconciliation between victims and offenders, and overall community satisfaction and safety. The ability of these programmes to bring about positive and lasting changes in the lives of those involved is crucial in determining their effectiveness.

5.4 Conclusion

The perceptions of community members on restorative justice programmes for offenders and victims of crime are diverse and multifaceted. The discussions centering on these programmes reveal a range of opinions, reflecting the complex nature of justice, rehabilitation, and community involvement. In light of these diverse perspectives, it has become evident that the successful implementation and acceptance of restorative justice programmes require a careful consideration of the community's values and cultural context. Ongoing education and community engagement are essential in dispelling misconceptions about the effectiveness of restorative justice and rebuilding trust in these alternative approaches to justice.

CHAPTER 6

THE INFLUENCE OF RESTORATIVE PROGRAMMES ON RECIDIVISM

6.1 Introduction

This chapter highlights the four sub-themes that are derived from the above theme. The subthemes reflect on the role community members, crime victims and offenders play in the prevention of recidivism, the support given to the offenders during and after the programmes that reduce recidivism, the effectiveness of programmes in reducing recidivism and measures that can be implemented to improve the effectiveness of the programmes in reducing recidivism. The primary objective of social reintegration programmes is to provide offenders with the support and supervision they may need for them to desist from crime, successfully reintegrate into the community, and avoid a relapse into criminal behaviour.

6.1.1 Sub-theme 1: The role community members, victims and offenders play in the prevention of recidivism

Community members play a key role in providing support for crime victims and offenders, as well as facilitating crime prevention and reintegration of offenders into the community (Van Ness et al., 2022). Individuals are less likely to harm a community they feel a part of and accountable to daily. Literature attests to the notion that the principles of the Social Bond Theory entail that strong social bonds that exist between individuals and their communities serve as a deterrent to criminal behaviour (Costello & Laub, 2020). When communities come together to support offenders' reintegration into society, they strengthen the social bonds that connect individuals to their community (Costello & Laub, 2020). This increased sense of belonging, support, and accountability reduces individuals' propensity to engaging in criminal activities. The participants indicated that the offenders need to be welcomed back into the community, and once a social bond has been created with community members, it will be difficult for the offenders to re-offend. In this regard, the participants had this to say:

“In my opinion, once an offender feels loved and welcomed by the community even after committing a crime, they are less likely to recommit the crime. Some offenders from the

community have completely changed and are now fully committed to the community's well-being. Some of them are even part of the forums we have in this community" (CL3).

"Some of these offenders are now actively participating in community forums; this demonstrates their ongoing commitment to positive change and engagement. Their presence in these forums not only serves as a testament to their transformation, but also enriches community discussions and decision-making processes with diverse perspectives and experiences" (CM-7).

"Some of the offenders have completely changed and are now fully committed to the community, demonstrating the power of the community to support and facilitate the rehabilitation and reintegration of offenders. As a community, we need to embrace offenders by offering them opportunities to get involved in and contribute to community issues and in doing so, we not only promote their personal growth but also foster a sense of accountability and responsibility" (CL-2).

Providing opportunities for offenders to stay occupied and be reintegrated into the community is essential for preventing recidivism. The community therefore assists these offenders by providing employment opportunities for them and ensuring that they are welcome back into community life. The participants highlighted that some community members offer the ex-offenders employment opportunities, as it is difficult for them to obtain jobs with a criminal record. They said:

"We have had offenders who are employed by the community because we all know that it is difficult for ex-convicts to find a job. As a community, that is how we show them that they have been forgiven. Some of them are employed as cleaners at the community halls and schools. This is how these offenders are kept "off the streets," as they become committed and avoid being on the wrong side of the law" (CM-12).

"We have seen that employment provides offenders with a sense of purpose, stability, and financial independence, which are key factors in promoting positive behaviour and reducing the risk of reoffending. Moreover, by being gainfully employed, offenders can develop valuable skills, build positive relationships, and contribute positively to the

well-being of the society, further reinforcing their commitment to staying away from crime. Therefore, it is imperative for community members to offer jobs to ex-offenders to reduce recidivism” (CM-9).

Internally, forgiveness can lead to a profound shift in an individual’s mindset and perspective. By letting go of resentment, anger, and bitterness, an individual can experience emotional healing and feel liberated from the burdens of the past (Mugenyi, 2019). This positive inner transformation can foster feelings of empathy and compassion, as well as a renewed sense of purpose, thus motivating individuals to strive for positive change. One participant indicated that traditionally, it was believed that forgiveness can change a person internally, and this will make them want to do right as wished by the community members and the people they have wronged. A participant reported:

“In my opinion, it also takes a victim to forgive an offender for them to change. “Singabantu abamnyama sikholelwa ekuthini umuntu ungamonela uyakubambela igqubu.” So, by being traditional, some offenders believe that once they are forgiven by the victim, they become changed persons from the inside, which will then motivate them to change their behaviour” (CM-10).

Community members play a huge role in getting offenders back into the community and the victim of a crime is not expected to be willing to bear any malice towards the wrong the offender would have done. Literature highlights that the principles of the Labelling Theory suggest that the reactions of and labels imposed by society, including the community, can significantly influence individuals' behaviours and identities (Deakin, Fox & Matos, 2022). When the community plays a supportive role in facilitating offenders' return and offers them opportunities for redemption and rehabilitation, the stigmatising effects of criminal labels can be mitigated. The participants indicated that once an individual offender has served their time under incarceration, it is the community’s responsibility to forgive them and accept them back into the society. It was reported, thus:

“I feel that once someone has committed a crime and has served their time and has been released back into the community, the community plays a big role in accepting them back to the community without judging them and making them feel like an outcast.

Contrary to that, victims of crime must also be willing to forgive the offender” (CL-3). “We need to welcome offenders back into the community with open arms and provide them with support, employment, and opportunities for involvement in community life. In this case, the community sends a message suggesting that individuals are not defined solely by their past mistakes and that there is always room for growth, change, and redemption” (CM-9).

“The way community members receive offenders when they are coming back from prison plays a huge role in the reintegration process because if they become hostile and unwelcoming, the offender will lose hope and resort to crime because they will be too demotivated to change and live a normal life. The community must also focus on cleanup exercises, community activities that will make the offenders deviate from crime. However, the offenders must be willing to take part in those activities” (CL-1).

Influencing an offender’s social network may lead to further positive changes in behaviour. The transformation of offenders into law-abiding citizens can also be shaped by their social interaction with others (Maruna, 2020). Offenders ought to be part of social groups that encourage them to do better and help them deviate from criminal activities, and the community should be supportive of this initiative. The participants indicated that offenders need to change their behaviour when they get out of prison and the major thing, they have to do is to be part of friend that can encourage them to strive to live a better in life. They commented:

“Some offenders may have been a part of a certain group of people before going to jail. So, I believe that it is then up to them to decide to be part of the same “crew” or change their lifestyles and do something better for themselves. The community members need to be supportive of this change because in this community, there are some community members who are always negative, because they wouldn’t want their children, brothers or sisters to be associated with an ex-prisoner” (CM-9).

“I believe that offenders need to be part of social groups, such as support networks, mentorship programmes, or community organisations that can offer them opportunities for reconnection, guidance, and accountability. By surrounding themselves with individuals who support their rehabilitation efforts and offer constructive feedback, offenders are more likely to adopt healthier lifestyles and make positive choices” (CL4).

By bridging the social distance between offenders and pro-social individuals in the community, these service experiences can create trust and mutual respect. These factors can lead to a more informal social control and the prevention of future crime by altering the pathways to crime during the transition to early adulthood (van Onna & Denkers, 2019). Specifically, the service performed by offenders can build a sense of community by allowing community members and offenders to bridge the social distance, form new relationships, and develop interactive networks. One participant indicated that the offenders must be remorseful, and, in return, the community members must demonstrate willingness to accept the offender back into the society by letting them partake in community activities. The participant said:

“I think what the offenders owe to the community is to prove themselves. It can be difficult for the victims and the community members to act or show willingness to welcome the offender back into the community without the offender showing that they want to be accepted back into the community. Offenders must be remorseful and participate in community activities. Also, the community must be willing to allow the offender to participate in these activities. This will help the offender develop a sense of trust and refrain from committing crimes. It is likely that an offender’s self-image and identity can change more after demonstrating competence, value, reliability, and trustworthiness when performing less menial service projects” (CM-7).

According to Ganapathy (2018), recidivism is not a personal failure on the part of an individual but, rather, it is a combined societal failure due to barriers such as limited resources. Crime disturbs the community’s social order, and such order must be restored by involving the community in finding sustainable solutions. The Social Bond Theory suggests that strong social bonds, such as attachment to conventional others, involvement in conventional activities, commitment to conventional norms, and belief in the moral validity of societal rules, act as protective factors against engaging in criminal activities (Liu & Miller, 2020). When individuals lack these social bonds, or face barriers that inhibit their ability to form or maintain them, they may be more susceptible to engaging in criminal activities. The participants indicated that the whole community is responsible for reintegrating the offender, which will not only help the offender but the community as well. Some participants intimated:

“As a community member, I believe it takes the whole community to reintegrate an individual ex-offender. If the community fails to welcome an ex-offender back into the

society by either judging them or insulting them, the offender would actually have been given a platform to be rebellious and do whatever they want. They will then go around the community harassing the community members and destroying property” (CM-7).

“I believe that involving the community in the reintegration process not only benefits the offenders but also strengthens community bonds, promotes empathy and understanding, and fosters a sense of unity and solidarity. When the community actively engages with offenders, offers support, and provides opportunities for involvement in and contribution to community life, this creates an environment conducive to ex-offenders’ rehabilitation, healing, and positive transformation” (CM-7).

Community-based agencies provide a continuum of care that may have already begun in prison. This transition or re-entry into the community is more successful when offender needs are identified in association with necessary services and programmes that are available. The participants indicated that the issue of recidivism needs more than just individuals; thus, the community must work with the criminal justice system in curbing criminal activities. They reported:

“As one of the community leaders, I think the issue of recidivism has come to the attention of our nation and there is an understanding that without the necessary services and programmes, we will not reduce this rate. The realisation that we can no longer afford to keep people in prison is also important in finding ways of reducing recidivism. The community must work hand in hand with the prison officials to foster ex-offenders’ successful re-entry into the community. I believe that we will all be affected if we fail as a community. This means that the ex-offenders will go back to prison thus putting the whole nation into jeopardy” (CL-3).

“As a community member who has been staying in this community for over five decades, and as someone who has always been present during these sessions, I think collaboration between the criminal justice system and the community is essential for implementing effective strategies designed to prevent recidivism. This collaboration can involve initiatives such as community-based rehabilitation programmes, restorative justice practices, and partnerships between law enforcement agencies and community-based organisations” (CM-5).

Offering job opportunities to individuals with a history of involvement in the criminal justice system can be a powerful way of supporting the rehabilitation of offenders and the reduction of recidivism (Bhuller, Dahl, Løken & Mogstad, 2020). Employment provides not only financial stability but also a sense of purpose, belonging, and an opportunity for personal growth. The participants indicated that communities must be enthusiastic about offering job opportunities to offenders for them to keep occupied and avoid resorting to crime. They said:

“I think that community members who have small business within the community must also be willing to employ these ex-offenders so that they feel like they belong to the community. This also helps them deviate from crime” (CL-1).

“I have a different perspective regarding this issue. I think that when communities are enthusiastic about offering job opportunities to offenders, a more inclusive and supportive environment can be created for individuals seeking to reintegrate into society, thus leading to a significant deviation from criminal activities. Employers who are willing to give individuals with criminal backgrounds a second chance not only contribute to a reduction in recidivism but also benefit from a potentially untapped pool of talent and skills. In this case, both parties, that is, the community and the offender, stand to benefit” (CM-9).

Another participant highlighted that offenders’ consequential function is their participation in different activities and programmes available to them in the communities or the ones that they are willing to partake in. This improves the trust the offenders have with the rest of the community members and their non-involvement in crime. The participant said:

“I think the offenders play a significant role in their reintegration. They might have a sense of belonging when they come out of prison by engaging in different activities, including community service and other programmes arranged by the community members or programmes they voluntarily partake. This drives the offenders towards having trust in community members, thus deviating from criminal activities” (CM-2).

Most participants agreed that society has built walls around ex-offenders that limit their ability to abide by their conditions of release. According to Kyprianides, Easterbrook and Cruwys (2019), social stigma can be looked at as the umbrella that holds all other issues that are negatively impacting the success of ex-offenders within the community. One participant put it

simply as: “People side-lining others”. The participants highlighted that people are being released back to their hopeless, poor neighbourhoods where they are unable to escape. This not only affects their ability to obtain meaningful employment but impedes their attempt to get back on their feet. So, many of the poor neighbourhoods where they come from will not accept them back for policy reasons. They pointed out that:

“People aren’t prepared for the barriers society has put up to bar them from being successful. Although their minds are prepared, they end up reoffending because they don’t have a choice. What would you do if you didn’t have money to buy food or obtain shelter? Would you not do whatever it is you had to do to get your basic needs met?” (CM-11).

“I guess it’s a very challenging situation indeed. When individuals are faced with barriers such as limited access to employment, housing, and necessities like food and shelter, they may feel compelled to resort to illegal activities to meet their immediate needs. This can create an unyielding cycle of poverty, homelessness, and criminal behaviour” (CM-5).

“As a community, we need to increase access to social support programmes that provide assistance with basic needs such as food, shelter, and healthcare, which can help alleviate immediate hardships and reduce the likelihood of individuals turning to crime out of desperation” (CM-1).

The principles of the Reintegrative Shaming Theory, which was developed by Braithwaite (1989), emphasise the importance of treating offenders with dignity and respect, while also holding them accountable for their actions (Rodogno, 2019). The theory suggests that shaming can be used in a way that promotes positive behavioural change, which helps in the reintegration of individuals back into society. The participants indicated that offenders are not received as normal individuals and that they should be given an opportunity to change. They indicated that:

“People don’t treat ex-offenders as normal human beings. We have to understand that it is going to be difficult, and we have to give them a chance to rebuild themselves” (CM-4).

As a community, we must offer support services, facilitate dialogue between offenders and those affected by their actions, and create opportunities for offenders to demonstrate their commitment to embarking on positive change. This will not only benefit the offenders themselves but also contribute to the building of safer and more cohesive communities” (CM-12).

“The reality is that ex-offenders have many obstacles to face upon re-entering the community and unless society decides they are worthy of a “second chance” or opportunities to do well, success will remain unrealistic” (CM-3).

The stigma associated with having a criminal record can indeed create significant barriers to ex-offenders in terms of accessing stable housing, employment, and other opportunities necessary for successful reintegration. The participants indicated that ex-offenders encounter difficulties getting accommodation and job opportunities because of their ‘ex-offender’ status which results in them resorting to crime for them to make a living and take care of their families.

“Most offenders can’t find apartments because people don’t want to rent to them. They can’t find a job because people don’t want to hire them. What would you do if you couldn’t feed your children or find a place to live? Wouldn’t you go into a grocery store and eat something or even steal if you were starving?” (CM-1).

“Employers and landlords are sometimes reluctant to hire or rent apartments to individuals with criminal records due to concerns about risk or liability. This can leave ex-offenders feeling marginalised and excluded from the mainstream society, making it difficult for them to secure employment and housing, which are essential for personal stability and self-sufficiency. This will then compel them into reoffending” (CL-3).

One participant raised the fact that community members have roles and responsibilities which they must share with people from the criminal justice system to help curb criminal activities and help offenders reintegrate into the communities. It was reported that:

“The roles and responsibilities, first and foremost, include taking ownership of our communities. Secondly, the police have their role and responsibilities; remember it is not a relationship if it is not handed in hand with the other with the police to combat

crime. What they do is that if they spot something, the way which we work with all these forums is not to engage the criminals ourselves because that becomes dangerous for you. I believe that people should always be truthful when working with the community and ensure that all the necessary avenues are exhausted when working to help members of the community. As a community leader, one should stand firm and assist them finding an objective solution using the correct legal avenues” (CM-8).

Ladan (2013) observes that restorative justice encourages and promotes the reintegration of an offender into the community. Reintegration is important because it facilitates the acceptance of the offender into the fold of the community and acceptance restores the offender’s sense of belonging and healing. The failure to reintegrate offenders back into the community has been shown to result, in most cases, in recidivism (Ladan, 2013). The community is a place where offenders, victims, and other members live; hence, people who know the offender are fellow community members who are better placed to reconcile and reintegrate the offender by making them accountable for their criminal acts or conduct. One participant believed that the victim cannot play a major role in reducing recidivism because of their vulnerable status. The participant said:

“I don’t think victims play a major role in preventing recidivism because they are already in a vulnerable position. For the offenders, I think the least they can do is to right the community by engaging in different community activities. Community members need to ensure that the offenders are always kept busy. They need to ensure that they partake in these extracurricular activities suggested by the community to deviate them from engaging in criminal activities” (CL-2).

According to Sinko et al. (2020), most offenders face significant social adaptation issues, including family and community stigmatisation, ostracism, and the ensuing negative impact on their ability to find jobs or housing, return to formal education or build (or rebuild) individual and social capital. The findings indicate that unless they receive help to face these issues, exoffenders risk getting caught up in a vicious cycle of failed social integration, reoffending, reconviction and social rejection. One participant indicated that the issue of unemployment is a major factor in raising the rates of recidivism. Offenders partake in criminal activities due to the fact that they have no means of taking care of themselves and their families. One participant indicated that:

The absence of employment is a consistent factor contributing to recidivism and the violation of parole or probation conditions, and having a criminal history limits employment opportunities and depresses wages, as community members, friends and the family must be able to help their brothers and sisters coming from prison so that they deviate from criminal activities” (CL-2).

Upon their release from incarceration, ex-offenders are suddenly required to organise their lives independently and outside of the closed system that used to structure their everyday lives. Some of them, including younger offenders, may have never had a proper opportunity to acquire the basic skills required to manage everyday life routines. Others have deficits in terms of interpersonal maturity and inter-personal skills, and these may need help in developing conflict management and resolution skills, and an ability to engage more successfully in social interactions. The participants indicated that the ex-offenders may need to unlearn some of the social interaction patterns that they learn during imprisonment, and this will help them deviate from criminal activities. A participant said:

“There are behaviours that are learnt by incarcerated prisoners. These behaviours obviously help them survive within those prison walls. Some of them are used to being spoon-fed in prison. So, it becomes difficult for them to adjust on the outside and this sometimes leads them back to criminal activities to survive” (CL-5).

“I believe many ex-offenders may have developed coping mechanisms or social interaction patterns during their incarceration, but these are not conducive to healthy relationships or law-abiding behaviour. Unlearning these patterns and developing new ones, including pro-social skills and behaviours is essential for successful reintegration and reduction in the likelihood of recidivism” (CM-6).

Released offenders frequently rely on their families who help them with several immediate needs, which include housing, employment and financial support (Willis, 2018). Simultaneously, many families may already be struggling with various issues and may not be able to offer the support that the offender may be expecting. Furthermore, family members may have experienced significant distress during the incarceration period. Some of them may have relocated or entered new relationships. Social service agencies can be mobilised to help the

offender's family members, helping them to cope with the emotional, financial and interpersonal issues relating to the offender's return to his or her family and community.

The participants highlighted that family members must be able to welcome the ex-offenders into the society and their homes. Being welcomed by family members makes them feel at ease. Some participants said:

“Immediate family members must be willing to welcome the offenders back into the society. Being welcomed by their family members makes them feel at ease and know that they are welcomed back in the society. In this case they will try and deviate from criminal activities and focus on rebuilding and mending relationships with the community members and their family members” (CM-7).

“I am of the view that family members must offer encouragement, understanding, and a listening ear to ex-offenders as they navigate the challenges associated with re-entry into society. A supportive family environment can help ex-offenders build confidence and resilience as they work towards rebuilding their lives” (CM-11).

“I believe that family members need to provide guidance and accountability to help ex-offenders stay focused on their goals and make positive choices. By setting boundaries and offering constructive feedback, family members can help individual ex-offenders avoid situations that may lead to reoffending” (CL-3).

6.1.2 Sub-theme 2: The impact of support on offenders during and after recidivism

Community service requires offenders to work alongside community members, instead of just with inmates or in isolation, offenders may be more likely to create affective connections with a social support network and mentors, like faith, family, or work-based roles, which may otherwise be unavailable to the offender (Clear, 2018). The participants indicated that if the service is performed with volunteers who provide mentorship and support, the offender may develop a more positive social image and a sense of community building. It was reported that:

“I believe that it is easy to give offenders emotional and moral support when you work closely with them. I am part of the Ikhamva Community Development that is here in Cato Manor. We offer mentorship services to the youth, and we have programmes that

support ex-offenders. These programmes have been evidently effective in reducing recidivism. We now have ex-offenders who are willing to become volunteers in our programmes” (CL-4).

I believe that interacting with positive role models from the community can help exoffenders learn new skills, attitudes, and behaviours that promote pro-social values and attitudes. This includes learning about one’s responsibility, teamwork, and empathy from fellow community members who serve as mentors or supervisors. This assists them deviate from criminal activities” (CL-1).

“From what I have seen in the community, community service opportunities provide offenders with valuable job skills, work experience, and training that can enhance their employability and prospects. By learning new skills and gaining experience, exoffenders can increase their self-confidence and sense of self-worth, thus deviating from criminal activities” (CM-3).

By actively participating in community activities and demonstrating their commitment to positive change, ex-offenders contribute towards community safety and well-being. Engaging in pro-social behaviours reduces the likelihood of ex-offenders reoffending and helps create a safer and more inclusive community. One participant, who was a teacher at a primary school in the area, indicated that they had seen many ex-offenders who were electively coming as cleaners or runners to the school for them to show their honesty and willingness to be part of the community. The participant intimated:

“As a teacher at one of the primary schools in the area, I have seen many ex-offenders coming to volunteer either as cleaners or runners for teachers. They do this to prove their honesty, and they want to be part of the community. As teachers, we support them so that they can feel that they are part of the community once again” (CM-11).

“By volunteering to work at the local primary school, ex-offenders can interact with teachers, students, and parents in a positive and constructive environment. These interactions help break down stereotypes and barriers, build empathy and understanding, and create opportunities for genuine social connections and friendships” (CM-9).

Bazemore and Stinchcomb (2004) concluded that a service fostering a sense of redemption as well as collective efficacy for the community is likely to be the most effective method of reintegrating offenders back into the community. One participant indicated that throughout the reintegration process, though, the community must accept the offender's new identity. The transformation may not occur if the offender feels like there is no way of making amends or if community members are hostile. Moreover, if the community is successful in accepting these individuals and their service, the citizens' quality of life is likely to improve.

“As a community member, I believe that it is our duty to accept the offenders back into the society. It doesn't help to point fingers at each other or to put blame on the offenders. There is a Zulu saying that says: “Asechithekile awasabutheki,” which means that you cannot cry over spilt milk. The offenders must not feel rejected by the community otherwise they will commit crime against us as a way of spiting us” (CM-6).

Empowerment involves providing individuals with the tools, resources, and opportunities they need to take control of their lives, make positive choices, and contribute meaningfully towards society's well-being (Christens, 2019). Effective empowerment strategies enable local communities to meet their need for peace. The victim's empowerment allows them to meet their needs for control and order. The participants indicated that empowering the offender allows them to accept responsibility for the crime and become responsible. This empowerment creates the potential for dynamic and innovative solutions to the problems instigating crime, including the social norms themselves.

“When someone is given support and hopes that they can live a normal life, they can always deviate from criminal activities. However, when they are not supported, they will revert to their criminal activities, until and unless someone lends a helping hand and open doors for them to change their lifestyles” (CL-1).

“I believe empowered offenders are better equipped to identify and address the underlying factors that contribute to their involvement in crime, such as poverty, lack of education, substance abuse, or mental health issues. So, by providing them with access to resources and support services, empowered ex-offenders can develop innovative solutions to these problems and create pathways to success” (CM-7).

“I believe that empowerment creates opportunities for ex-offenders to develop skills, talents, and interests, and thus unlock their potential for personal and professional growth. By investing in education, job training, and other forms of skill development, empowerment enables offenders to build a brighter future for themselves and their families” (CL-4).

According to Payne, Hawkins and Xin (2019), the Labelling Theory suggests that the labels society assigns to individuals, such as "offender" or "criminal," can adversely influence their behaviour and identity. In the context of reintegration, the community's acceptance and willingness to welcome ex-offenders back can have a significant impact on the likelihood that they can reoffend. The participants indicated that community members should shun resenting the offenders for the crimes they committed, and if they express their willingness to take the offenders back into the community and accommodate them, the criminal will surely deviate from crime-related activities.

“Yes, definitely, I think in as much as we can be angry towards the offenders for committing a crime, if a community indicates to the offender that they still want them to be part of the community by giving them support in any activities they do, the offenders will surely deviate from crime-related activities” (CL-2).

“Conversely, when ex-offenders are welcomed back into the community and provided with opportunities for social integration, this can act as a protective factor against future criminal behaviour. When individuals are labelled ‘offenders’ or ‘criminals’, they may face stigmatisation and rejection from society; this can contribute to feelings of alienation, low self-esteem, and a sense of hopelessness. Feeling accepted and valued by society reduces the likelihood of individuals resorting to crime as a means of gaining status and acceptance” (CL-4).

At this point, the community's endorsement of the offenders' return to society will help them overcome the feeling of loneliness or the feeling of having been judged by the community for the offences they would have committed. One participant indicated that this makes them feel welcomed and appreciated as one of the community members once again. This results in them willingly participating in activities offered by the community. The participant said:

“I think support from the community is very important because at this moment, offenders won’t feel isolated or feel that they are being judged by people. Rather, they feel loved and part of the community once again, which makes them want to engage in all the activities provided to them by the community. Therefore, they deviate from criminal activities” (CL-3).

According to Moss (2021), in several restorative justice models, the community plays an intricate role in holding the offender accountable for their actions, rendering sanctions and helping to restore them to their former status in the community. One participant indicated that it is the duty of everyone in the community to hold the offender accountable for their actions, and this must be done in a way that protects both the community members and the offenders. The participant indicated that:

“As a community, I believe that it is our duty to ensure that the offender is held accountable for the wrongs they did but, at the same time, we must not be tough on them. I think this will make them feel that they are part of the community once again. This is the support we can give to our brothers and sisters” (CM-5).

“The support given to offenders does reduce recidivism, as the ex-offenders always feel that they are backed by the community during this time, despite the crimes committed and the offending of both the community members and the victims” (CL-4).

The positive effects of community involvement in restorative justice models include improving neighbourhoods and strengthening the bonds among community members, which ultimately promotes greater community safety, cohesiveness and collective consciousness (Moss, 2021). One participant indicated that community participation also promotes greater understanding of the human impact of the offender’s behaviour, acceptance of responsibility, expression of remorse, and repairing the damage. This invariably helps the offenders to become fully integrated into and become respected members of the community. Some participants said:

“As “umphakathi,” we must partake in these programmes as this will make us a strong community that wants to see positive changes within the whole community. Therefore, seeing victims and offenders at peace must be our priority as a community” (CM-5).

“I think that as the community involves itself in these programmes, members can gain a deeper understanding of the factors that contribute to offending behaviour and the human impact of crime. By interacting with offenders and hearing their stories, we can develop empathy and compassion, which are essential for fostering forgiveness and healing” (CM-7).

“Community involvement creates opportunities for offenders to express genuine remorse for their criminal actions and seek forgiveness from those they have harmed. By engaging in restorative justice processes, such as victim-offender mediation or community reconciliation processes, offenders can take meaningful steps toward making amends and repairing the harm they have caused” (CL-2).

Community participation also makes offenders willing to make right the wrong they did and avoid recidivism. One participant indicated that community participation in mediation programmes sets a tone on how the community feels about what the offenders would have done; hence, community participation is very crucial. The participant said:

“I believe community involvement also convinces the offender to act towards repairing the damage and thus avoid criminal activities. The support that we give them during and after the mediation programmes speaks volumes about where we stand as a community with specific reference to the crimes they might have committed. As a community leader, I believe our involvement in these programmes is of paramount importance” (CL-1).

One participant indicated that understanding that individuals who have been incarcerated have not been introduced or engaged in positive life skills gives even greater support to the need for community involvement after an offender’s release through the available programmes and services. A participant said:

“As community leaders in this area, we need to understand that prison conditions are very harsh to our brothers and sisters. So, the only thing we can do upon their release is support them with everything they need. Even if it means giving them jobs, we can do that. It doesn’t matter how small, whatever you offer goes as long way in helping them feel welcome in the community” (CL-4).

Another important aspect to remember while focusing on recidivism, and re-entry into society, is the issue of mental health and mental illness associated with offenders (Bakken & Visher, 2018). It is imperative to remember the impacts these issues can have on crime, incarceration, discharge planning, re-entry into community and community-based programming (ibid, 2018). The participants indicated that it is paramount for the entire community to be knowledgeable about mental health and how to deal with mentally unstable ex-offenders. Communities also need to have professionals who are qualified to deal with such incidences. It was reported that:

“It is very important for the community to have knowledge on how to deal with mentally unstable ex-offenders. Although we are not well-equipped to deal with this kind of offenders, we need to have psychologists that are placed at police stations to be able to work with such kind of ex-offenders. Such offenders are there, and some of them act strangely during the conferencing circles, while others, instead of apologising, start swearing at the victims. Some still act violently; so, it very important for us to give them support as well. However, we should consider involving experts in this” (CM-11).

“I suggest that by addressing the mental health needs of ex-offenders, the community can contribute to the overall safety and well-being, not just for the offenders, but also for everyone in the community. Individuals who receive appropriate mental health support are less likely to engage in behaviours that pose risks to themselves and others, thus reducing the likelihood of recidivism and promoting community safety” (CM-3).

“I believe we need to have community members who are knowledgeable about mental health issues so that they can recognise early signs of distress or instability in exoffenders and intervene proactively to provide the necessary support and assistance. Early intervention can help prevent crises and improve outcomes for individuals experiencing mental health challenges” (CL-3).

It is paramount for the people involved in these sessions, that is, the facilitators, the members that are involved in ensuring that the programmes are a success, to devise follow-up programmes for the offenders after the sessions. This helps the offenders notice that people still care about them, thus preventing them from re-offending. The participants indicated that these follow-up programmes are paramount, as they ensure that the ex-offenders are preoccupied with productive activities and staying out of trouble. Some participants commented:

“The only way of determining whether these programmes are making a difference, or have made a difference, to the offender is by initiating follow-up activities on them. This helps to detect any visible changes in terms of offenders partaking in any community programmes and staying out of trouble. All this is important in making sure the offenders do not re-offend, as they will be kept busy and made to stay away from trouble” (CM-12).

“I believe that follow-up sessions are important because they provide communities an opportunity to hold offenders accountable for their actions and commitments made during the programmes. By checking in on their progress and discussing any challenges they may be facing, facilitators and programme members can help offenders stay on track and address any issues that may arise” (CM-9).

Offenders often face multiple problems and challenges upon their release from prison, especially finding a place to live, finding a job, staying drug-free, reuniting with family members, and rebuilding their lives. Efforts to reduce recidivism require paying attention to the specific and changing circumstances surrounding the ex-offenders and the need to provide access to services that can address those circumstances (Berghuis, 2018). One participant indicated that offenders deserve a second chance in everything they do. In communities, there are projects that help offenders settle by providing them with either jobs or voluntary projects.

“I believe that offenders also deserve a second chance, which means that there are supposed to be programmes that are specifically designed for offenders. For example, there are support groups that can help them deal with drug addiction and getting jobs. In this community, we have the Ikamva Youth Project that helps these offenders find jobs. They volunteer in some of our programmes, although they sometimes get paid, that is, if we get funding from non-governmental organisations” (CL-4).

The focus is on supporting offenders to see themselves in a new and more positive light, with renewed hope for a brighter future. The approach assumes that the successful social reintegration of an offender rests squarely on a combination of motivation and human and social capital. According to Ondigo (2020), human capital partly refers to an individual’s capacity to make changes and achieve the desired goals. Social capital includes factors such as employment and a supportive family or other interpersonal relationships (Ondigo, 2020). The

participants indicated that offenders need to be supported by both their families and the community members who should come up with ways of helping the offender attain a better reintegration into the community.

“We can support offenders as a community or family members; but at the end of the day, it is all up to them to be prepared to change. We need to unite as community and family members and support the offenders in different ways, especially regarding the issue of employment. I believe that if the offender is kept busy, they will deviate from criminal activities” (CL-6).

“I believe that both the family members and the community members can offer practical support to ex-offenders as they reintegrate into society. This support may include assistance with securing housing and employment, accessing education or training programmes, and navigating social services. By pooling their resources and expertise, family and community members can more effectively help address offenders’ practical needs” (CM-6).

“I think both the family and community members need to play their role in holding offenders accountable for their actions and holding on to their commitments. This can be done by setting expectations, providing guidance, and offering constructive feedback. In so doing, family and community members can help reinforce the importance of taking responsibility for their actions and making positive choices” (CL4).

6.1.3 Sub-theme 3: The role played by restorative justice in reducing recidivism

Piggott and Wood (2018) found higher rates of recidivism among offenders who declined to participate in a restorative justice programme when compared to those who chose to participate in such a programme. The scholars asserted that a decrease in recidivism within the restorative justice programme was due to selection effects, not necessarily the programmes themselves. The participants indicated that, nevertheless, giving offenders the option to benefit from a restorative justice programme that seeks to improve both criminological and psychosocial outcomes may be a worthwhile endeavour. Offenders that spare their time to partake in these programmes often become better people in the community, with others even going to the extent of partaking in voluntary work.

“As a member of the Cato Manor Development Association, I usually partake in these programmes and I follow up on the offenders who usually take their time to be part of these programmes. Most of these offenders become better people in the community, with some of them even coming and volunteering to help the youth and other offenders in our organisation. These programmes are very effective in reducing re-offending, especially in our community” (CL-2).

“Participation in these programmes can promote offenders’ personal growth and development. Through education, therapy, counselling, and skill-building activities, offenders can have the opportunity to learn new skills, gain new insights into their behaviour, and develop healthier coping mechanisms. This can lead to increased self-awareness, self-esteem, and resilience, which are essential for the ex-offenders’ successful reintegration into society” (CM-8).

“Offenders who participate in these programmes often become more engaged in their communities and seek opportunities to give back to the same community. This may include participating in voluntary work, community service projects, or other forms of pro-social activities. By contributing positively to the community, offenders not only demonstrate their commitment to change, but also strengthen social bonds and build a sense of belonging” (CL-4).

Community service is most effective when it involves meaningful and skills-based tasks (preferably those related to the original offense) and fosters constructive working relationships with community members (Church, 2019). One participant highlighted that community service assignments should also be perceived as useful to the community, as opposed to just punishment, and all parties should be committed to the reintegrative purpose of the community service programme. The participant said:

“I believe that in as much as community service is supposed to be a form of punishment meted out to the offender, we must not deny the fact that it must be done as a way of reintegrating the offender into the community. In that way, these programmes become effective” (CM-1).

According to Church (2019), community service provides offenders with the opportunity to show the community their willingness to rejoin the rest of the community and the degree to

which they have changed. The participants highlighted that community service gives offenders the opportunity to remain busy and refrain from recidivism, as community members see them around the community doing productive work. Some participants said:

“I believe the community service programme keeps these offenders away from the streets. The community members get to see the offenders in and around the community, serving the community, and they get to see the goodness of the offender, the extent to which they have changed and their willingness to be part of the community” (CL-1).

“As a community leader, I believe that the community service programme exposes offenders to the needs and challenges of others in their community, thus fostering empathy and a broader perspective. So, by interacting with individuals from diverse backgrounds and circumstances, offenders gain an insight into the impact of their actions and therefore appreciate the importance of social responsibility and mutual support” (CM-3).

“Engaging in community service instils a sense of responsibility and accountability in offenders. By actively contributing to the well-being of their communities, the offenders learn the importance of taking ownership of their actions and making positive contributions to society” (CM-7).

Community-based programmes that seek to reduce recidivism and increase ex-offender success can only offer assistance and support if offenders are involved in their services (Ivery, 2020). One participant indicated that for community-based programmes to be effective, offenders need to partake in them. Offenders often dodge these programmes, thus making it difficult to determine their effectiveness. The participant said:

“Obviously, the offenders must be involved in these community-based programmes for them to be effective. To have a crime-free community, these offenders ought to be willing to be part of these programmes or activities we are providing for them. Sometimes, offenders dodge their sessions just to be with friends. It then becomes difficult for the community in terms of dealing with the offender and seeing whether the programmes are effective in any way” (CL-3).

Community service may be more likely to foster an environment where offenders recover their pro-social identities because it requires that they directly interact with community members. This concept is consistent with Braithwaite's (1989) Reintegrative Shaming Theory, which theorises that offenders can reintegrate into society by engaging in pro-social activities alongside conforming peers. If the service is performed in a reintegrative manner, free of shame and condemnation, offenders may experience further cognitive changes and view themselves as productive citizens in their community. One participant highlighted that offenders need to engage in community service programmes to prove to the community that they are committed and willing to change. They had this to say:

“As a community, we also contribute to the rates of recidivism. If an offender is reintegrated back into the society, we are supposed to give them a benefit of a doubt, give them a chance to prove themselves without shaming them. By doing this, we will be showing them that they are welcome back to the community, but obviously they will need to prove themselves. They need to show us that they have changed by engaging in community-based programmes, such as community service. As a member of this community, I believe that community service is the best programme to determine whether the offender has changed or not” (CM-3).

“I believe that participating in community service programmes helps offenders rebuild trust and relationships with fellow community members. These connections provide offenders with a support network and social capital that can help them navigate the challenges of reintegration and maintain positive change. When we welcome offenders back with openness and acceptance, a powerful message of inclusion and support is sent. This welcoming environment provides offenders with the encouragement and motivation they need to pursue rehabilitation and reintegrate into society” (CL-3).

Literature indicates that engaging in community service allows offenders to demonstrate their commitment to positive change through concrete actions. By actively contributing to the wellbeing of their communities, offenders show their willingness to take responsibility for their actions and make amends for any harm they may have caused (Kirkwood & Hamad, 2019).

The participants indicated that community service programmes help the community to be able to monitor the offenders. Community service does not give the offender room and opportunity to pretend to have changed, unlike victim-offender mediation and conferencing circles.

Community service is the most effective way of reducing recidivism. Some participants commented:

“By conducting community service within the community, the community members can monitor the offenders. As you know, my sister, a person who is on record for committing crimes may not find it easy to pretend for more than a week. They can lie during the victim-offender mediation and conferencing circles, but they cannot lie when conducting community service. If it were up to me, I would only vouch for community service because I believe it is the most effective way of reducing recidivism” (CM-5).

“These programmes are effective in the sense that the offender is kept busy and does not have time to partake in criminal activities. Imagine being tasked to do community service from morning till afternoon and in the evening, you have to be at home so that you gain your family members’ trust, there is no time for engaging in criminal activities” (CL-2).

Literature suggests that giving offenders a platform to address the harm they have caused allows them to take ownership of their actions and acknowledge the impact of these actions on the victims and the community (Jonas et al., 2022). This accountability is a crucial step in the rehabilitation process and encourages offenders to make genuine efforts to positively change their behaviour. Some participants believed that the offender just needs to be given a platform to right their wrongs for these programmes to be effective. Giving them such a platform encourages them to positively change their ways and deviate from criminal activities. They said:

“Yes, the programmes are effective, and it is very important for offenders to be given a platform to explain why they committed the crime. It also makes them want to change their ways because I know for fact that it makes a person happy to hear the fact that the person they wronged wants to give them a second chance and this makes the offender deviate from criminal activities and want to be involved in all the programmes provided to them by the community” (CL-1).

“Engaging offenders in dialogue with victims and community members can foster empathy and understanding on both sides. By hearing directly from those affected by

their actions, offenders gain an insight into the human impact of crime and are more motivated to make meaningful changes in their lives” (CM-11).

Engaging in physical conversations allows offenders and victims to see each other as real individuals with thoughts, feelings, and experiences (Pereto, 2021). This humanisation can foster empathy and understanding on both sides, helping offenders recognise the impact of their actions on others in a tangible and personal way. The participants highlighted that having physical conversations assists offenders see the gravity of the impact of their offence on the victim and those close to them and this gives them the opportunity to explain why they caused the harm. It was reported that:

“By having face-to-face conversations and meetings, offenders can see the extent of the harm they caused to the victim and provide an explanation regarding why they caused that harm. Offenders need to understand the magnitude of the crime just by seeing the victim, those close to the victim and those affected by the crime” (CL-4).

“Physical conversations provide offenders with an opportunity to take responsibility for their actions and express genuine remorse to the victims and the community members at large. By acknowledging the harm, they have caused and offering sincere apologies, offenders demonstrate their commitment to making amends and rebuilding trust with the victims and the community” (CM-4).

“I was once part of the programmes as an offender, and I came to appreciate that physical conversations hold offenders directly accountable for their actions by requiring them to confront the consequences of their behaviour in a real and tangible way. This accountability is essential, as it promotes rehabilitation and reduces the likelihood of future offending” (CM-5).

“Yes, they are effective in reducing recidivism, because once the offender meets and sits down with the victim, they understand the damage that they have done towards the victim and those close to the victim and they will try everything in their capacity to deviate from repeating the same mistake” (CL-2).

Evidence indicates that providing offenders with a more satisfying experience within the justice system may help to lower the rates of recidivism (Strang et al., 2011). Restorative justice

programmes, on the other hand, promote a setting in which all parties, including the offender, engage in meaningful participation and arrive at a collective solution for reparation. The participants indicated that offenders find restorative justice programmes to be more satisfying and fairer than the traditional criminal justice system. These programmes tend to include both the victim and offender with the aim of restoring peace. The participants said:

“Restorative justice programmes are fair because they consider both the offenders and the victims of crime. They listen to the grievances of the offenders, and this makes the offenders gain trust in the criminal justice system and the community as a whole. They once again feel a sense of belonging in the community” (CM-2).

“I think these programmes are very effective because they make it possible for the offenders to obtain jobs, especially during community service, and the victims get closure through these programmes just by facing the offenders” (CM-3).

“What I have noticed is that restorative justice programmes focus on restoring relationships and rebuilding trust within the community, rather than solely on punitive measures. By facilitating communication and reconciliation between victims and offenders, these programmes help repair the damaged social fabric and promote healing for all the parties involved and offenders find restorative justice programmes more satisfying than traditional criminal justice approaches because they offer the opportunity for meaningful resolution and closure” (CL-1).

6.1.4 Sub-theme 4: Strides that can be adopted in improving the effectiveness of restorative justice programmes in reducing recidivism

All the concerned parties need to be proactive when it comes to restorative justice programmes. This helps in making everyone understand the importance of the programmes and how the whole community benefits from them. One participant highlighted that for community members to be involved in these programmes, they must not wait till they have become victims or offenders. The participant said:

“Community members must attend forum meetings when issues related to restorative justice programmes are raised. However, most of the time members of the community only come aboard when they become victims of a crime. Other than that, you find that there is no interest in what is happening around them. The problem with community

members is that they believe these programmes are useless and do not benefit them at all. Nonetheless, what they do not know is that these programmes are very effective” (CL-3).

Access to transportation removes one of the most significant barriers to participation for those community members who may otherwise find it difficult to attend meetings or sessions. By ensuring that transportation is available, communities can promote inclusivity and ensure that all members can participate in and contribute to the restorative justice process. One participant indicated that there should be availability of resources, for example, transport for community members to go to the meetings or restorative justice sessions. In that way, community members will come out in numbers to partake in these programmes. The participant indicated that:

“For these programmes to be more effective and for the community members to believe in them, our ward councillor must at least organise transport for community members residing far from the designated venues. Because they are always preaching about these programmes to people, they know our community very well, and they know that most of the people who are part of this community are unemployed. They want us to attend these sessions, but they know we can’t afford. I believe that if they really want us to be there, they must devise that plan and stop complaining about low attendance” (CM4).

Professionals bring expertise and specialised skills that are invaluable in facilitating productive dialogue, addressing complex issues, and ensuring the effectiveness of restorative justice processes (Holden, 2021). The participants highlighted that there should be funding for the community, to hire professionals who are needed in these kinds of setting because of the involvement of different people from different backgrounds. Sometimes, the general populace might not understand the programmes being implemented. Some participants said:

“The community needs more funding, which will help in recruiting more people into the programmes. We can do well with psychologists that are present during these programmes” (CL-3).

“Funding enables the hiring of professionals who ensure that restorative justice programmes meet established standards of practice. Professionals can provide oversight, supervision, and quality assurance measures to uphold the integrity and

effectiveness of the restorative justice process, ultimately enhancing outcomes for the participants” (CM-4).

“As a community leader, I believe professionals can provide mentorship, training, and support to programme staff, volunteers, and community members, thus helping to build capacity and ensure sustainability in the delivery of restorative justice services” (CL3).

Educational programmes address the needs of the released prisoners, assisting them to attain the skills needed to find and retain employment and this typically includes secondary and higher education, as well as vocational training (Newton, Day, Giles, Wodak, Graffam & Baldry, 2018). Employment services and programmes address the need of released inmates, enabling them to find work and this typically includes job preparedness, career development skills, and job placement (ibid, 2018). The participants indicated that ex-offenders need employment to survive and deviate from criminal activities. By virtue of being employed, their routines change, as they are always occupied and might not have time to partake in criminal activities. They commented:

“Released prisoners need employment to attain self-sufficiency and avoid being involved in criminal activities. Without income, released prisoners are more likely to return to crime to attain economic support. Employment, however, is important for many reasons beyond the basic need for income. Employment also provides a stabilising routine, occupies time that might otherwise be used for illegal activities, keeps individuals responsive to employers’ behavioural demands, and provides a nonstigmatised social role. Although work is an important factor, not all types of employment have the same effect on recidivism” (CL-3).

“I believe that employment can facilitate social integration and acceptance within the community because it provides ex-offenders with opportunities to rebuild positive relationships and connections with friends, as well as family and community members. Positive social interactions and support networks can help ex-offenders feel valued and accepted. This reduces feelings of isolation and alienation that may contribute to recidivism” (CM-5).

“Many ex-offenders are subject to parole or probation conditions that require them to maintain lawful employment as a condition for their release. By securing employment,

ex-offenders can demonstrate their compliance with these conditions and reduce the risk of returning to prison or facing further legal consequences” (CM-1).

According to Duwe (2018), low educational attainment is a major barrier to employment for many released former inmates. Education gives individuals the basic skills to enter the labour market. It also fosters the development of a sense of self-efficacy and accomplishment for the released inmates. One participant highlighted that education is a fundamental tool for reducing recidivism. With their modest requirements for implementation, educational programmes are among the most basic rehabilitative programmes that can be offered to ex-offenders.

“Education provides the skills necessary for offenders to obtain the types of jobs that lead to more successful outcomes; and employment provides released inmates with an income. It also supports reintegration by increasing stability and self-confidence” (CM-8).

Successful programmes need to address the fact that inmates and ex-offenders represent a diverse population, with a large proportion facing multiple barriers to self-sufficiency, low levels of education, lack of employment experience, physical and mental health problems, and lack of stable housing (Astrada, 2018). Therefore, solutions to the problem of recidivism must be multifaceted. For example, addressing employment issues will not be effective if the problem of substance abuse remains unresolved. The participants highlighted that the issue of substance abuse needs to be addressed in communities, as it leads to disruptive behaviour and criminal activities. Precisely, the community needs to develop ways of preventing substance abuse. The participants said:

“I think that we need to address the issue of substance abuse before addressing any other problem because abusing alcohol often leads to disruptive behaviour. Most offenders blame alcohol and drug abuse when they get arrested, and so I think this must be a priority in our community” (CM-5).

“I was once an offender and used to drink a lot. Therefore, I believe substance abuse can raise concerns about community safety, including drug-related crimes, violence, and public disturbances. By addressing substance abuse at the community level, safer and more supportive environments can be created, thus promoting positive behaviour and reducing the risk of engaging in criminal activities” (CM-4).

“As a community leader, who is a part of one of the organisations in the community, I mostly deal with addicts and I believe substance abuse is often intertwined with other factors that contribute to criminal behaviour, such as poverty, mental health issues, and social marginalisation. Addressing substance abuse can help uncover and address these underlying causes, thus reducing the likelihood of individuals returning to criminal activities upon their release from prison” (CL-2).

One participant stated that it is paramount to provide linkages to treatment programmes outside of prison for the released former inmates. If an ex-offender had a substance abuse problem while in prison, they still need to be monitored in their post-release period.

“The need to address the problem of substance abuse and mental illness continues after an inmate leaves prison. Released inmates with substance abuse problems are at a higher risk of facing re-addiction which, in turn, increases the likelihood of involvement in criminal activities and violation of parole conditions. Effective linkages to treatment programmes outside of prison are vital to the successful re-entry of ex-prisoners” (CL1).

Proper training equips facilitators with the knowledge, skills, and tools needed to effectively implement community-based programmes (Holden, 2021). Programme facilitators who receive comprehensive training are better prepared to engage participants, manage group dynamics, and address complex issues, leading to more successful outcomes for the participants. One participant highlighted that community leaders must be able to provide proper training for the facilitators. Similarly, the community must also have voluntary facilitators that are willing to be part of the programme. Some participants reported:

“We have trained facilitators that are within the community. I think trained facilitators must be able to help those individuals that are willing to be facilitators. They need to be trained on aspects such as professionalism and how to deal with offenders because there are some offenders who are rebellious and would want to fight with the victims or other people who will be present during these sessions” (CM-7).

“Training builds facilitators' confidence and abilities to effectively lead and facilitate victim-offender mediation sessions. Providing facilitators with the necessary training, knowledge and skills empowers them to navigate challenging situations, handle

conflicts, and confidently and competently facilitate meaningful dialogue” (CM-9). “As one of the facilitators, I believe that involving voluntary facilitators from within the community demonstrates a commitment to community involvement and empowerment. Voluntary facilitators bring first-hand knowledge about community dynamics, values, and concerns, which can enhance the relevance and effectiveness of programme delivery. Their involvement also fosters a sense of ownership and investment in the programme among community members, increasing engagement and participation” (CL-4).

The participants highlighted that it is supposed to be every community member’s duty to improve the effectiveness of these programmes. It was reported that everyone is affected by these criminals, whether directly or otherwise. Each community member must be willing or able to exercise accountability for what is going on around them. Some participants said:

“I think positive participation from the community, accountability from the community can assist with these programmes. None of us can sit back and say it does not affect us. We have got to exercise accountability and responsibility and that is how we can take back our communities. That is one of the ways in which we, as a community, can improve the effectiveness of the restorative justice programmes” (CL-3).

“I believe that by mobilising the collective efforts and resources of the community members, communities can create a united front against crime and recidivism. When everyone takes ownership of the problem and works together towards common solutions, the community becomes stronger, more resilient, and better equipped to address complex challenges” (CM-9).

“As community members, we are the first people to notice signs of trouble or concerns related to crime and recidivism in our community. By fostering a culture of open communication, active participation, and mutual support, we can create opportunities for early intervention and prevention, thus reducing the likelihood of experiencing negative outcomes and promoting the community’s well-being” (CL-1).

6.2 Discussion

This chapter focused on the role's community members, victims and offenders play in preventing recidivism. It also highlighted the support given to the offenders during and after the restorative justice programmes as a way of reducing recidivism. The chapter also focused on the effectiveness of restorative justice programmes in reducing recidivism. It also focused on measures that can be taken to improve the effectiveness of the programmes in reducing recidivism in Cato Manor, a study area located in Durban, KwaZulu-Natal Province.

Data suggests that community members need to accept the offenders' reintegration back into the society and make them feel welcomed. The community members need to avoid being hostile towards the offenders, as this will encourage them to recidivate, emphasising a more rehabilitative and accepting approach towards offenders, which can indeed be beneficial to all the parties involved. The study unpacked the notion that when community members stigmatise or ostracise offenders, their criminal identity can be reinforced. Instead, fostering an environment that does not define individuals solely by their past mistakes can reduce the likelihood of recidivism. The study further established that emphasising rehabilitation over punishment can be very effective in preventing reoffending. Providing support for the offenders to reintegrate into society, access education, and gain employment opportunities can positively contribute to their successful rehabilitation. Research has indicated that establishing community support networks for ex-offenders can be crucial (Bohmert, Duwe & Hipple, 2018). These networks can include mentorship programmes, counselling services, and community activities that help reintegrate offenders and reduce their chances of returning to criminal behaviour (Singh, Cale & Armstrong, 2019). Community-based education bordering on the complexities of criminal behaviour, rehabilitation, and the impact of stigmatisation can help dispel the existing stereotypes. Increased understanding can lead to more empathy and support for individuals seeking reintegration into society. The researcher argues that restorative justice practices focus on repairing the harm caused by an offender's criminal behaviour. Involving both the offender and the community in the process can lead to a more constructive resolution, thus fostering a sense of responsibility and accountability.

The study found that community members showed that they had forgiven the offenders by offering them jobs within and outside the community. The findings indicate that the absence of

employment is a consistent factor contributing to recidivism. This is attributable to a few factors, such as having criminal history which results in a person becoming unemployable. The willingness of community members to forgive and offer employment opportunities to ex-offenders reflects a positive shift from punitive approaches to more rehabilitative and restorative strategies (Umbreit, 2022). Employment provides individuals with a sense of purpose, stability and financial independence, which are crucial factors in preventing recidivism (Kjellstrand et al., 2022). The study unpacked the challenges faced by ex-offenders, such as the stigma associated with a criminal history, which often leads to their exclusion from job opportunities. The Labelling Theory (Becker, 1963) comes into play here, where the societal label of being a criminal can create barriers to employment, making it difficult for individuals to successfully reintegrate into society. The study further unpacked that by offering jobs both within and outside the community, there is an acknowledgment that successful reintegration is not an individual's effort but a community responsibility. The researcher opines that supporting employment for ex-offenders not only benefits the individuals involved, but also contributes to overall community safety by reducing the risk of recidivism.

The findings indicate that transforming offenders into law-abiding citizens can be shaped by the people they hang around with. Some offenders might have been part of wrong crowds before being imprisoned. This ought to change when the offenders are out of prison to avoid recidivism. The study unpacked the reality that individuals who were part of negative or criminal social circles before incarceration faced challenges in breaking away from those influences upon their release. Rebuilding social networks that encourage positive behaviours becomes crucial for successful reintegration. The findings suggest that individuals who continued to associate with negative influences face a higher risk of experiencing recidivism. The study found that the community can contribute towards the transformation of offenders by being aware of the challenges they face and actively supporting their efforts to establish new, positive social connections.

More so, offenders should be remorseful and must participate in community activities and in turn, the community must show its willingness to allow the offenders to partake in these activities. The study indicated that the idea that offenders should show remorse and actively participate in community activities as part of their rehabilitation is rooted in the principles of restorative justice. This approach emphasises the repairing of the harm caused by criminal

behaviour and the need to reintegrate offenders into the community. The study demonstrated that involvement in community activities provided offenders with an opportunity to develop new skills, build positive relationships, and contribute positively to society. This effectively helps offenders reintegrate into the community by fostering a sense of belonging and purpose. It is very crucial to strike a balance between holding offenders accountable for their actions and providing them with opportunities for rehabilitation (Atkin-Plunk, 2020). The researcher argues for the incorporation of elements of remorse and community participation into the rehabilitation process can contribute towards developing a more holistic and effective approach to addressing criminal behaviour. Therefore, it requires a collaborative effort between offenders, the justice system, and the community to foster a sense of responsibility, accountability, and positive reintegration.

The findings from this study indicate that the community must work collaboratively with correctional service officials to foster offenders' successful re-entry into the community. The community plays a crucial role in providing support structures for ex-offenders. This support includes providing access to housing, employment opportunities, and social services. Working in collaboration with correctional service officials ensures that community members are aware of the needs of, and challenges faced by, ex-offenders, thus allowing for targeted support (Burden, 2019). The study unpacked that the collaboration between the community and the correctional service sector leads to the creation of programmes that facilitate job-related training and employment opportunities for ex-offenders, thus reducing the risk of recidivism. According to Burden (2019), the correctional services sector can work with local businesses and community-based organisations to create pathways for ex-offenders' successful re-entry into the workforce. The study unpacked the fact that joint efforts led to the development of reintegration programmes that provide ex-offenders with the necessary tools to adapt to life after imprisonment. Such programmes may include counselling, educational opportunities and mentorship programmes that are supported by both correctional services and the community. The researcher argues that the ex-offenders' successful re-entry into community life requires collaboration between community members and correctional service officials, an approach that is grounded in the understanding that ex-offenders' transition from incarceration to community life is a complex process involving various stakeholders.

Emotional and moral support given to the offenders by ways of mentorship helps in reducing recidivism; for example, this includes support groups helping with addiction to substance abuse. The provision of emotional and moral support to offenders through mentorship and support groups, especially in the context of substance abuse addiction, is a crucial aspect of rehabilitation that has positively impacted recidivism (Kjellstrand et al., 2023). Mentorship offers individualised support tailored to satisfy the offender's specific needs, addressing underlying issues that may contribute to criminal behaviour, with a particular focus on substance abuse (Moore et al., 2020). The study unpacked that support groups provide a collective understanding of ex-offenders' needs, allowing participants to share experience, challenges and coping strategies in a non-judgmental environment. Emotional and moral support can effectively motivate offenders to initiate and sustain positive change in their lives. The study further unpacked that the ex-offenders' knowledge that there are people who believe in their capacity to change boosts their self-esteem and provides the motivation needed to overcome problems of addiction and criminal behaviour. Engaging the community in providing emotional and moral support contributes to a more inclusive and supportive environment that actively fosters the rehabilitation process. The researcher argues that the importance of emotional and moral support through mentorship and support groups cannot be overstated in making efforts to reduce recidivism, especially in the case of substance abuse addiction. This aligns with the person-centred, rehabilitative approach that recognises the transformative power of support, understanding, and positive relationships in the lives of offenders.

More so, the support given to the offenders when partaking in community service and other community-based programmes helps in reducing recidivism. Community service is often a key component of restorative justice practices. According to Moss (2021), when offenders actively engage in restitution and community service, they tend to gain a better understanding of the adverse impact of their actions on others, thus fostering empathy and a commitment to positive change. Research has shown that community service and related programmes reduce the rates of recidivism (Sells et al., 2020). By addressing the root causes of criminal behaviour and providing a supportive environment for rehabilitation, these initiatives contribute towards breaking the cycle of reoffending. The study unpacked community service and related programmes as providing offenders with the opportunity to develop new skills and gain valuable experience. This is particularly important for offenders who may have lacked positive outlets for personal and professional growth in the past. The acquisition of new skills enhances

individuals' employability, making it more likely for them to successfully reintegrate into society. The study established that ex-offender' involvement in community service fosters a sense of connection and belonging. Offenders who actively participated in such programmes were more likely to develop positive relationships with fellow community members, which then served as a support network. The researcher argues that while there is evidence supporting the positive impact of community service and other programmes on reducing recidivism, it is equally important to recognise that individuals may not respond in a similar way. Tailoring rehabilitation efforts to the specific needs of offenders and continuously evaluating and improving these programmes can foster an effective criminal justice system that is focused on reducing recidivism.

The findings further indicate that offenders must not be labelled as 'criminals'; instead, they must be supported for them to live a normal life. Community members must willingly open doors for the ex-offenders. Thus, community members must not judge ex-offenders based on their pre-incarceration life. Research entails that labelling individuals as 'criminal' can perpetuate stigma, thus hindering their reintegration into society (Sinko et al., 2020). Research has shown that a supportive community plays a crucial role in reducing recidivism (Kjellstrand et al., 2022). When ex-offenders gain access to the necessary support, such as access to stable housing, employment and social services, they are less likely to return to criminal activities. Therefore, giving ex-offenders a second chance and the necessary support raises the ex-offenders' potential to attain personal growth and transformation. This reinforces the idea that past mistakes should not be used to define an individual's entire identity. Moreover, encouraging community members to accept ex-offenders involves fostering a sense of empathy and understanding.

The study further unpacked the notion that when community members recognise the challenges facing those who went through the criminal justice system, they are more likely to support their efforts to rebuild their lives. Braithwaite's (1968) Reintegrative Shaming Theory suggests that for the reintegrative shaming approach to be effective, the community must be willing to accept and support the offender upon their acknowledgement of their wrongdoing. The study unpacked that this acceptance involved opening doors for the ex-offenders' re-entry into community life and providing opportunities for them to lead normal lives. By avoiding the harsh and stigmatising labels often associated with criminality, the community played a crucial

role in facilitating offenders' reintegration into society. The researcher argues that shifting the focus from labelling individuals as 'criminals' to providing support for rehabilitation and reintegration aligns with a more compassionate and effective approach to criminal justice. It acknowledges the potential for positive change, emphasises second chances, and promotes the well-being of both ex-offenders and the communities they re-join.

Ex-offenders who usually partake in restorative justice programmes become better community members, with some of them even going to the extent of volunteering in different organisations within or outside of their community to help the youth in trouble with the law and other offenders deprived of a chance to partake in restorative justice programmes. Research has shown that restorative justice encourages offenders to accept responsibility for their actions (Bowman & Ely, 2020). Through open and honest communication with crime victims and the community, offenders gain a deeper understanding of the impact of their behaviour on others. This process fosters a sense of personal accountability. The study unpacked that this involvement creates a support network for offenders, providing them with the necessary resources and encouragement to positively reintegrate into society. Also, the community's role in the reintegration process fosters a sense of belonging and connection. According to Lanni (2021), volunteering in different organisations, particularly those focused on helping the youths in trouble with the law, can be a way through which reformed offenders share their experiences and contribute positively towards community life. Restorative justice programmes aim to break the cycle of recidivism. When offenders successfully reintegrate into society, they are less likely to reoffend, which contributes to overall community safety and well-being.

The findings indicate that programmes such as community service keep the offenders off the streets. Offenders should be willing to be part of these programmes for them to value the programmes. Research has shown that for many offenders, idleness can be a risk factor aggravating reoffending (Duwe et al., 2023). Community service fills this void by keeping individuals occupied with meaningful tasks, reducing the likelihood of them returning to criminal activities due to boredom or lack of constructive alternatives (ibid, 2023). The study unpacked that offenders' involvement in community service allowed them to develop a sense of purpose and accomplishment. This is important, especially for individuals who may have lacked positive outlets for their energy and talents before incarceration, thus helping them to redirect their focus towards more constructive endeavours. Intrinsic motivation, where

individuals engage in activities because they find them personally meaningful or rewarding, was crucial. When offenders appreciate the value encapsulated in contributing to their communities, they are more likely to embrace the experience. Offenders who actively chose to participate in rehabilitation programmes, such as community service, were found to be more likely to take ownership of their own rehabilitation process (Van Ness et al., 2022). This sense of agency can contribute to a positive mindset and a greater commitment to making positive changes in ex-offenders' lives. When community members observe ex-offenders making genuine efforts to contribute to society's well-being and make amends, they can give greater support and demonstrate higher levels of acceptance, thus reducing stigma and barriers to successful reintegration.

The findings further indicate that if an offender is reintegrated back into the society, they must be given a chance to prove themselves without being shamed. The community needs to refrain from labelling them as "criminals" or "jail birds". The successful reintegration of offenders into society is a complex process that involves not only the efforts of the individuals' undergoing rehabilitation but also the support and understanding of the broader community (Razali et al., 2021). The findings suggest that communities should give offenders a chance to prove themselves without resorting to shaming or labelling the offenders and thus highlights the importance of fostering an environment that encourages rehabilitation, reduces stigma, and promotes positive social reintegration. The study unpacked that labelling individuals as "criminals" or "jail birds" perpetuates a negative cycle, making it difficult for the offenders to move beyond their past mistakes. Recognising every person's inherent dignity and offering them second chances are fundamental principles that promote rehabilitation and successful reintegration (Kirkwood, 2022). Giving offenders an opportunity to demonstrate their ability to change positively allows them to rebuild their lives and contribute meaningfully to society. Recognising and celebrating individual efforts toward rehabilitation can help positively shift the narrative. The researcher argues that creating supportive environments that offer employment opportunities, educational resources, and social connections helps individuals rebuild their lives, which then reinforces the idea that they can be valued members of society.

Moreover, programmes such as victim-offender mediation and conferencing circles give the offenders a chance to explain themselves. They give them some sort of comfort, knowing that the person they wronged is ready to give them a second chance. Research indicates that victim

offender mediation and conferencing circles form integral components of restorative justice practices that aim to foster dialogue, understanding, and healing between the offender and the victim (Imiera, 2018). These programmes provide a platform for offenders to explain themselves and for victims to express the impact of the harm they have experienced. The process can indeed offer a unique form of comfort, thus contributing to the overall success of the rehabilitation exercise. Providing offenders with an opportunity to explain themselves within the context of a mediated conversation emphasised accountability. Offenders can take responsibility for their actions, express remorse, and demonstrate a genuine commitment towards making amends. This process is critical for the overall success of the rehabilitation programme. The study further unpacked that for offenders' awareness that the person they wronged is willing to engage in a restorative justice process can be a powerful motivator for positive change. This sends a message to the effect that the community is open to the ex-offender's rehabilitation and reintegration. This fosters a supportive environment for their return to society.

The study found that community members ought to be proactive towards issues related to restorative justice programmes. This can be done through attending community-based forum meetings. When community members actively participate in these meetings, a broad range of perspectives, including those often marginalised, are considered in the design and implementation of restorative justice programmes. Research indicates that community members are often intimately familiar with the specific challenges and dynamics of their neighbourhood (Trachtman et al., 2022). Their input can contribute valuable insights that might be overlooked when applying top-down approaches. The study unpacked that by attending forum meetings, community members brought a grassroots perspective that was essential for tailoring restorative justice programmes to suit local needs. Trust between community members and stakeholders in the justice system can foster the success of restorative justice programmes. The study further demonstrated that by attending forum meetings, community members had the opportunity to interact directly with the law enforcement sector, policymakers, and other stakeholders, thus contributing to the building of trust and mutual understanding amongst the stakeholders. Actively engaging in forum meetings empowered community members to take an active role in shaping the policies and practices that directly affect them. Feedback from community members help in identifying strengths, weaknesses, and areas for enhancement, which thus contributes to the continuous improvement of these initiatives over time. The

researcher argues that community members' proactive involvement in forum meetings significantly improves the effectiveness of restorative justice programmes. Through collaboration, transparency, and a sense of shared responsibility, communities can actively contribute towards the development and success of restorative justice initiatives tailored to respond to their specific needs and values.

The findings indicate the need to develop the means through which community members can get to the places where these programmes take place. For example, transport must be provided for all the community members to access restorative justice programmes. This is particularly important for individuals who do not have personal transportation or those facing financial constraints in using public transportation. The study unpacked that without adequate transportation options, certain segments of the community were disproportionately excluded from participating in restorative justice programmes. Providing transportation ensures that individuals of all socio-economic backgrounds have an equal opportunity to engage in these initiatives. Providing transportation fosters a sense of community by ensuring that all residents, regardless of their location or economic status, actively engage in restorative justice efforts. A shared and inclusive experience contributes to community cohesion and a shared responsibility. Research indicates that vulnerable populations, such as the elderly, disabled, or those with limited mobility, may face difficulties reaching programme locations (Remillard et al., 2022). Transportation-related assistance was found to be specifically important for ensuring that these individuals fully participated and contributed to restorative justice initiatives. When community members have easy access to restorative justice programmes, they get empowered to actively shape and direct these initiatives (Smoot-Enns, 2018). This empowerment is crucial for building a sense of ownership and ensuring that the programmes truly reflect the community's needs and aspirations. The researcher argues that providing transportation to community members for them to access restorative justice programmes ensures inclusivity, equal access, and community engagement.

Funding is essential for hiring of professionals such as psychologists to help with the restorative justice programmes. This is a critical step towards ensuring the effectiveness and success of these initiatives. The study unpacked that professional psychologists play a crucial role in facilitating emotional healing for both crime victims and offenders. Their understanding of trauma, empathy, and emotional well-being contributed to the creation of a safe space where

participants could express their feelings and work towards an inclusive resolution. Restorative justice programmes often involve individuals who may have experienced trauma or struggled with mental health issues. The study further unpacked that psychologists identified and addressed these concerns, offering support and resources to help participants cope with the emotional challenges that often arise during the process. Research indicates that the presence of professionals in restorative justice programmes demonstrates a commitment to the provision of a high-quality and comprehensive approach to conflict resolution (Fulham et al., 2023). This commitment enhances the credibility and legitimacy of these community-based programmes. The researcher argues that funding can facilitate collaboration between restorative justice programmes and existing mental health services. This collaboration ensures a seamless connection to ongoing psychological support and assistance for participants who may require it beyond the restorative justice sessions.

The findings indicate that offenders need to partake in rehabilitative programmes and be provided with skills necessary for them to find jobs, thus leading to more successful outcomes. Research highlighted that emphasising the importance of offering rehabilitative programmes and providing offenders with job-related skills highlight a paradigm shift from punitive measures to a more rehabilitative and holistic approach to criminal justice (Nqoko, 2018). The study unpacked that rehabilitative programmes are capable of addressing the root causes of criminal behaviour through breaking the cycle of recidivism. The study further unpacked the knowledge that by providing offenders with the necessary skills and support, they are better equipped to successfully reintegrate into society, reducing the likelihood of returning to criminal activities. Also, equipping offenders with job-related skills enhances their employability upon their release from prison. This not only benefits the individuals involved but also contributes to the community's economic stability by reducing unemployment and dependence on social services. Research indicates that successfully rehabilitating offenders and providing them with job-related skills contribute to overall community safety (Bushway, 2022). When individual ex-offenders reintegrate into society as productive and employed members, the community becomes less vulnerable to criminal activities, thus promoting a safer living environment. The researcher argues that when community members witness the positive outcomes of rehabilitative programmes, they are more likely to support these initiatives, which contributes to societal attitudes shifting toward rehabilitation and away from punishment.

More so, it emerged that the issue of substance abuse must be addressed before anything else can, because it is sometimes the cause of offending and recidivism. Addressing substance abuse is a critical component of effective rehabilitation and the reduction in recidivism. Substance abuse can be both a cause and a consequence of criminal behaviour. Therefore, it is essential to address this issue to break the cycle of offending. Research has unpacked substance abuse and depicts it as often underlying criminal behaviour, serving as a coping mechanism for individuals facing various challenges, such as trauma and other mental health issues, or socioeconomic stressors (Abo-Zena, 2018). Attempting to address substance abuse is a crucial step towards identifying and treating the root causes of criminal behaviour. The study unpacked substance abuse and found it to be a major factor contributing to recidivism. By providing offenders with access to programmes related to treatment of substance abuse, the criminal justice system has the potential to break the cycle of reoffending. Successful treatment of substance abuse reduced the likelihood of individuals returning to criminal activities driven by this social ill. Also, successfully addressing substance abuse increases the chances of the successful reintegration of ex-offenders into society. Individuals in recovery are better positioned to rebuild their lives, maintain employment, and establish positive social connections, thus reducing their dependence on criminal activities.

6.3 Conclusion

The effectiveness of restorative justice programmes in terms of reducing recidivism is influenced by various factors, including the nature of the programmes, community involvement, and stakeholders' commitment to these programmes. The interplay between restorative justice programmes and recidivism is a dynamic process that holds promise for fostering positive change within individuals and communities. By prioritising rehabilitation, community engagement, and a more inclusive understanding of justice, these programmes contribute to the overarching goal of building safer, and more resilient communities and societies.

CHAPTER 7

PSYCHOSOCIAL BENEFITS OF RESTORATIVE JUSTICE PROGRAMMES IN OFFENDERS AND VICTIMS OF CRIME

7.1 Introduction

This section highlights three sub-themes that are derived from the major theme cited as the subheading for this chapter. The sub-themes focus on successes of the programmes in terms of the psychological well-being of both the offenders and the victims of crime, how victims and offenders feel by having other people present during mediation sessions, and whether the offenders and the victims can express themselves regarding the impact of the crime as well as the losses and the harms sustained as a result of the crime. Restorative justice stresses accountability, which is exercising responsibility for one's behaviour and taking steps to repair the harm caused by the criminal act. More so, accountability for a crime is beneficial to the offender, the crime victim, and the community where the crime was committed. All the parties affected by the crime are active participants in determining the appropriate punishment for the offender under the circumstances of the crime.

7.1.1 Sub-theme 1: Restorative justice programmes and the well-being of offenders and victims of crime

Research has found that some restorative justice programmes have more positive psychological and crime-related outcomes than traditional justice programmes (Morris et al., 2003). Some participants indicated that the well-being of both the offender and the victim solely depends on their satisfaction after partaking in these programmes, but usually the victim is not satisfied if the offender does not exhibit remorseful behaviour. The participants said:

“The psychological outcomes related to the healing of both the victims and the offenders are mostly related to or depend on the satisfaction of the two parties. Usually, the victim is not satisfied because some offender's remorselessness and if this happens, the whole scenario replays in the victim's mind and they go through the process of breaking down all over again” (CM-7).

“I believe greater importance is supposed to be placed on fostering genuine remorse and accountability from offenders within the restorative justice frameworks. Without this key element, the victims may struggle to find closure and experience ongoing psychological distress. These programmes need to address this issue by providing support for victims and ensuring that offenders fully acknowledge the adverse consequences of the harm they have caused. Only then can meaningful healing and reconciliation take place for both of the involved parties” (CL-3).

Fostering mutual respect during restorative justice conferences is crucial for creating a safe and constructive environment for both the victim and the offender (Mousourakis, 2021). Mutual respect between the two involved parties can help prevent the triggering of emotions, particularly for the offender, who may feel insulted or defensive if they perceive disrespect from the victim. Some participants indicated that there should be mutual respect during these conferences which involved the victim and the offender, as this may aid in avoiding emotions being triggered from the offender’s side when they are being insulted by the victims. The participants said:

“In my opinion, there is supposed to be mutual respect from both sides. In as much as the victim is hurting, they must not insult the offender, as this will trigger the offender’s emotions. Some offenders believe that when they go to the extent of being part of these conferences, they have already shown that they are willing to ask for forgiveness. If they are insulted during these conferences, they are also taken aback, and they would think of how much they have worked hard for their character to change and for them to be remorseful. This usually destroys them, emotionally” (CM-11).

‘What I have realised is that by promoting mutual respect, the programmes can facilitate more productive and meaningful dialogue between the victim and offender. This can lead to greater understanding, empathy, and ultimately, the potential for healing and reconciliation. We also need to ensure that facilitators are trained to manage emotions and maintain a respectful atmosphere. This can contribute to the success of these conferences” (CL-1).

Restorative justice programmes are all about assisting the offender in taking responsibility for and having a better understanding of what would have really transpired, and this helps both the victim and the offender to heal from the harm caused by the offence. One participant

highlighted that taking accountability for the wrongs one has done to the other indicates some sort of healing and by the mere fact that they would have agreed to partake in these programmes. The participant said:

“Programmes such as victim-offender mediation are related to the involvement, accountability and an improved perception of all the individuals involved in the proceedings. I believe that when a person is brave enough to take accountability for the wrongs they have done to the other, they would have already healed from the inside and this also fosters the healing of the other party, knowing that the person who did wrong to them is taking accountability for their actions, and also the fact that they become involved in such programmes means that they have already healed but want closure by facing the offender, while the offender would want closure by apologising to the victim” (CL-4).

According to Zehr (2015), community support should consider providing offenders with the encouragement and resources they need to accept responsibility for their actions and actively engage in the process of making amends. This support can include access to counselling services, educational programmes, job-related training, and other services aimed at addressing the underlying issues contributing to their offending behaviour. One participant highlighted that support from the community experienced by offenders has an affirming effect, as it helps the offender define the harm experienced and facilitate a decision-making process that repairs the harm, thereby expediting the victim’s recovery from the trauma emanating from the crime. The participant intimated:

“I believe that by supporting the offender, despite the crimes they committed, gives them a degree of confidence or sense of belonging. They feel being part of the community once again and they will try everything in their means to do right as anticipated by the community and the victim, and this does not only help foster their own recovery but that of the victim as well” (CM-7).

Being forgiven by the victim for the offence committed may assist the offender to move on and away from the offence. When the victim forgives the offender for the harm they have caused, a transformative effect can be noted not only on the offender but also on the victim and the overall healing process. Some participants highlighted that forgiveness from both parties may

assist both the offender and the victim to move past the wrong that would have happened. They said:

“The offender may be remorseful about what they did and being forgiven by the victim can help them recover and both parties are also able to move on from the situation and for the offender, feeling guilty can sometimes really have an impact on them emotionally and knowing that you are forgiven automatically heals the offender” (CL3).

“I guess that for the offender, receiving forgiveness can be a powerful catalyst for personal growth and transformation. It can offer them a sense of closure and redemption, allowing them to move forward from their past actions and strive towards a more positive future. This forgiveness can also serve as a powerful motivator for the offender to continue exercising accountability” (CM-7).

“For the victim, offering forgiveness can have a profound effect on healing and empowerment. It can provide them with a sense of release from the pain and trauma caused by the offense, thus allowing them to reclaim their agency and move forward with their lives. Forgiveness can also help them regain a sense of connection and humanity between them and the offender, thus fostering reconciliation and understanding” (CL-1).

While these programmes can be valuable tools that promote accountability, healing, and reconciliation, they may not be sufficient to address all aspects of the harm caused by the offence (Umbreit, 2022). The participants believed that these programmes are only beneficial to the offender, as some scars cannot be erased solely by communication with the offender. Some participants said:

“To be honest with you, I don’t think that these programmes help the victims in any way. How can you benefit from a programme when in actual fact you were the one who was wronged from the beginning? For example, if an offender had physically injured you in the process, how are you supposed to heal from that act? Already you have a permanent scar that will never go away. How then are victims supposed to heal from this damage?” (CL-4).

“It's true that some scars and traumas cannot be fully erased through communication alone, especially if the harm inflicted on the victim is severe or deeply ingrained. Victims may continue to struggle with the emotional and psychological effects of the offence long after the restorative justice process has been concluded” (CM-11).

Skepticism regarding the genuineness of apologies can arise, especially if offenders have a history of criminal behaviour, or if their actions do not align with their words. Some participants indicated that they did not believe that the apologies expressed by the offenders were sincere, as they did not believe that the offenders would have a reason to deviate from their criminal activities and it may be hard for the victims to accept the offenders' apologies.

The participants reported that:

“I do not believe that some of the apologies expressed by the offenders are genuine, to begin with. What will make them deviate from their criminal ways? It is difficult for victims to heal from these situations. Although, they might accept the apology, they can never heal” (CM-2).

“I think that for the victim, accepting an apology from the offender can be challenging, particularly if the former doubts the sincerity of the apology or if they question the offender's motives for participating in the restorative justice process. Crime victims may struggle to trust the sincerity of the offender's remorsefulness and commitment to changing their behaviour. This may negatively affect their healing as victims of crime” (CM-9).

Literature has shown that for the victims of crime, the painful effects of the crime are farreaching and can include physical injury (ranging from minor to severe), psychological effects (that is, fear, anger, guilt, depression, and post-traumatic stress disorder), social effects (that is, changes in the victims' lifestyles), loss of trust (in society, people, and institutions), financial loss, and perceived risk of future victimisation (Shapland & Hall, 2007). One participant highlighted restorative justice programmes might not really help in fostering the victim's healing because some victims really go through psychological problems that make them behave in an unusual way.

“Well, I think most of these victims suffer more than the offenders. I remember my next-door neighbour going through a bipolar kind of feeling. At one moment, they would just

feel on top of the world, and the next minute they would feel down in the dumps. They felt angry at the offender, and thought these programmes did not help them at all. Instead, they made them to be in contact with a person who had put them through the worst situation” (CM-7).

By recognising the potential benefits of therapy and additional support services for the offenders and the victims, restorative justice programmes can contribute to long-term healing and recovery for all the involved parties (Sherman & Strang, 2015). Over and above the effects of the crime committed, the mediators assist the offenders and victims to move past the crime and accept all that would have happened. This is even evidenced by the effort the offender and the victims put to get psychological help in dealing with the crime. Some participants highlighted that the programmes assist both the offender and the victim to some extent, because both the offenders and victims go to the extent of seeking further therapeutic assistance.

“I think that despite the psychological, social and physical harm the victim of the offender has experienced, the programmes somehow help them to cope. Seeing the offender or the victim face-to-face during these programmes is helpful for some of the victims and offenders. We see some of the victims attending therapy sessions presided over by psychologists, which indicates that they have accepted what had happened and are now trying to put things past them. Some offenders attend therapy as well; they tend to say that they are never the same after committing a crime and serving their jail term” (CL-2).

“For offenders, participating in a restorative justice programme can be a catalyst for personal reflection and growth. It may prompt them to confront the underlying issues that led to their harmful behaviour. This can motivate them to seek support in addressing these issues through therapy or counselling. Therapy can help offenders develop coping strategies and work towards positive behavioural change” (CL-3).

“I think that for victims, engaging in a restorative justice process can be an empowering experience that enables them to take control of their journey to their healing. Seeking therapy or counselling can provide victims with a safe space to process their emotions, cope with trauma, and rebuild their lives. I have heard that therapy helps victims develop resilience, set boundaries, and regain a sense of empowerment” (CM-9).

One participant highlighted that the programmes assist the victims to get past negative feelings that they may be having towards the offenders over the crime committed just by the offender owning up to their actions as they both find closure. This enhances the relationship between the offender and the rest of the community. The participant said:

“I think it helps the victim to get healed from whatever they are facing and erase the grudge the victim has towards the offender just by talking and apologising and owning up to their mistakes. Although they might not forgive or forget, they both find closure, and this improves the offender’s relationship with community members” (CM10).

The feelings of social isolation contribute to the long-term stress reactions that make it difficult to work through the psychological effects of the crimes (Saulnier & Sivasubramaniam, 2015). Some participants highlighted that there is a change in the behaviour of the offender and the victim towards other people after these programmes. The participants pointed out that:

“I think that as a result of the crime, victims feel that they need people around them but, at the same time, they want to isolate themselves. They believe that some of their friends and family members do not live up to their expectations when they need social support. We need to be patient with the victims, even after attending restorative justice sessions. Already, they feel they have been deserted by their friends and families. Supporting them can bring them back into the community and we are able to see them more often” (CM-3).

“I think that for victims, engaging in a restorative justice process can provide a sense of closure and empowerment that enables them to recover from the trauma caused by the offence. As a community, we also need to ensure we support them and be patient with them. This healing journey may result in changes in the manner they relate to others, such as a greater capacity for empathy, forgiveness, and understanding” (CM12).

According to Hirschi’s (1969) Social Bond Theory, when an individual has a weak social bond with the conventional society, they are more likely to engage in criminal behaviour because they have less to lose by violating societal norms and laws. Individuals who grow up in unstable or unhealthy home environments may be more vulnerable to engaging in criminal behaviour as they lack the necessary support, guidance, and resources to constructively navigate the

challenges of life (Hirschi, 1969). One participant highlighted that it is important for an individual to grow up in a proper home setting; this is so because some individuals are adversely affected by their childhood, which then makes them partake in criminal activities when they grow up. The respondent said:

“Offenders are already ostracised by the community because of the crimes they committed. So, attending the programmes makes them understand the intensity of the harm caused. The offender should be able to communicate and explain their mental state or desperation at the time of the offence, as this helps both the offender and the victim to accept the reality and get healed. I believe that there are a lot of factors that make someone partake in criminal activities, for example, growing up in a toxic environment characterised by gender-based violence as a man can be problematic. One learns that behaviour and when growing up, they start projecting it to the wrong people” (CL-1).

According to Sharpe (2013), studies of crime victims over the past decade have repeatedly shown that what they want most is not material reparation, but symbolic reparation, primarily an apology and sincere expression of remorse. Moreover, there is evidence showing that an offender’s act showing remorse can also at least heal the victim’s wounds and increase the victim’s satisfaction. Some participants highlighted that it takes accountability for both parties to heal and move past harmful experiences. The offenders need to apologise to the victims and the victims need to accept the offender’s apology. The participants said:

“I think that most offenders fail at the apologising stage because some of them believe that you cannot only apologise verbally to the victims but need to compensate them with material stuff. These offenders don’t know that some victims only want to hear them providing a remorseful apology and that really goes a long way in appeasing the victim” (CM-7).

“Yes, I think they do, maybe not immediately after they have attended the sessions. However, when an offender realises that a victim is willing to forgive them after what they have put them through, and when a victim realises that the offender is remorseful and they are also making an effort to reach out to the offender even after the session, the healing process may be accomplished for each one of them” (CL-2).

“Once the victim finds closure and can move past the issue, everything falls into place. They say accountability is the best healer and for the offender to take accountability for their actions, it can contribute towards the healing of both the offender and the victim but, obviously, the victim benefits more” (CM-2).

“I believe that healing is a personal journey, but in this instance, having someone who wronged you accept and acknowledge the hurt and the pain they caused and you also being able to communicate that to them is very important and very crucial for the healing process to be accomplished” (CL-1).

Counselling plays an important role in the re-integration of ex-offenders after serving their jail terms (Chikadzi, 2017). After participating in a restorative justice programme, individuals may still require further assistance and resources to address their needs and continue with their journeys towards healing and reconciliation. The participants believed that additional programmes, after attending restorative justice programmes, also contribute to the healing of both the offender and the victim. They stated that:

“Yes, I think the programmes are effective because most of them take place once the offender has been released from prison. So, the offender undergoes counselling before and after being released and the victim also receives counselling after these programmes, that is, if they see the need for going for counselling” (CL-4).

“I believe these additional programmes can offer continued support for both the victim and the offender to cope with the emotional and psychological effects of the offence, rebuilding their lives, and moving forward from the trauma they have experienced. Programmes such as support groups and community resources can provide victims with the tools and the support they need to heal; these programmes can also help address underlying issues that may have contributed to their harmful behaviour, especially the offenders” (CM-8).

There must be balance in terms of the support given to both the victim and the offender as there tends to be more support being given to the offenders than the victims after the mediations (Wellikoff, 2003). One participant highlighted that victims need more than the restorative justice programmes, there are supposed to be follow-up programmes for the victims after partaking in the restorative justice programmes. It was reported that:

“A lot still needs to be done during these sessions because after they have happened, no one checks up on the victims after the sessions. The victim is forgotten and left to deal with the after-effects of these programmes; they are left to pay for their own therapy sessions. Meanwhile, the offender gets all of this for free. There must be followup sessions done because these sessions can trigger negative emotions” (CM-11).

According to Barton (2000), the role of restorative justice in the emotional and moralpsychological treatment of victims includes expressions of kindness, respect, regrets, and forgiveness. Apology and forgiveness can be understood as the key elements of the restorative justice process, because without them, reconciliation between the parties cannot be reached. Some participants highlighted that an apology goes a long way in the healing of both the offender and the victim. The offender might feel relieved, knowing that the person they wronged has forgiven them. They highlighted that:

“An apology and forgiveness from both parties can go a long way in the healing process. Imagine being an offender and spending time in jail and when you are told you have served your jail term, you must go home, battling the fear of facing your victim. So, by apologising and being forgiven goes a long way in amending relations and for the victim, the fact that the offender has apologised changes a lot of things. Some victims have anger resulting from being victimised” (CM-3).

“I believe that for offenders, the fear and apprehension related to facing their victim after serving their jail term can be overwhelming. However, receiving forgiveness and acceptance from the victim can offer the offender a sense of relief and validation. It can help them reintegrate into society with a renewed sense of hope and purpose, knowing that they have been given a second chance and that their efforts towards reconciliation have been acknowledged” (CL-2).

7.1.2 Sub-theme 2: The presence of third parties during mediations: Victims and offenders’ perceptions

The most important element of a successful restorative justice ritual is balance (Rossner, 2016). This refers to the actual numbers of people on each ‘side’ and the requirement that multiple perspectives must be heard. One way of achieving this is ensuring that the right people are present in the room. The challenge lies in identifying the right people, especially when it comes to community members. One way through which the facilitators attempted to create balanced

interactions was making a strategic choice of community representatives that can also support particularly isolated offenders or victims. When reflecting on the factors that make a good conference, community leaders highlighted that the presence of some community members can make a difference for other participants during restorative justice programmes. Some participants reported:

“There is need to get the right mix of participants, identifying in preparation participants that are going to need extra support, or that this person is going to really overpower the whole conference, so that one can counteract it. One must think about the dynamics of the people that they are going to have in that room and trying to balance that by bringing in a community representative. If one has got really weak support people, trying to bring in someone from the community who can support them, or who's going to stick up for them a little bit if they can't do it themselves” (CL-4).

“By strategically selecting community representatives who are knowledgeable, empathetic, and respected within the community, facilitators can ensure that all the participants feel supported and heard during the restorative justice process” (CL-1).

The participants from the community were most effective when they had some kind of connection to the offender (or can develop one in the early stages of the conference). Yet, it was often a challenge to identify such people. One participant highlighted that the sessions must have people who have at least a connection with either the offender or the victim. People must not just be chosen to add on the numbers of attendees. The participant highlighted:

“What we don't want is a generic community representative that the facilitator has conjured up. That has nothing to do with anyone else in the room, and that they are just invited to come to make up the numbers. This is what I am strongly against. The key principle here is that there should be no one in the room that doesn't have some stake in what is going on” (CL-3).

Identifying and recruiting members of the macro-community can be a challenge. For instance, there are difficulties recruiting and training volunteers to act as facilitators in restorative justice programmes (Holden, 2021). When organising a restorative justice conference, the facilitator usually asks the offender and victim to nominate people who they think are important to make up their micro-community. Some of the participants highlighted that both the offender and the

victim would obviously want those close to them to partake in these programmes. This is important for both the victim and the offender in terms of being comfortable in that space. The participants indicated that:

“The victims and the offenders would obviously want people who are close to them during these sessions. The offender would want family members and close friends because they know they won’t be judged, and the victim would want family members and close friends to comfort them when things get tense. This is so because sometimes the offenders become senseless and end up insulting the victims. Some offenders attend these sessions while intoxicated” (CM-5).

“The victims and offenders would want to have family members and close friends present, so that they can provide the much-needed emotional support and comfort, especially if the session becomes tense or emotional. I think both the offenders and the victims may experience a range of emotions during the restorative justice process. These include anger, sadness, or fear, and having trusted individuals by their side can help them cope with these feelings and navigate the healing process more effectively” (CM-6).

Parents can provide a safe and supportive environment for their children to express their feelings, process their experiences, and seek the much-needed help. The participants highlighted that it is important for parents to support both the offenders and the victims at this point as the support would assist in grounding their characters. Lack of support may result in them acting out of character as they tend to seek support from the wrong individuals. Some participants said:

“Close family members need to be there to support their child, because part of the problem is lack of support. If children feel they do not have the support of their parents, then they are bound to become wayward, and choose their own support systems, and sometimes their choice of support systems is not necessarily the right choice, for example, bad friends” (CM-11).

“It is important especially for the victim to have other people present during mediation sessions, specifically their parents because it is already traumatic for them to know that they will be a person who tried to harm them, and it will be more traumatic to face

them. So, they need that support more than anything and some of them partake in these programmes before they reach the mental state of being able to face the offender. So, for emotional support and for them to feel safe, they really need to have someone present with them” (CL-1).

Literature suggests that community members can offer valuable support and assistance, drawing upon their knowledge of the offender and their relationship with the community to provide guidance and encouragement (Liebmann, 2007). These community members may include mentors, religious or community leaders, or other individuals who have a vested interest in the offender's well-being and rehabilitation. The participants highlighted that offenders were encouraged to bring along members of their micro-community, often close friends. Some did not wish to have such relations at the conference. In these cases, community members sometimes played this role. It was reported that:

“Some offenders are not in good relations with their family members and friends. So, they prefer having people from the community to support them during the mediation or conferencing sessions. They believe that people who are non-family members do not judge them as much as their own family members would do to them” (CL-3).

“For some offenders, strained or conflicted relationships with family members and friends often compel them to seek support from individuals outside of their immediate circle. The fear of being judged by family members can be a significant barrier to opening and engaging fully in the restorative justice sessions” (CM-5).

“By choosing community members as support figures, offenders may feel more comfortable expressing themselves and addressing the harm they have caused. These individuals can provide a non-judgmental space for offenders to reflect on their actions, take responsibility for them, and work towards making amends” (CM-6).

Being victimised is already very traumatic for the victim and, similarly, being in prison is already very traumatic for the offender. So, having to face one's victim or one's offender and having to answer to the people one has wronged and having to ask one's victimiser questions and the whole community is even very traumatic. The participants highlighted that it is important for both the victim and the offender to have support structures during these sessions. Rehabilitation to the community does not take away the wrongs a person did and for the

offender being name-called during these sessions can evoke anger. Some participants commented:

“I think it is important for the offenders and victims to have support structures during these mediation sessions just because the offender would have served their term and is being rehabilitated back into the community, but this does not take away the trauma and the fear the victim has towards the offender. So, it is very important to have those people that were there with you when you experienced the traumatic events and it is important for the offender to have people that are neutral, who can see them as people who have the ability to change and be better people because during these sessions there might be people who would still be labelling them as criminals” (CM-1).

“It is important for the victims to have people present at these sessions. These people will understand and protect them from possible victimisation during the whole process” (CL-1).

“I think it is very necessary for both to have people present during these sessions. For the victims, it will show that they are not alone in the journey and for the offenders, in as much as they are in the wrong, they also need a person to defend them during these sessions” (CM-12).

“I can’t imagine victims having their perpetrators present with them during a mediation session without them having friends or family members to support them. Victims go through a lot of experiences after these incidences, and so they need more emotional support than anyone else in that mediation room” (CL-2).

The presence of supportive individuals can help create a more empathetic and understanding atmosphere during restorative justice sessions, facilitating open communication, mutual respect, and reconciliation between the crime victim and the offender (Pereto, 2021). The participants highlighted that it is very crucial for both the victim and the offender to have people to support them during these sessions as these may be emotionally taxing on both. The participants said:

“It is very important for to have people present during mediation. This is for emotional support because sessions like these can trigger emotions for both; hence, they need

people like family members and close friends to comfort them when they get overwhelmed” (CM-2).

“I think it is a good initiative because offenders need emotional support during these sessions. For the offender, it is sometimes very difficult to face the victim, knowing very well that they would have put them through a lot of distress” (CM-5).

It is sometimes hard for offenders to talk about their experiences when they were alone, considering the crime committed. That is why it is important for them to attend these sessions in the company of the people who support them as this may also assist the victim and the family to better accept the offender. One participant highlighted that it is important for both the victim and the offender to have people present during these sessions, stressing that it guarantees them that, despite everything that has happened, those close to them still love them. The participant added:

“I think this is very important because sometimes it is not easy to express what one has been going through when they were alone and it is better to have someone who knows you outside of what you have done to be there to support you emotionally and for the victim’s family to hear what they have to hear, and knowing that whatever you are going through as a victim or offender you still have people that love and support you” (CM-6).

Restorative justice sessions often involve addressing deeply personal and sometimes traumatic experiences. However, having trusted individuals present can provide a sense of comfort and reassurance to both the offenders and the victims as they navigate their emotions and share their experiences (Wood, 2023). It is emotionally taxing to attend the mediation sessions and that is why it is very important for victims to attend these sessions with some people who will be able to give them the emotional and moral support they need during these sessions. The participants highlighted that these sessions are sometimes very sensitive; so, it is important for both the offender and the victim to have people they trust during these sessions for emotional and moral support. They said:

“It is very important for them to have trusted people during mediation sessions because it is a very sensitive and very involving process. For the victims, it is especially very

hard, so they do need someone to be there with them to provide emotional and moral support for them to be able to handle and face the offenders” (CM-8).

“It is a good idea because it helps both the victim and the offender to stay calm during the VOM and the conferencing circles. Sometimes, people get emotional during these sessions, but people close to both parties may help calm the situation down if there are altercations and exchange of harsh words during these mediation sessions” (CL-3).

The mediations may raise emotions for both the offender and the victim. This may lead to violence, and that is why it is important to beef up security despite having family members from both parties. Some participants highlighted that victims try to be violent during these sessions, besides having family members. It is also wise to have trained security personnel present during these sessions. The participants noted:

“I think it is a wise decision to have trusted people present during mediation sessions. The victim might try to retaliate, and the offender might also be tempted to harm the victim further. So, I think besides having family members, we might also consider beefing up security during these sessions” (CL-4).

“I think the presence of trained security personnel during these sessions can help maintain a safe and orderly environment and ensure the physical well-being of all the participants. Although this rarely happens, we always need to ensure that security personnel can intervene if tensions escalate, provide support to facilitators in the management of difficult situations. This ensures that the restorative justice process proceeds smoothly and effectively” (CL-3).

“Again, we sometimes hire security personnel to reassure participants that their safety and well-being are being prioritised. This allows them to engage more fully in the restorative justice process without fear of physical harm or retaliation” (CM-6).

One participant highlighted that having the presence of other people during these sessions strengthens the offender. Usually, when they are sent to prison, some family members tend to abandon them. So, the presence of supportive people around them during these sessions gives them a feeling of belonging to the community. A participant said:

“It is a good idea, because it is evident that they were not abandoned by their family or community members. It gives them the strength to restore their confidence and know that they are still welcome to the community” (CM-7).

Another participant highlighted that offenders really need people supportive people who encourage them throughout the mediation process as they will be at their lowest ebb for them to be able to properly express their apology to the victim. The participant noted:

“I think both need someone with them during these sessions. Remember, especially for the offender during this time, they are at their lowest ebb, and they want to prove to everyone present that they are truly apologetic for what they have done. So, at their lowest, the offender needs people close to them and that can assure them that everything is going to be alright” (CM-11).

Daly and Hayes (2001) suggest that community support for victims most often occurs through the victims’ own personal acquaintances or relatives, and this is the most natural and valued source of assistance. Such assistance may, however, be less available to some individuals than others. One participant highlighted that the victim is the only person that needs support during these sessions as they are the vulnerable ones. The participant said:

“Support is very important especially for the victims because they are the ones who have suffered the most in this instance. The offender can easily sugar-coat things and shift the blame onto the victim. So, the victim needs to be prepared for that eventuality by having people around to comfort them” (CM-4).

7.1.3 Sub-theme 3: Offender and the victim being able to express themselves in terms of the impact of the crime, the losses and the harm sustained

Conferences work most effectively just like justice rituals when all the participants have a shared focus regarding dealing with the aftermath of a particular offence, specifically with a focus on eliciting remorse for the offender and allowing the victim to articulate the impact of the harm (Rossner et al., 2013). The participants highlighted that the conferences are done for both the offender and the victim to open to each other and share their experiences of the crime.

“These conferences are open to both the victim and the offender, for both to share how they were affected by the crime. These conferences are usually done to allow the

offender to apologise to the victim and to allow the victim to articulate the harm. It can only take the offender to say “ngicela ungixolele ngalokho engakwenza khona ngiyazisola ngenhliziyo yami yonke” (Please forgive [me] for everything I did; I regret my actions) for the victim to forgive them” (CM-7).

“During these conferences, offenders are given the opportunity to take responsibility for their actions and offer sincere apologies to the victim. For the victims, hearing a genuine apology from the offender can be a powerful catalyst for healing and forgiveness. Victims may find it within themselves to forgive the offender upon receiving a sincere apology. This act of forgiveness can be liberating for the victim, allowing them to release feelings of anger, resentment, and pain, and move forward with their lives” (CM-1).

It takes an understanding offender to understand the victim during these restorative justice programmes as the victims would ask questions seeking closure about the crime committed. Some participants highlighted that the victims have a different way of dealing with the anger they have towards the offender, with some victims even going to the extent of insulting the offenders during these sessions and they tend to say that letting everything out helps them heal. The participants said;

“Some victims would want to be deep when it comes to the apology. They want to know why the offender committed the crime. Sometimes they get to the extent of insulting the offender, and for them, it is a healing process as they get everything off their chest by taking that action. So, it takes a remorseful offender to understand where the victim is coming from” (CM-10).

“It takes an understanding and empathetic offender to navigate these emotionally charged interactions with grace and humility. Some offenders may retaliate, expressing their anger and frustration towards the victim. Sometimes, they also resort to insults or abusive language. Offenders who are willing to listen, acknowledge the harm they have caused, and take responsibility for their actions can help facilitate the healing process for victims, thus contributing to positive outcomes for both involved parties” (CM-7).

In addition to the opportunity mediation gives to victims in terms of seeking truths, victims also feel that mediation gives them the opportunity to express themselves and get their feelings

acknowledged and their voices heard (Guthrey, 2015). The participants highlighted that these sessions help in expressing the victim's feelings; maybe, it might also change the offender's behaviour when they discover how their actions affected the victim. They reported:

"The mediation session makes me express my feelings directly to the offender in such a way that they will feel almost what I felt as a result of his action, to place themselves in my shoes so that they can stop it and to change the offender from their behaviour after being convinced of the evil of his action" (CM-7).

"I think mediation provides victims with the opportunity to have their voices directly heard by the offender. This direct communication can be a powerful means of validation for the victims, as it allows them to confront the individual who caused them the harm, assert their rights, and seek accountability and redress for the harm done" (CM-2).

"I believe that the mediation session is a fair hearing and quicker justice model for us victims, because we felt the pain more than the offenders. Yes, at first, it is difficult to express yourself but then you think of all the emotions and hardships you went through because of the crime" (CM-5).

Despite the point that the victim is the one who is mostly affected by the crime, both the victim and offender communicate their feelings regarding the crime. One participant highlighted that the programmes are very effective for both the victim and the offender as they get to be honest with each other, as to how the crime affected them and how they suffered even after the crime had been committed. The participants said:

"I think they do because whilst communicating with each other, they get to know how each of them feels about the crime and they also communicate about how they were affected during and after the commission of the crime, even though the victim is the one who is the most affected in this situation" (CM-4).

"Both the offender and the victim can share their experiences with each other. They can seek acknowledgment, understanding, and validation for the pain and suffering they have endured, especially the victim. Also, by engaging in open and honest dialogue with each other, they can gain insights into the impact of their behaviour and the consequences of their actions" (CM-11).

According to Fairbank (2019), by allowing victims sufficient time to consider their options and make decisions without feeling rushed or pressured, restorative justice practitioners demonstrate respect for the victim's autonomy and agency. The victim must be given sufficient time to make decisions without being subjected to the pressure of arbitrary time constraints. Choices should continually be presented to the victim throughout the mediation process, as several decisions ought to be made. Some participants highlighted that crime victims should be assisted in dealing with their emotions before attending these sessions, as this assists them express themselves effectively about the crime that has been committed. The participants indicated that:

“Before these sessions begin, the victims must be prepared for the worst, as they sometimes get overwhelmed, and they start crying during the sessions. This indicates that they are still hurting and can't express themselves. In this case, they tend to blame their families for forcing them into partaking in these programmes” (CM-3).

“Some of these victims are unable to fully express themselves especially during victimoffender mediation sessions and conferencing circles. Some victims feel that the presence of the offender is already intimidating. Some of them might fear what the offender might do after the sessions. It is difficult to trust a person that had caused harm to you before. You can't just expect that person to change for the sake of these programmes” (CM-8).

“In as much as the victim can expressly describe the impact of the crime, they might fail to voice their concerns in front of the offender because of the triggers they have, but the offender can easily express themselves” (CL-4).

Holding face-to-face meetings with offenders in a safe atmosphere was found to provide an opportunity for the victims to exchange information with the offenders (Amstutz, 2009). It enables them to find answers to the questions they may be having. In that way, they may be able to express their suffering and distress, especially to the ones who caused them. One participant highlighted that during conferencing circles, victims could easily confront the offenders regarding what they had done to them, but the victims are encouraged to take their time throughout the whole process as it is not easy for them to face and deal with the offenders that wronged them. They had this to say:

“What I have seen during conferencing circles, especially for victims, is that they confidently confront the offenders. The victims are usually asked to take their time when expressing themselves; this is so because some of them usually get emotional during these sessions and end up not being able to express themselves” (CL-4).

The transformative potential of restorative justice programmes manifests itself in the facilitation of healing and reconciliation between crime victims and offenders (Karimullah, 2023). Some participants highlighted that they usually got feedback from the people involved in the programmes, especially the victims. They maintained that a victim sometimes finds it validating, and often healing, to hear an offender expressing the regret or remorse that have not been elicited by the victim. The participants pointed out that:

“At the end of these conferences, we usually get victims praising the programmes, indicating that they were able to express themselves and got the answers they wanted from the offenders. These programmes allow them to have closure to a certain extent. It is not easy to face a person who tried to harm you, although it is blissful to hold them accountable for their criminal actions” (CM-1).

“Yes, I think they do because victims always want to know the reason for the commission of the crime and get closure. Contrary, the offender gets a chance to explain and apologise to the victim, those close to the victim and the community members at large” (CM-5).

“Yes, I think they do because the offender takes accountability and with these programmes the victim’s needs are also addressed by hearing what the offender has to say and apologising. Both get to converse and apologise to each other” (CM9).

Literature suggests that while it is crucial to prioritise the needs and experiences of victims in restorative justice processes, it is equally important to ensure that offenders are given the opportunity to fully participate in these sessions and have their perspectives heard (Paul & Borton, 2021). Offenders must also be made comfortable during the mediation sessions, as this creates a comfortable environment for them to also make up for a better mediation model that benefits the victim, the offender, and the community. Some participants highlighted that offenders are unable to express themselves during these sessions because they are always centred on the victims. They said:

“The offenders are limited in terms of expressing themselves because the main goal is always about the victim being able to express themselves and the offender focusing on apologising and not giving them as well the platform to explain themselves” (CM-10).

“I think they partly do, especially for the victim, who is given a platform to address the offender, and they must come out satisfied with the answers the offender gives them” (CL-1).

“As a community member who is always part of these sessions, the facilitators of the mediation sessions should strive to create an environment that is welcoming, nonjudgmental, and respectful of the rights and dignity of all the participants. This can be done by setting ground rules for inclusive communication, providing opportunities for the offenders to share their experiences and perspectives, and ensuring that their voices are heard and valued throughout the process” (CM-9).

Offenders may need assistance in maintaining realistic expectations of the mediation process. According to Naude et al. (2003), an offender may expect that an apology automatically diffuses the intensity of the victim's emotions, or that one mediation session may erase the harm caused by the crime. The offender's disappointment, if such expectations are not met, can be detrimental to the victim, who may be experiencing guilt or anger because of the crime (Naude et al., 2003). In any case, an apology has no meaning without true remorse. Some participants highlighted that programmes like victim-offender mediation and conferencing circles give the platform for the victims and the offenders to get a form of closure on the crime committed. They said:

“I think that because sometimes the victim can get closure, and sometimes the offender is the only person who has an answer as to why the crime was committed against the victim, the offender also feels at ease by asking for forgiveness and being forgiven by the victim” (CL-3).

“I think, to some extent, these programmes are effective, though participating in them does not change what happened. However, partaking especially in programmes like victim-offender mediation and conferencing circles gives the participants that sense of closure and this happens for both the victim and the offender” (CM-6).

Mediators should assist offenders in terms of thinking about the victims' needs and the losses they might have experienced, both tangible and intangible, and then engage offenders in preliminary brainstorming that seeks to determine the ways in which those needs and losses might be addressed, such as what it would take to repair the harm done (Choi & Gilbert, 2010). One participant highlighted that offenders need to be sincere about their actions, as this helps them and the victims to heal and overcome the traumatic experiences they faced. The participant said:

“If the offenders are sincere during the programmes, I think they will benefit in that they get to the closure of that chapter of their lives and open a new one and become better human beings and better residents in their communities. In terms of the victims, they also tend to the chapter of the traumatic experience closed and they get moving on and possibly forgive the offender” (CM-8).

According to Broński (2022), the purpose of victim-offender mediation sessions and dialogue is to provide a restorative conflict resolution process that actively involves victims and offenders in repairing (to the degree possible) the emotional and material harm caused by the crime. The scholar further indicated that it provides an opportunity for both the victims and the offenders to discuss offenses and express their feelings and for the victims to get answers to their questions; and the victims and offenders get an opportunity to develop mutually acceptable restitution plans that address the harm caused by the crime (Bronski, 2022). One participant highlighted that these programmes are conducted for this reason, and the victim and the offender are supposed to be open with each other. The participant said:

“The programmes cannot be implemented if they would not be helpful to both parties. They are implemented so that they can express to each other how they feel about the crime that has been committed, both are supposed to benefit. It is also good, if it happens that the other party wants to compensate the others for the losses and damages caused. Both parties need to understand how the crime has affected them” (CM-12).

7.2 Discussion

This chapter focused on the restorative justice programmes and the well-being of offenders and crime victims. It also highlighted the necessity of the presence of third parties during mediations sessions, including victims and offenders' perceptions. The chapter also focused on

the ability by the offenders and the victims to express themselves in terms of the impact of the crime, the losses and the harms experienced by community members in Cato Manor in Durban, KwaZulu-Natal province.

Psychological outcomes related to the healing of both the offender and the victims depend on the satisfaction attained by both the offender and the victim, and there must be mutual respect on both sides. Research indicates that the notion that psychological outcomes in the healing process for both offenders and victims depend on the satisfaction of both parties and the presence of mutual respect is significant in the context of restorative justice and rehabilitation (Bolivar, 2019). This perspective emphasises a holistic approach to addressing the aftermath of a crime, focusing not only on punishment but also on the restoration of individuals and relationships affected by the offence.

The findings suggest a shift towards the principles of restorative justice, where the primary focus was on repairing harm and rebuilding relationships rather than solely on punishing the offenders. This approach acknowledged the interconnectedness of individuals within a community. The study unpacked the notion that the satisfaction of both the offender and the victim became a crucial indicator of the success of the justice process. This satisfaction may be related to the perceived fairness, inclusivity, and effectiveness of the interventions employed. Research also found that emphasis on mutual respect implies that the healing process involves recognising the humanity of both the offender and the victim (White, 2022). This recognition is fundamental for fostering empathy and understanding, which can contribute to the restoration of trust and social bonds.

The study further established that the idea of mutual satisfaction extended beyond the immediate parties involved and encompassed the broader community. In cases where the crime affects the community, involving community members in the resolution process can contribute to a more comprehensive healing process. The researcher argues that psychological outcomes intricately relate to the satisfaction of both the offenders and the victims; this is coupled with mutual respect, thus underscoring the importance of a restorative and individualised approach to justice. It challenges traditional punitive models, while encouraging a more compassionate and holistic understanding of the complexities involved in the aftermath of a crime.

The findings indicate that victim-offender mediation programmes are related to issues of involvement and accountability which, in these programmes, indicate that both parties have accepted the situation and are ready to heal. The findings that suggest a relationship between victim-offender mediation (VOM) programmes and increased involvement and accountability are crucial in understanding the potential for healing in the aftermath of a crime. The study unpacked the fact that both parties that voluntarily participated in VOM programmes indicated a willingness to engage in a process that goes beyond traditional punitive measures. This voluntary aspect suggests the recognition of the potential benefits of dialogue and resolution over adversarial legal proceedings (Umbreit, 2023).

The involvement of the victim and the offender in VOM programmes signified an acknowledgment of the reality of the situation by both. By actively participating in the mediation process, both take steps towards confronting the consequences of the crime, while moving towards a resolution thereof. Research reiterates the centrality of accountability in restorative justice processes, and the active involvement of both parties in VOM programmes can be seen as a demonstration of their commitment to being accountable for their actions or the harm caused (Kane, 2020). This demonstrates a significant departure from a punitive system where accountability is often perceived as punishment rather than a constructive, reparative process (Lanni, 2021).

The study unpacked the notion that the victim-offender mediation process provides a platform where open communication thrives, thus allowing both parties to express their feelings, concerns, and perspectives. This dialogue has been found to be empowering for the victims, as it provides them with a voice, and encourages offenders to take responsibility for their actions. The researcher argues that the mediation process affords both parties an opportunity to gain a deeper understanding of each other's experiences. This enhanced understanding can foster empathy, which is a crucial component in the healing process. It humanises both the victim and the offender and breaks down stereotypes and facilitates the development of a more compassionate approach to the restoration of justice.

The findings also indicate that offenders need to be supported, as this gives them some sort of confidence and it also makes them understand the intensity of the crime they have committed. They will be made to try to do right by the community. They become remorseful, which can also help them to heal and by apologising, they get some sort of relief. Research indicates that

support from the community makes the offenders gain confidence, develop a deeper understanding of the impact of their crimes, experience remorse, and find relief through apologising are significant in understanding the rehabilitative potential of restorative justice practices (Umbreit, 2023). This study unpacked the notion that providing support to offenders within the restorative justice framework creates an environment conducive to the rehabilitation of offenders. When offenders feel supported, they may gain the confidence to confront their actions, take responsibility for their actions, and actively engage in the process of making amends. The restorative justice approach, which often involves direct communication with victims, allows offenders to gain a more profound understanding of the impact of their actions on the crime victims, individuals and the community at large (Paul & Borton, 2021).

This awareness can be a catalyst for personal growth and change. The study also found that the process of engaging with the offenders fosters an understanding of the consequences of their behaviour, and taking responsibility evoked genuine remorse in the offenders. This emotional response was a key component of the healing process, both for the affected individual and the community. The process of acknowledging wrongdoing, expressing remorse, and actively seeking ways of making amends contributed to the offenders' healing. This self-healing aspect is an essential element of the philosophy underpinning the restorative justice practice. The researcher argues that the restorative justice process supports offenders, promotes understanding and remorse and has the potential to contribute to significant reduction in recidivism. By addressing the underlying causes of criminal behaviour and fostering personal transformation, restorative justice programmes effectively break the cycle of reoffending.

The findings of the study indicate that crime victims are the most vulnerable party, and they suffer more than the offenders because they suffer beyond emotional pain. Therefore, followup sessions should be developed to help them heal. Research indicates that crime victims often experience a heightened level of vulnerability due to the traumatic events they have endured (Pihkala, 2020). This vulnerability extends beyond emotional pain as it includes physical, financial, and social repercussions, depending on the nature of the crime. The victim's suffering is as multifaceted as it is capable of manifesting in various ways, including psychological trauma, physical injuries, financial strain, and disruptions to their daily lives (Thomas, 2023). Recognising and addressing this diversity of suffering is crucial if effective support must be provided.

The study avers that crime victims face challenges in resuming their normal lives after committing a crime. The consequences of the crime range from disruptions in work or education to strained relationships and an overall sense of insecurity. Follow-up sessions should consider these broader aspects of life to facilitate holistic healing. The study further unpacked the fact that beyond immediate emotional pain, victims struggle with ongoing psychological effects, particularly anxiety, depression, or post-traumatic stress disorder (PTSD). As such, follow-up sessions should consider addressing these mental health issues to provide the necessary resources required to ensure coping and recovery. The study noted that involving victims in the restorative justice process and follow-up sessions empowered them to have a voice in the resolution of cases affecting them. This active participation contributed to a sense of agency and control, thus fostering a more meaningful and personalised journey towards healing.

According to Bromirski (2020), follow-up sessions should extend beyond the immediate aftermath of the crime to address ongoing challenges and ensure that crime victims continue to receive the support they need as they navigate the complexities of the healing process. The study unpacked the view that establishing and strengthening community support networks is essential. This initiative involves not only assistance from professionals but also from friends, the family, and community members who can contribute towards the establishment of a more robust and sustainable support system.

The findings further indicate that it is beneficial for both the victim and the offender to participate in these follow-up programmes which, somehow, helps them to cope. Seeing each other face to face helps both parties. Also, the communication they make explaining their mental states helps in the healing of both. Face-to-face interactions humanise both the victim and the offender. Seeing each other as individuals with unique experiences and perspectives, rather than as abstract role players in a legal process, fosters empathy and understanding. Research indicates that the act of communicating openly about their mental states allows both the victim and the offender to express their emotions, fears, and concerns (Umbreit, 2023). This communication becomes a crucial step in the healing process, as it provides an outlet for emotions that may be otherwise suppressed. The study unpacked the reality that seeing the impact of their actions, or the harm caused on the face of the victim evoked a sense of empathy

in the offenders. Conversely, crime victims gained a better understanding of the offenders' motivations or circumstances prior to the commission of the crime. This mutual exchange contributes to a more empathetic and interconnected community.

Research indicates that face-to-face encounters personalise the justice process; they mark a departure from an abstract legal framework to a more human-centred approach, where individuals actively engage in understanding each other's perspectives, taking responsibility, and working towards the resolution of the crime (Peretó, 2021). For offenders, facing the consequences of their actions and engaging in open communication can have a profound psychological impact, which includes increased self-awareness, a heightened sense of responsibility, and a commitment to making amends. The researcher argues that the benefits of face-to-face interactions and open communication extend to potential long-term positive outcomes, including reduced recidivism, improved mental health for both the victims and the offenders, and the establishment of more cohesive and resilient communities.

The findings establish that both the offender and the victim should have community members close to them during follow-up sessions. Specifically, offenders need family members or close friends around them because they want to evade being labelled or judged. The study unpacked the offenders' fear of being judged and stigmatised by society. Having family members or close friends present during follow-up sessions created a supportive atmosphere, reducing the perceived stigma and helping the offender feel more comfortable and understood. Research indicates that both the victim and the offender undergo emotionally challenging experiences during restorative justice sessions (Bolívar, 2019).

Having close individuals present offers emotional support to offenders, thus allowing them to express their feelings more openly and facilitating a healthier and more productive dialogue. The study found that offenders were more likely to participate openly in the restorative justice process when surrounded by the people they trust. This environment encouraged sincere communication, which can potentially lead to a deeper understanding of the root causes of the offense, thus fostering a commitment to positive change. The involvement of the family and friends created a support network for the offender outside the formal justice system. This network can play a crucial role in the rehabilitation and reintegration of the offender into the community; this promotes a sense of belonging and responsibility (Kjellstrand et al., 2022).

The study unpacked the fact that for the offender, the presence of their family members served as a motivational factor to open-up and to want to make amends with the victim's families. Knowing that their actions have an impact on their loved ones encourages offenders to actively engage in the restorative justice process, take responsibility, and work towards positive change. The researcher argues that developing support networks involving both the victims and offenders contributes to a more balanced and equitable process. It ensures that both parties have access to emotional support and representation, which fosters an environment where the crime resolution is fair and inclusive.

The findings indicate that it is important for the victim to have close people present during restorative justice sessions. Already, it is traumatic for them to face the person who wronged them. They need more support from the people who can calm the situation. Research indicates that the victims of crime often undergo significant emotional distress; hence, facing the person who wronged them can be traumatic (Bromirski, 2020). Having supportive individuals present can help minimise this trauma by providing a sense of security and comfort during what can turn out to be a highly challenging experience. The study found that restorative justice sessions are often emotionally charged and having supportive individuals present helps in managing tension and calming the situation. These individuals play a role in facilitating a constructive and respectful dialogue, ensuring that the focus remains on conflict resolution rather than confrontation. The study further revealed that victims of crime experience a range of emotions during these restorative justice sessions, including fear, anger, and sadness. Having supportive individuals present allowed for emotional validation and acknowledgement of the legitimacy of the victim's feelings and providing reassurance that their emotional responses are understood and respected.

The presence of supportive individuals can encourage victims of crime to communicate their experiences, needs and concerns openly. This open communication is essential for a meaningful restorative justice process to occur, allowing for a more thorough exploration of the impact of the crime. The researcher argues that support for the victims builds trust in the restorative justice process. When victims see that their emotional well-being is prioritised and that mechanisms are in place to provide them with support, they are more likely to engage actively in the process, leading to more successful outcomes.

The findings indicate that sometimes it is not easy for an offender to express what they have been through when they attended these sessions alone. They need to have someone present to support them both physically and emotionally. Research indicates that merely participating in restorative justice sessions can intensify feelings of isolation and vulnerability, especially for crime victims (D'Souza & Shapland, 2023). Having someone present to provide support helps individual offenders feel less alone and more protected during interactions that can be emotionally charged. The presence of a supportive individual enhanced the comfort and confidence of the participants. This was particularly important for victims who often found it challenging to share their experiences or confront the offender alone.

The study found that sharing personal experiences, especially traumatic ones, can be emotionally taxing. Having someone present to share the emotional burden made the restorative justice process more manageable. This applies to both the victims and the offenders, who may be struggling with their own emotional experiences. The study further unpacked the reality that the presence of a supportive individual offered practical assistance to both the offender and victim of the crime, especially if there were logistical or emotional needs during or after a restorative justice session. This support extends beyond the immediate session and helps participants navigate the broader impact of the restorative justice process on their lives. In situations where emotions are likely to run high or unexpected challenges are likely to arise, having someone present provides a form of intervention in the crisis (Kjellstrand et al., 2022). This additional support helps individuals manage unforeseen circumstances and remain focused on constructive dialogue and conflict resolution.

The findings indicate that some crime victims want more than an apology from the offender. They would want to express themselves more by also insulting the offender or seek revenge. Research indicates that expressing anger, frustration, or even using strong language can be a form of emotional release for crime victims (Bruce & Bolitho, 2019). In restorative justice, allowing victims to fully express their emotions, including negative ones, can be a crucial step in the cathartic healing process (Horodeckyj, 2020). The study discovered that some victims felt that expressing their anger or using strong language was necessary for the offender would be made to fully understand the depth of the harm caused by the crime. It is a way through

which the victims communicate the emotional and psychological impact of the offense on their lives.

Research indicates that restorative justice emphasises authentic communication (Paul & Borton, 2021). Allowing victims to express themselves truthfully, including negative emotions, contributes to the sincerity of the restorative justice process. It reflects the commitment to an acknowledgement of the reality of the harm caused. The study further unpacked the notion that permitting victims to express their feeling in the way they wanted was necessary, as it promoted empowerment. It allowed victims to reclaim a sense of control over their narrative, thus making them active participants rather than passive recipients in the restorative justice process. The researcher argues that following emotional expression, the participants in the restorative justice sessions, especially the victims, may need additional support. Post-session debriefing and support mechanisms should be developed to help individuals cope with the emotional intensity of the process.

The findings indicate that these restorative justice programmes assist in that both the offender and the victim get to communicate to each other indicating how the crime affected them. Restorative justice emphasises communication to the promotion of mutual understanding. According to Steinhauer (2023), allowing both the offender and the victim to express their perspectives fosters a deeper comprehension of the impact of the crime on each of the individuals. This contributes to empathy and mutual understanding. Research indicates that through communication, the individuals involved humanise the experience of the crime (Suzuki & Yuan, 2021). The process goes beyond legal labels and abstract offenses, which allows the parties to see each other as individuals with emotions, experiences, and vulnerabilities. This humanisation is crucial for the building of connections and facilitating the healing process.

The study unpacked the fact that expressing how the crime affected each person involved allowed for a personalised acknowledgment of the harm caused. The victims articulated the specific ways in which they were affected, while the offenders took the opportunity to understand the real consequences of their actions. Open communication was found to be fundamental to fostering accountability. Offenders, by hearing directly from the victim, gain a clearer understanding of the harm they caused, which can contribute to a genuine sense of responsibility and a commitment to making amends. The study established that by allowing

both parties to communicate their experiences and perspectives, the restorative justice process promoted active participation in the conflict resolution process. This participation was not limited to legal procedures but extended to a shared commitment towards addressing the harm caused by the crime and finding a way forward.

The findings also indicate that some victims still fail to express themselves during these sessions because they feel intimidated by the offender's presence. The presence of the offender can create a significant power imbalance, making the victim feel vulnerable and intimidated. This imbalance may hinder victims from freely expressing themselves, thus negatively impacting the authenticity of the restorative justice process. Research indicates that the presence of the offender may result in the victim experiencing heightened emotional distress and trauma, especially if the crime involved violence or abuse (Lloyd & Borrill, 2020). This emotional burden can make it challenging for victims to articulate their feelings and experiences during these conflict resolution sessions.

The study found that creating a safe and supportive environment is crucial for the victims to feel comfortable enough to express themselves. Restorative justice programmes need to consider exploiting strategies of mitigating the fear of intimidation and ensure that victims have the confidence to share their experiences. The victims reported that they feared retaliation or further harm if they expressed themselves openly. This fear can be a significant barrier to communication, as victims may prioritise their safety over the opportunity to share their thoughts and emotions.

7.3 Conclusion

The implementation of restorative justice programmes in Cato Manor, Durban, has proven to be a valuable tool for addressing the psychosocial needs of both the crime victims and the offenders. By prioritising dialogue, understanding, and accountability, this approach has contributed significantly to the healing of individuals involved in the crime and the community, thus promoting a sense of justice that goes beyond mere punishment. The continued support and integration of the principles of restorative justice in the criminal justice system can contribute to the development and implementation of a more holistic and effective approach to addressing crime and its aftermath in Cato Manor and beyond.

CHAPTER 8

INTEGRATIVE DISCUSSION, RECOMMENDATIONS & CONCLUSION

8.1 Introduction

This study sought to explore the perceptions of community members on restorative justice programmes involving offenders and victims of crime. It involved a case study of Cato Manor, an informal settlement situated in Durban, in KwaZulu-Natal province. This concluding chapter summarises the key research findings and proffers recommendations for future research. General conclusions pertaining to residential burglary are drawn in the light of the reviewed literature and the research findings presented in the preceding chapters.

8.2 Integrative discussion

Underpinned by the methodological framework of this study, general conclusions were drawn within the context of the study's objectives that the researcher aimed to address.

8.2.1 Perceptions of community members on restorative justice programmes on offenders and victims of crime in Cato Manor, Durban

The first objective of the study referred to exploring the perceptions of community members on restorative justice programmes involving offenders and victims of crime in Cato Manor, Durban. This was accomplished through conducting qualitative interviews using a semistructured interview guide. Analysed data evinces that victim-offender mediation programmes are the most effective conflict resolution mechanism because they allow the victim and the offender to have a dialogue where they can pour their hearts out. The study has also revealed that community service is one of the programmes that help offenders acquire pro-social values; however, this programme is more meaningful when there is community involvement. Through the community service programmes, offenders are offered opportunities to demonstrate accountability for their behaviour through rendering service to the community and in return, the community is offered an opportunity to reclaim its members who would have gone astray. The study also revealed that restorative community service provides an opportunity for the offender to make amends to the community in a way that is valued by the same community. A successful community service programme helps to change the offender's

negative view of the community to a positive one. The study also revealed that addressing the root cause of crime is paramount when dealing with both the offender and the victim. An understanding of the root causes of crime cannot and should not be seen as a way of absolving people from personal accountability; however, communities have a responsibility to address those conditions, which hinder healthy development of good relations within the community and can become the breeding ground for crime. The study also revealed that expressing themselves during the VOM or conferencing circles is a very important aspect of healing for the offender, the victim and community members. Engaging in self-expression can provide a safe outlet for individuals' emotions. The study also revealed that offenders often experience strained family relationships and connections with friends due to their criminal behaviour and incarceration. Maintaining or rebuilding these relationships can be crucial for their healing and rehabilitation processes.

The study highlighted the measures that can be taken by the community leaders and members to make the programmes known to the entire community. The study revealed that posters are put at strategic points within the community, especially those places where community members usually frequent, for example, taverns, schools, and clinics. The study also found that weekly community meetings were being held in the community hall. The frequency of these weekly meetings ensures that there are regular opportunities to provide stakeholders with updates on ongoing programmes, share successes, and address any challenges. The study has also indicated that there are community members who are part of certain committees that go around the community educating people about restorative justice programmes. This approach helps reach individuals who may not be regularly present at the weekly community meetings or those who may not have access to digital platforms. The study also revealed that there is a community group on Facebook where everything concerning the community is posted. The Facebook platform allows for the application of a two-way communication system that enables community members to ask questions, provide feedback, and engage in discussions centred on the programmes. The study also highlighted the successes of the restorative justice programmes within the community. The study found that it is every community member's responsibility to ensure the success of the programmes. Encouraging community members to actively support and participate in restorative justice programmes reinforces their commitment to resolving conflicts through non-punitive means. The success of these programmes is indeed influenced by various factors, with community involvement being the most crucial one. The study also

indicated that the success of the programmes manifests in positive changes in people's lifestyles. These positive changes can be noted in positive attitudes, behaviours, and lifestyles.

This positive mindset includes seeking education, gaining employment, or engaging in prosocial activities and shunning criminal behaviour.

8.2.2 The effects of restorative justice programmes on recidivism among offenders in Cato Manor, Durban

The second objective of the study referred to exploring the effects of restorative justice programmes on recidivism (reoffending) among offenders in Cato Manor, Durban. This objective was accomplished through soliciting data using qualitative interviews that employed a semi-structured interview guide. Analysed data revealed that community members needed to accept the ex-offenders back into the society. Providing support for the offenders to reintegrate into society, access education, and take up employment opportunities can contribute to their successful rehabilitation. The study indicated that community members offer ex-offenders employment opportunities to indicate that they have forgiven them and to prevent recidivism within the community. The community members' willingness to forgive the exoffenders and offer them employment opportunities reflects a positive shift from punitive approaches to more rehabilitative and restorative strategies of ensuring justice. The study also indicated that social networks could influence an individual's life and rebuilding such networks can encourage positive behaviours, which becomes crucial for a successful reintegration. The study also indicated that the offenders' involvement in community activities provides them with the opportunity to develop new skills, build positive relationships, and contribute positively to society. This can be particularly effective in helping offenders reintegrate into the community by fostering a sense of belonging and purpose. The study also indicated that community members need to collaborate with the correctional service officials to ensure that they are aware of the needs of and challenges faced by ex-offenders, thus allowing for targeted support.

The study has also highlighted that there is support given to offenders during and after restorative justice programmes. This is done to reduce the rates of recidivism in the community. The study indicated that the provision of emotional and moral support to offenders through mentorship and support groups, especially in the context of substance abuse addiction, is a crucial aspect of rehabilitation that has proved effective in reducing recidivism. The study also indicated that when offenders actively engage in restitution and community service, they may

gain a better understanding of the impact of their actions on others which, therefore, fosters empathy and a commitment to positive change. The study also indicated that community members must avoid labelling the ex-offender as “criminal”, as this can perpetuate stigma and hinder their ability to successfully reintegrate into society. The study also revealed the effectiveness of the existing restorative justice programmes. The study further indicated that open and honest communication with victims and the community assists offenders to gain a deeper understanding of the impact of their behaviour on others. This process fosters a sense of personal accountability. The study also indicated that the community service programme keeps the offenders away from the streets. The programme fills this void by keeping individuals occupied with meaningful tasks, thus reducing the likelihood of them returning to criminal activities due to boredom or lack of constructive alternatives. The study indicated that programmes such as VOM and conferencing circles gave offenders a chance to explain themselves to the victims; it gave them some sort of comfort, knowing that the person they wronged has forgiven them or is willing to listen to them.

The study also highlighted that there are strides that can be adopted to improve the effectiveness of restorative justice programmes in reducing recidivism. For example, community members need to be proactive through attending forum meetings. Attending these meetings enables community members to bring a grassroots perspective that is essential for tailoring restorative justice programmes to satisfy local needs. The study also indicated that the community must provide community members with transport services to improve the accessibility of restorative justice programmes for all community members. The study also indicated that there is need to source funding needed to hire professional psychologists that should be present during the duration of these programmes. For example, professional psychologists play a crucial role in facilitating emotional healing for both the victims and the offenders. The study also established the importance of providing rehabilitative programmes to the offenders, as they help in addressing the root causes of criminal behaviour because their aim is to break the cycle of recidivism. The study also indicated that communities must prioritise the issue of substance abuse, which can be both a cause and a consequence of criminal behaviour. This makes it essential to address this issue to break the cycle of offending.

8.2.3 The psychosocial benefits of restorative justice on both the victims of crime and offenders in Cato Manor, Durban

The third objective of the study referred to exploring the psychosocial benefits of restorative justice on both the victims of crime and offenders in Cato Manor, Durban. This objective was accomplished through qualitative interviews conducted using a semi-structured interview guide. Data evinces that the psychological outcomes related to the healing of both the victim and the offender depend on the satisfaction of both parties. Emphasis on mutual respect implies that the healing process involves recognising the humanity of both the offender and the victim. The study also indicated that programmes such as VOM, and conferencing circles increased involvement and accountability are crucial in understanding the potential for healing in the aftermath of a crime. The study indicated that in as much as the offenders are in the wrong, they also need supported during this time. When offenders feel supported, they may gain the confidence to confront their actions, take responsibility for their actions, and actively engage in the process of making amends. The study also indicated that crime victims are the most vulnerable and, in this instance, suffer more than the offenders. The suffering of victims is multifaceted, manifesting in various ways, including psychological trauma, physical injuries, financial strain, and disruptions to their daily lives. Recognising and addressing this diversity in terms of suffering is crucial for providing effective support. The study indicated that the act of communicating openly about their mental states allows both the victims and the offenders to express their emotions, fears, and concerns.

The study also highlighted that both the offender and the victim need the presence of other people during restorative justice programmes and meetings. The study indicated that the presence of family members or close friends during the sessions can create a supportive atmosphere that reduces the perceived stigma and helps the offender to feel more comfortable and understood. The study indicated that victims of crimes often undergo significant emotional distress, and facing the person who wronged them can be traumatic. The presence of supportive individuals can help minimise this trauma as this provides a sense of security and comfort during those experiences that can be considered highly challenging. The study indicated that participating in restorative justice sessions alone can intensify feelings of isolation and vulnerability, especially for the victims of crime, and so the victims need the presence of someone close to them during these sessions. The study also indicated that both the offenders and the victims need to be able to express themselves on the losses and harm sustained as a

result of the commission of the crime. The study indicated that expressing anger, frustration, or even using strong language can be a form of emotional release for the victims. In the context of restorative justice, allowing victims to fully express their emotions, including negative ones, can be a crucial step in the cathartic healing process. The study also indicated that allowing both the offender and the victim to express their perspectives fosters a deeper comprehension of the impact of the crime on everyone, thus contributing to empathy and mutual understanding. The study also indicated that creating a safe and supportive environment is crucial for the victims of crime to feel comfortable expressing themselves.

8.3 Recommendations stemming from the study findings

The following recommendations were made based on the findings drawn from the perceptions of community members on restorative justice programmes involving the offenders and the victims of crime:

- Family members should be urged to participate more actively in processes involving the rehabilitation and reintegration of the offenders; families should be guided through counselling and family group sessions to help them get prepared for the offender's release.
- More research needs to be done to better understand the patterns, causes, and risk factors related to recidivism. There is need to develop appropriate policies and strategies that will help manage and prevent crime using the findings from this and other studies
- Supporting ex-offenders is crucial to prevent a surge in criminality and reduce recidivism. Career-related counselling programmes can help ex-offenders by focusing on issues such as self-knowledge, job search, occupational knowledge, career planning, and work adjustment.
- There is need to involve community members in the design and evaluation of restorative justice programmes, incorporating their feedback and suggestions. Inclusion ensures that the programmes address the community's specific needs, making them more relevant and acceptable to the residents.
- Communities should develop structured rehabilitation programmes for offenders, including follow-up measures designed to track their progress and reintegration into the community. Effective rehabilitation programmes do not only benefit individual

offenders but also contribute to community safety and reduce the likelihood of recidivism.

- Comprehensive community awareness campaigns should be implemented by existing organisations within the community to educate residents about the principles and benefits of restorative justice. This enhances understanding among community members, thus fostering support for restorative justice programmes. This will dispel misconceptions about restorative justice, and will encourage active participation by both the offenders, the victims of crime and community members.
- There is need to explore the nuances of the dynamics of the relationship between victims and offenders by the mediators or any other professionals that are usually present during and after the restorative justice sessions. Examining the quality of the relationships formed and how they evolve can provide insights into the transformative potential of restorative justice on interpersonal connections.

8.4 Recommendations for further research

- Longitudinal studies should be conducted to assess the long-term psychosocial effects of the crime on both the victims and the offenders who have participated in restorative justice programmes. Understanding how the benefits evolve over time can provide insights into the sustainability and lasting impact of restorative justice interventions.
- Long-term longitudinal studies should be conducted to examine the impact of restorative justice programmes on the rates of recidivism over an extended period. Longitudinal research can provide insights into the sustainability of the positive effects of restorative justice programmes and identify any potential changes in the rates of recidivism over time.
- Researchers should consider investigating the risk and protective factors associated with recidivism among offenders who have engaged in restorative programmes. Understanding the factors that contribute to or mitigate reoffending can potentially guide the development of targeted interventions within the restorative justice framework.
- Prospective research should investigate the extent to which community members are involved in the design and implementation of restorative justice programmes. Community involvement can possibly foster a sense of ownership, simultaneously

contributing to the development of programmes that are culturally sensitive and responsive to local needs.

- Research should explore the perceptions of community members regarding the fairness and equity of the outcomes of restorative justice, particularly in comparison with traditional justice processes. Examining community members' perceptions of fairness of such justice processes is crucial for the acceptance and legitimacy of restorative justice within the community.

The implementation of these recommendations will make a difference in terms of determining how the community perceives restorative justice programmes within the Cato Manor Community, and this will deter potential offenders from perpetrating crime in the future. They will also ensure the involvement of community members, offenders and victims of crime in the design and evaluation of restorative justice programmes. Resultantly, the personal, social and emotional well-being of the community members will be protected.

8.5 Conclusion

In conclusion, this study has successfully investigated complexity and multifacetedness of the landscape of community members' attitudes and beliefs regarding restorative justice in Cato Manor in Durban, KwaZulu-Natal province, South Africa. The findings demonstrate valuable insights into the dynamics of the community's engagement with restorative justice initiatives. The findings also highlighted areas that may benefit from further exploration and targeted interventions. These results are significant because they emphasised the need to develop a clear, accessible, and culturally relevant information dissemination system to ensure that community members are well-informed about the purpose, processes, and outcomes of restorative justice programmes. The study suggested that the sense of community, collective responsibility, and mutual understanding fostered by restorative justice initiatives can contribute towards the building of stronger social bonds. Despite the strengths of this study, the restorative justice paradigm continues to evolve in the criminal justice system, ongoing collaboration between researchers, practitioners, and the community will be essential in creating more effective, culturally sensitive and community-supported programmes in communities' pursuit of justice and healing.

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APPENDICES

Appendix 1: Ethical Clearance



09 September 2024

Zandile Faith Mpfu (213573987)
School Of Applied Human Sc
Howard College Campus

Dear ZF Mpfu,

Protocol reference number: HSSREC/00004924/2022

Project title: To explore the perceptions of community members on restorative justice programmes on offenders and victims of crime in Cato Manor Durban.

Amended title: Perceptions of community members on restorative justice programmes on offenders and victims of crime : a case study of Cato Manor in Durban KwaZulu-Natal.

Degree: PhD

Approval Notification – Amendment Application

This letter serves to notify you that your application and request for an amendment received on 03 September 2024 has now been approved as follows:

- Change in title

Any alterations to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form; Title of the Project, Location of the Study must be reviewed and approved through an amendment /modification prior to its implementation. In case you have further queries, please quote the above reference number.

PLEASE NOTE: Research data should be securely stored in the discipline/department for a period of 5 years.

HSSREC is registered with the South African National Health Research Ethics Council (REC-040414-040).

Best wishes for the successful completion of your research protocol.

Yours faithfully



.....
Professor Dipane Hlalele (Chair)

/nng

Humanities & Social Sciences Research Ethics Committee
UKZN Research Ethics Office Westville Campus, Govan Mbeki Building
Postal Address: Private Bag X54001, Durban 4000
Tel: +27 31 260 6350 / 4557 / 3587
Website: <http://research.ukzn.ac.za/Research-Ethics/>

Founding Campuses: ■ Edgewood ■ Howard College ■ Medical School ■ Pietermaritzburg ■ Westville

INSPIRING GREATNESS

Appendix 2: Gatekeepers Letter



Councillor
Mezzanine Floor, Shell House
221 Anton Lembede Street
PO Box 1014, Durban, 4000
Tel: 031-3113458, Fax: 031-3113245
www.durban.uov.za

Our Ref : Cllr. B.R. Mngadi

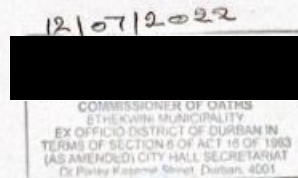
Your Ref : 067 406 6579

RE: Permission to conduct study on- Perceptions of community members on restorative justice programmes on offenders and victims of crime: A case study of Cato Manor informal settlement in Durban KwaZulu-Natal

Approval from the office of the Ward 29 (Cato Manor) by the Councillor has hereby granted permission to conduct the research in the subject line on condition that it does not hinder the functioning of the councillor's office.

For enquiries please contact Cllr. B.R. Mngadi
+27674066579

Thank you



Appendix 3: Informed Consent in English

UKZN HUMANITIES AND SOCIAL SCIENCES RESEARCH ETHICS COMMITTEE (HSSREC)

APPLICATION FOR ETHICS APPROVAL For research with human participants

INFORMED CONSENT RESOURCE TEMPLATE

Note to researchers: Notwithstanding the need for scientific and legal accuracy, every effort should be made to produce a consent document that is as linguistically clear and simple as possible, without omitting important details as outlined below. Certified translated versions will be required once the original version is approved.

There are specific circumstances where witnessed verbal consent might be acceptable, and circumstances where individual informed consent may be waived by HSSREC.

Information Sheet and Consent to Participate in Research

Date: 27 November 2022

Greeting: Dear Prospective Participant

My name is Zandile Faith Mpofo from the Discipline of Criminology and Forensic Studies, School of Applied Human Sciences, College of Humanities. My email address is zandilempofu19@gmail.com, my contact number is +27743001980. You are being invited to consider participating in a study that involves research to explore the perceptions of community members on restorative justice programmes targeting offenders and victims of crime in Cato Manor. The aim and purpose of this research is to explore the perceptions of community members on restorative justice programmes targeting offenders and victims of crime in Cato Manor Township, Durban. The study focused on community members and community leaders residing in the Cato Manor area, as they usually form part of the restorative justice programmes when they occur. To achieve this, the researcher engaged with both community leaders and community members in semi-structured interviews and the research objectives were also achieved. The study is expected to enroll 16 participants which is made up of 4 Key Informants and 12 community members. The interviews are going to be conducted in the comfort of the prospective participants homes. It will involve the following procedures: the prospective participants will be asked if they are comfortable in partaking in the study and where they would want the researcher to conduct their interviews. The duration of your participation if you choose to enroll and remain in the study is expected to be 45 to 60 minutes.

The study does not involve any risks and/or discomforts. The study will provide no direct benefits to participants. This study has been ethically reviewed and approved by the UKZN Humanities and Social Sciences Research Ethics Committee (approval number:

HSSREC/00004924/2022). In the event of any problems or concerns/questions you may contact the researcher at zandilempofu19@gmail.com or +27743001980 or the UKZN Humanities & Social Sciences Research Ethics Committee, contact details as follows:

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION

Research Office, Westville Campus

Govan Mbeki Building

Private Bag X 54001

Durban

4000

KwaZulu-Natal, SOUTH AFRICA

Tel: 27 31 2604557- Fax: 27 31 2604609 Email:

HSSREC@ukzn.ac.za

Participation in this research is voluntary participants may withdraw participation at any point, and in the event of refusal/withdrawal of participation the participants will not incur penalty or loss of treatment or other benefit to which they are normally entitled. The participants will not face any consequences when withdrawing from this study. The participants will need to inform the researcher upon withdrawal from the study and the researcher is mandated to terminate the participant from the study if the researcher feels threatened by the participant or of the participant is disrespectful to the researcher. There are no costs that are going to be incurred by participants because of participation in the study and there won't be any reimbursements for participation in the study. The participant's confidentiality is paramount in this research. The participants will be given pseudonyms by the researcher to protect their confidentiality.

--

CONSENT (Edit as required)

I (Name) have been informed about the study entitled (provide details) by (provide name of researcher/fieldworker).

I understand the purpose and procedures of the study (add these again if appropriate).

I have been given an opportunity to answer questions about the study and have had answers to my satisfaction.

I declare that my participation in this study is entirely voluntary and that I may withdraw at any time without affecting any of the benefits that I usually am entitled to.

I have been informed about any available compensation or medical treatment if injury occurs to me as a result of study-related procedures.

If I have any further questions/concerns or queries related to the study I understand that I may contact the researcher at (provide details).

If I have any questions or concerns about my rights as a study participant, or if I am concerned about an aspect of the study or the researchers then I may contact:

HUMANITIES & SOCIAL SCIENCES RESEARCH ETHICS ADMINISTRATION

Research Office, Westville Campus

Govan Mbeki Building

Private Bag X 54001

Durban

4000

KwaZulu-Natal, SOUTH AFRICA

Tel: 27 31 2604557 - Fax: 27 31 2604609

Email: HSSREC@ukzn.ac.za

Additional consent, where applicable

I hereby provide consent to:

Audio-record my interview / focus group discussion YES / NO

Video-record my interview / focus group discussion YES / NO

Use of my photographs for research purposes YES / NO

_____ Signature of Participant
Date

_____ Signature of Witness
Date (Where applicable)

_____ Signature of Translator
Date (Where applicable)

Appendix 4: Informed Consent in isiZulu

IKOMIDI LEZENQUBONHLE KWEZOCWANINGO LEKOLISHI LEZESINTU ESIKOLENI SEZIFUNDO NGENHLALO YOMPHAKATHI (HSSREC)

ISICELO SOKUGUNYAZWA NGOKWEZENQUBONHLE Okocwaningo
olusebenza ngabantu

OKUKULEKELELA EKWAKHIWENI KWEFOMU LOKUVUMA

Okumele kuqashelwe abacwaningi: Noma kubalulekile ukutholakala kwemiphumela enembayo ngokwesayensi futhi esemthethweni, kumele kwenziwe konke okusemandleni ukuze kukhiqizwe umbhalo wokuvuma oqondakalayo ngokolimi futhi ocacile kakhulu ngaphandle kokushiya imininingwane ebalulekile njengoba kubaliwe ngezansi. Izihumusho ezigunyaziwe zizodingeka uma sekugunyazwe umbhalo wesingisi.

Kunezimo ngqo lapho imvume ngomlomo efakazelwe yamukelekile, nalapho imvume yomuntu ingeke idingwe yi-HSSREC.

Umbhalo Wemininingwane Nokuvuma Ukubamba Iqhaza Ocwaningweni

Usuku: 27 Lwezi 2022

Ukubingelela: Othandekayo Ozoba Mhlanganyeli

Igama lami nginguZandile Faith Mpofo ovela kuDiscipline of Criminology and Forensic Studies, School of Applied Human Sciences, College of Humanities. I-imeyili yami ithi zandilempofu19@gmail.com, inombolo yami yokuxhumana ithi +27743001980. Uyamenywa ukuthi ucabangele ukubamba iqhaza ocwaningweni olubandakanya ucwaningo lokuhlola imibono yamalungu omphakathi mayelana nezinhlelo zobulungisa bokubuyisela esimeni ezibhekiswe kuzo izaphula-mthetho nezisulu zobugebengu e-Cato Manor. Inhloso nenjongo yalolu cwano ukuhlola imibono yamalungu omphakathi mayelana nezinhlelo zoBulungiswa Bokubuyisela Esimeni esiqondiswe kubenzi bobugebengu kanye nezisulu zobugebengu elokishini laseCato Manor, eThekwini. Ucwaningo lwalugxile kumalungu omphakathi kanye nabaholi bomphakathi abahlala endaweni yaseCato Manor, njengoba ngokuvamile beyingxenywe yezinhlelo zobulungiswa bokubuyisela esimeni lapho zenzeka. Ukuze kuzuzwe lokhu, umcwaningi uhlanganyele nabo bobabili abaholi bomphakathi kanye namalungu omphakathi ezingxoxweni ezingahlelekile futhi izinjongo zocwaningo nazo zafinyelelwa. Ucwaningo kulindeleke ukuthi lubhalise abahlanganyeli abayi-16 okuhlanganisa ama-Key Informants angu-4 namalungu omphakathi ayi-12. Izingxoxo zizoqhutshwa ngokunethezeka

kwabazoba abahlanganyeli emakhaya. Kuzobandakanya lezi zinqubo ezilandelayo: labo abazoba ababambiqhaza bazobuzwa ukuthi bakhululekile yini ekuhlanganyeleni ocwaningweni nalapho bengathanda ukuthi umcwaningi enze khona inhlolekhono yabo. Isikhathi sokubamba kwakho iqhaza uma ukhetha ukubhalisa nokuhlala ocwaningweni kulindeleke ukuthi sibe yimizuzu engama-45 kuya kwengama-60.

Ucwaningo alubandakanyi ubungozi kanye/noma ukungaphatheki kahle. Ucwaningo ngeke lunikeze izinzu ezinqondile kubahlanganyeli. Lolu cwano lubuyezwe ngokokuziphatha futhi lwagunyazwa yiKomidi le-UKZN Humanities and Social Sciences Research Ethics (inombolo yokugunyaza: HSSREC/00004924/2022). Uma kuba nezinkinga noma ukukhathazeka/imibuzo ungathintana nomcwaningi ku-zandilempofu19@gmail.com noma ku-+27743001980 noma i-UKZN Humanities & Social Sciences Research Ethics Committee, imininingwane yokuxhumana kanje:

**EZOKUPHATHWA KWEZENQUBONHLE KWEZOCWANINGO EKOLISHI LEZESINTU
ESIKOLENI SEZIFUNDO NGENHLALO YOMPHAKATHI**

Ihlovisi LezoCwaningo, iKhempasi i-Westville

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Ucingo: 27 31 2604557- Fax: 27 31 2604609

I-imeyili: HSSREC@ukzn.ac.za

Ukubamba iqhaza kulolu cwano kungokuzithandela abahlanganyeli bangahoxisa ukubamba iqhaza nganoma isiphi isikhathi, futhi esimweni sokwenqaba/ukuhoxiswa kokubamba iqhaza abahlanganyeli ngeke bathole inhlawulo noma ukulahlekelwa ukwelashwa noma enye inzuzo abavame ukuba nelungelo layo. Ababambiqhaza ngeke babhekane nanoma yimiphi imiphumela uma behoxa kulolu cwano. Ababambiqhaza kuzodingeka bazise umcwaningi lapho ehoxa ocwaningweni futhi umcwaningi unikezwe igunya lokumisa umhlanganyeli ocwaningweni uma umcwaningi ezizwa esongelwa umhlanganyeli noma umhlanganyeli engamhloniphi umcwaningi. Azikho izindleko ezizotholwa abahlanganyeli ngenxa yokubamba iqhaza ocwaningweni futhi ngeke kube khona imbuyiselo yokubamba iqhaza ocwaningweni. Ukugcinwa kuyimfihlo komhlanganyeli kubaluleke kakhulu kulolu cwano. Abahlanganyeli bazonikezwa amagama mbumbulu ngumcwaningi ukuze bavikele ubumfihlo babo

UKUVUMA (Hlela ngendlela obona ifanele)

Mina (Igama) ngazisiwe ngocwaningo olunesihloko esithi (bhala imininingwane) luka (bhala gama lomcwaningi/oqoqa ulwazi).

Ngiyakuqonda okuphokophelwe nokuyimigomo zalolu cwaningo (kubhale lokhu futhi uma kunesidingo).

Nginikeziwe ithuba lokuphendula imibuzo mayelana nocwaningo futhi ngithole izimpendulo ezingiculisayo.

Ngियाqinisekisa ukuthi ukubamba kwami iqhaza kulolu cwaningo akuphoqelekile futhi ngingayeka noma yinini nokuthi lokho ngeke kube nomthelela kwengikuzuzayo engijwayele ukukuthola.

Ngazisiwe ngazo zonke izinxephezelo noma ukwelashwa okutholalalayo uma ngilimala ngenxa yokuphathelene nocwaningo.

Uma ngineminye imibuzo/ukukhathazeka noma kukhona engidinga kucaciswe mayelana nocwaningo ngiyakuqonda ukuthi ngingathintana nomcwaningi (bhala imininingwane).

Uma nginemibuzo noma ukukhathazeka ngamalungelo ami njengobambe iqhaza, noma ngikhathazekile nganoma yiluphi uhlangothi locwaningo noma abacwaningi ngingathintana nabe:

**EZOKUPHATHWA KWEZENQUBONHLE KWEZOCWANINGO EKOLISHI LEZESINTU
ESIKOLENI SEZIFUNDO NGENHLALO YOMPHAKATHI**

Ihhovisi LezoCwaningo, iKhempasi i-Westville

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Ucingo: 27 31 2604557 - iFeksi: 27 31 2604609

I-imeyili: HSSREC@ukzn.ac.za

Ukuvuma okwengeziwe, lapho kudingeka khona

Ngiyavuma ukuthi kwenziwe lokhu:

Kuqoshwe ingxoxo yami/yeqembu

YEBO/CHA

Kuqoshwe ngevidiyo ingxoxo yami/yeqembu

YEBO/CHA

Kusetshenziswe izithombe zami ngezinhloso zocwaningo

YEBO/CHA

Ukusayina kobambe iqhaza

Usuku

**Ukusayina Kowufakazi
(Uma kunesidingo)**

Usuku

**Ukusayina Kohumushayo
(Uma kunesidingo)**

Usuku

Appendix 5: Interview Guide: Community Members



ANNEXURE B: INTERVIEW SCHEDULE GUIDE INTERVIEW QUESTIONS- COMMUNITY MEMBERS

Semi-structured Interviews

- Are you familiar with general principles of restorative justice?
- Have you ever participated in any of the restorative justice practises before?
- For what type of crime/ incidents are restorative justice practices initiated?
- Where do these processes take place?
- How are the meetings between the offender, victim, families and community members set up or arranged?
- At which stage or stages of the criminal justice process should restorative justice process be adopted?
- How do you feel about victims and offenders having other people (supporters) during mediation?
- Do you believe that the use of community members as mediators programme is effective?
- Do you believe that the restorative justice programme enables the offender to take responsibility for the harm done to the victim and the community?
- In your opinion, how does the restorative justice programmes contribute to the healing of the victim, the offender and the community at large?
- How do you determine whether or not these programmes have made a difference to the offenders, victims and the community at large?
- Do you think the programmes address the needs of the victim and the offender? Explain your answer.
- Is there anything else you would like to add?

Appendix 6: Interview Guide: Key Informants



ANNEXURE A: INTERVIEW SCHEDULE GUIDE INTERVIEW QUESTIONS- Organisation members (Key Informants)

SEMI-STRUCTURED INTERVIEW

1. Demographics
 - Occupation
 - Gender
 - Race
 - Name of Organisation
2. Is South Africa your country of citizenship?
3. If not where are you from?
4. How did you become part of your organisation?

Perceptions of community members on restorative justice programmes

5. In your opinion, does the community play a role in the mediating process? If so, what role does it play?
6. In your opinion, do the restorative justice programme(s) enable the offender to take responsibility for the harm done to the victim and the community?
7. What are the measures that have been done to make these programmes known to the community?
8. Whose responsibility do you think it is to prevent crime in your area and do these programmes help the community in any way?
9. What do you think can be done to improve these programmes in the area?

Effects of Restorative Justice Programmes on recidivism

10. What role do you think community members, victims and offenders play in the prevention of recidivism?
11. Do you think that the support given to the offenders during and after the programmes reduces recidivism?
12. What are some of the main challenges that you have experienced in terms of family support and involvement during these programmes?
13. Do you think that these, programmes are effective in reducing recidivism?
14. If not why?
15. What methods of restorative justice do you feel are most effective to reducing recidivism?

Psychological benefits of Restorative Justice on the victims and offenders of crime

16. How do you feel about victims and offenders having other people present during mediation?
17. Is there any difference in the way victims and offenders feel after the restorative justice interventions?
18. Do you think these programmes are effective in terms of healing both the offender and the victim?
19. What successes have these programmes achieved in terms of the psychological wellbeing of both the offenders and victims of crime?
20. Do you think both the offender and the victim are able to express themselves in terms of the impact of the crime, the losses and the harms sustained?
21. Is there anything else you would like to add.

Appendix 7: Letter of Editing



Mufasa Research Consultancy **SERVING WITH DISTINCTION**

16 August 2024

To Whom It May Concern,

Re: Editor's Letter

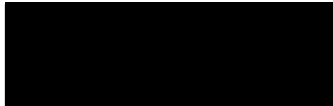
PERCEPTIONS OF COMMUNITY MEMBERS ON RESTORATIVE JUSTICE PROGRAMMES ON OFFENDERS AND VICTIMS OF CRIME: A CASE STUDY OF CATO MANOR IN DURBAN KWAZULU-NATAL

Below is the scope considered during language editing of the above titled doctoral thesis:

- Grammar check
- Sentence construction
- Spelling check
- Punctuation
- In-text referencing
- Formatting/document layout

As a professional editor, I pledge that the above aspects of the doctoral thesis were, to the best of my knowledge, meticulously and correctly done at the time the work was sent to the candidate. However, I am not responsible for any corrections that were made after the editing process finalised.

Yours faithfully,



Kemist Shumba (PhD)

PhD in Health Promotion: University of KwaZulu-Natal [UKZN]
Master of Social Science in Health Promotion (*Cum laude*): UKZN
Bachelor of Social Science Honours in Cultural & Media Studies: UKZN
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Appendix 8: Turnitin Report

TO EXPLORE THE PERCEPTIONS OF COMMUNITY MEMBERS
ON RESTORATIVE JUSTICE PROGRAMMES ON OFFENDERS AND
VICTIMS OF CRIME IN CATOMANOR, DURBAN

ORIGINALITY REPORT

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