

The 'Measuring Justice' toolkit



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Findings from the Justice project advocate for re-framing the way we, as a society, think about justice, moving away from the central idea of justice as criminal or legal justice (which rarely provided 'justice' for survivors of gender based violence) and adopting a more nuanced, survivor-focussed perception of 'justice'.

This toolkit has been developed to help you, as specialist GBV service providers:

- ✓ Have the conversation with clients /service users about the different forms of 'justice' in its broadest sense (i.e. beyond criminal justice system outcomes including wider accountability and empowerment)
- ✓ Consider what justice means to your clients /service users and what justice would look like to them
- ✓ Reflect on whether your clients / service users achieve their own idea of justice
- ✓ Understand what your particular role may be in helping your clients/service users to achieve their own justice
- ✓ Explore whether there is anything more you can do to improve their access to (their) justice
- ✓ Think through how you might measure a more survivor-focused justice/ evaluate your full value

New evidence from the ESRC-funded 'Justice, Inequality and Gender Based Violence' project 2015-2018¹ (the Justice project) regarding the more nuanced, survivor-focussed notion of 'justice' has implications for how we think and talk about justice, which in turn has implications for how we measure justice. The evidence on how specialist domestic and sexual abuse advocates work to break down multi-level barriers to help-seeking and justice faced by survivors also has implications for how we evaluate the value of such support services.

Outcome measures and evaluation can differ widely between specialist support services, often depending on the way those services are funded and the level of knowledge or understanding of gender-based violence (GBV) held by service funders². Drawing on the findings from the Justice project, which represents the most comprehensive overview of survivor voices and perspectives on justice, this toolkit aims to offer a basis from which to review / update / expand existing outcome measurement frameworks and re-consider the way the full impact of specialist GBV support services might be captured.

Who is the toolkit for?

Designed primarily with specialist GBV support services in mind (but also hopefully useful for service funders) this toolkit has been produced to help show that, by re-framing the way they think and talk about justice with survivors (to explore all potential forms of justice not just criminal justice), they might maximise and/or better capture their impact in terms of narrowing the 'justice gap' that still exists for survivors of GBV.

What is in the toolkit?

The toolkit contains a series of leaflets to help specialist GBV support services (and/or funders) through the process of

defining and measuring 'survivor-focused justice' (i.e. justice as both an outcome and a process).

The '**Measuring Justice for Survivors of Gender Based Violence: Overview**' booklet introduces the findings of two ESRC-funded projects upon which this toolkit is based: the 'Justice, Inequality and Gender-Based Violence' project and the 'Narrowing the Justice Gap for Survivors of Gender-Based Violence' project³.

Drawing on data from interviews with 251 survivors of GBV from across England and Wales (plus 40 practitioners who work with survivors) the '**Descriptions of justice and injustice**' leaflet provides examples of the different ways that survivors described what 'justice' and 'injustice' meant to them. It shows how the different meanings of justice span four socio-ecological levels⁴ (individual; interpersonal; institutional; societal) and are often contradictory to how the (adversarial) criminal justice system is set up.

The '**What does justice mean to survivors?**' leaflet summarises the different types of survivor-focused justice and (the circle diagram) positions them in terms of where they sit in relation to the individual, interpersonal, institutional or wider societal level and whether they are more process or outcome related.

You can use this leaflet to help you:

- ✓ think /talk through what justice might mean to your clients/service users and how this might impact on your own work;
- ✓ reflect on your own position within this model; and
- ✓ (thinking about the notions of justice and injustice) explore some of the challenges which might limit practitioner /agency action.

Talking about justice

Consultation with advocates at domestic abuse organisation My Sister's Place suggested it may be useful for service providers to talk to clients/service users about justice upon initial engagement, as part of the needs identification process. It may be useful to present the idea that justice may come in different forms, is subjective, unique and personal to each individual. This may open up the possibilities for justice that go beyond a police or court outcome, as one IDVA suggested,

[justice] is a word that is bandied about a lot particularly by people who come into the service but actually I think maybe before I may have automatically presumed what that justice was, as oppose to asking quite specifically what justice would look like for them. So that's definitely one way [practice has changed] I'm finding I am much more confident, and I actually find it quite empowering to have those conversations with clients. (IDVA)

Thus we would suggest that specialist service providers and advocates discuss with their clients/service users what justice might mean (in addition to criminal justice system outcomes e.g. wider accountability in the form of recognition or acknowledgment from the perpetrator/ wider family/ the community or statutory agencies) and what justice would look like for them personally.

The '**Enabling Justice: The Role of Specialist Advocacy**' leaflet illustrates examples, from our research findings, how specialist services/advocates enabled justice by breaking

down many of the barriers to justice faced by survivors. This may be useful when thinking through how you evaluate the work that you do with survivors.

Survivor focused outcome measurement

There are a number of survivor focused outcome measurement frameworks currently in use by specialist domestic and sexual violence and abuse services across the UK⁵. These include On-Track (Women's Aid)⁶; Insights⁷ (Safelives) ; IMPACT⁸ (Refuge) ; Synthesis Tool (Imkaan)⁹; The Domestic Violence Intervention Programme (DVIP) evaluation tool¹⁰ and The Empowerment Star¹¹. However, these frameworks do not currently include outcome measures that fully resonate with the nuanced, multifaceted perceptions of justice as described by survivors of GBV for the Justice project.

The 'Wider Justice Outcomes' leaflet in this toolkit lists the broader justice outcome measures developed in consultation with advocates at My Sister's Place to ensure they reflected their experiences and that of their clients/service users. Discussions with advocates indicated it would be beneficial to record a client/service user's understanding of what justice means to them specifically, along with their thoughts and

feelings about the criminal justice process as well as the outcome.

The measures relate to a number of wider 'routes to justice' identified by survivors in the Justice project including: wider accountability; procedural justice (e.g. informational and/or interactional justice¹²); affective justice¹³; protection from further or future harm (for themselves, their children and others); agency and voice; and being believed.

The intention in developing these additional outcome measures was to enhance the current justice outcome monitoring framework used in order to better reflect the justice outcomes that matter to survivors¹⁴.

The aim of this toolkit is to explore the use of justice outcomes that are more aligned with survivors' perceptions of justice and which include issues related to procedural justice (including 'interactional' justice) and to the idea of justice as accountability which can go beyond court outcomes. Thus, it is hoped that by incorporating these additional outcomes measures we may capture the full value of specialist support services and advocacy in terms of helping survivors of GBV to achieve 'justice' in its widest sense.

Publications related to the Justice, Inequality and Gender Based Violence project

Williamson, E., Eisenstadt, N., et al (forthcoming) Action, Engagement, Remembering: Victims-Survivors (v-s) of Gender Based Violence (GBV), Perspectives on Justice.

Gangoli, G., Bates, L. and Hester, M. (2019) What does justice mean to black and minority ethnic (BME) victims/survivors of gender-based violence? Journal of Ethnic and Migration Studies. <https://www.tandfonline.com/doi/full/10.1080/1369183X.2019.1650010>

Lilley-Walker, S-J., Hester, M., McPhee, D and Patsios, D (2019) Rape and the criminal justice response in England: the importance of age and gender. Criminology and Criminal Justice. <https://journals.sagepub.com/doi/10.1177/1748895819863095>

Gangoli, G., Gill, A., Mulvihill, N. and Hester, M. (2018) Perception and barriers: reporting female genital mutilation. Journal of Aggression, Conflict and Peace Research 10(4): 251-260. <https://doi.org/10.1108/JACPR-09-2017-0323>

Lilley, S-J and Hester, M. (2018) Enabling a survivor-focused justice in Safe: The Domestic Violence Quarterly (68) 18-21. <https://www.womensaid.org.uk/research-and-publications/safe/>

Mulvihill, N., Gangoli, G., Gill, A.K. and Hester, M. (2018) The experience of interactional justice for victims of 'honour'-based violence and abuse reporting to the police in England and Wales. Policing and Society. <https://www.tandfonline.com/doi/full/10.1080/10439463.2018.1427745>

Mulvihill, N., Walker, S-J., Hester, M., and Gangoli, G. (2018) How is 'justice' understood, sought, and experienced by victims/survivors of gender-based violence? A review of the literature. [pdf] Bristol: University of Bristol.

Hester, M. and Lilley S-J. (2017) More than support to court: rape victims and specialist sexual violence services. International Review of Victimology 24 (3)

313-328 <http://journals.sagepub.com/doi/pdf/10.1177/0269758017742717>

Hester, M., Gangoli, G., Lilley, S-J., Mulvihill, N. and Turner, W. (2017) Research: Justice, inequalities and gender-based violence. Safe: The Domestic Violence Quarterly (58) 22-25. <https://www.womensaid.org.uk/research-and-publications>

Hester, M. and Lilley, S-J. (2017) Rape investigation and attrition in acquaintance, domestic violence and historical rape cases. Journal of Investigative Psychology and Offender Profiling. 14 (2) 175-188 <https://onlinelibrary.wiley.com/doi/10.1002/jip.1469>

Briefing papers

Lilley-Walker, S-J. and Hester, M. (2019) Policy evidence summary 4: Justice, housing and domestic abuse, the experiences of homeowners and private renters. <https://survivingeconomicabuse.org/new-report-demonstrates-need-for-whole-housing-approach-for-victim-survivors-of-domestic-abuse/>

Bates, L., Gangoli, G., and Hester, M. (2018) Policy evidence summary 1 - Migrant women. <https://www.bristol.ac.uk/sps/research/projects/current/justiceequality/>

Bates, L. and Hester, M. (2018) Policy evidence summary 2 - Protection orders for domestic violence. <https://www.bristol.ac.uk/sps/research/projects/current/justiceequality/>

Bates, L., Lilley-Walker, S-J. and Hester, M. (2018) Policy evidence summary 3 - Specialist advocacy for domestic and sexual violence. <https://www.bristol.ac.uk/sps/research/projects/current/justiceequality/>

Blogs

<https://policystudies.blogs.bristol.ac.uk/>
<https://policystudies.blogs.bristol.ac.uk/2016/11/17/gender-violence-and-justice-what-does-justice-look-like/>

¹ ESRC Grant number ES/M010090/1

² We use the term 'fundlers' to include both charitable funders and public sector commissioners

³ ESRC Grant number ES/M500410/1

⁴ See Heise, L.L. (1998) Violence Against Women: An Integrated, Ecological Framework. Violence Against Women 1998 4(3) pp262-290 <https://journals.sagepub.com/doi/abs/10.1177/1077801298004003002> and Hagemann-White, C. et al (2010) Factors at play in the perpetration of violence against women, violence against children and sexual orientation violence - A multi-level interactive model. European Commission Feasibility study to assess the possibilities, opportunities and needs to standardise national legislation on violence against women, violence against children and sexual orientation violence. Luxembourg: Publications Office of the European Union.

⁵ Big Lottery Fund (2016) Review of Domestic Abuse Outcome Measurement Frameworks see <https://www.cordisbright.co.uk/admin/resources/erevalreviewdomesticabuseoutcomemeasurementframeworks.pdf>

⁶ <https://www.womensaid.org.uk/what-we-do/ontrack/>

⁷ <http://safelives.org.uk/practice-support/resources-domestic-abuse-and-idva-service-managers/insights>

⁸ <http://impactbyrefuge.org.uk/>

⁹ <https://www.imkaan.org.uk/>

¹⁰ <https://dvip.org/>

¹¹ <http://www.outcomesstar.org.uk/using-the-star/see-the-stars/empowerment-star/>

¹² Laxminarayan (2012) identifies 'informational justice' as receiving adequate information about the justice system and 'interpersonal justice' referring to being treated with dignity and respect during the justice process. Laxminarayan, M et al (2012) Procedural and interactional justice: a comparative study of victims in the Netherland and New South Wales. European Journal of Criminology 9 (3) pp260-275.

¹³ Affective justice refers to emotive or sentimental aspects of penal policy, the type of justice that satisfies emotions and feelings, the psychological needs of the victim/survivor. Effective justice refers to

¹⁴ Natcen (2015) A briefing for service providers and commissioners: Measuring outcomes for survivors of violence and abuse (REVA project) Briefing 5 <https://www.dmss.co.uk/pdfs/REVA-Brief-5-Guidance-for-service-providers-and-commissioners-FINAL-071015.pdf>

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Measuring Justice for Survivors of Gender-Based Violence: Overview

What does justice mean to victims/survivors?



Introduction

Research, and government policy, recognises the undeniable value of domestic and sexual violence advocacy not only to individual survivors of gender-based violence (GBV) but also to the local response to survivors via work with statutory partners. Specialist advocacy adds to the value to the criminal justice response by improving survivors' experience of the criminal justice process and 'holding' them within that process to reduce the likelihood of withdrawal and increase the opportunities for conviction¹ as well as facilitating a report to the police in the first place². However, criminal justice is only one type of justice and one that is not pursued nor achieved by all survivors of GBV. Previous research points to a wider 'justice gap' that goes beyond attrition within the criminal justice system (CJS), to a wider gap in terms of what 'justice' means. Research also suggests that attrition within the CJS can demonstrate positive as well as negative choices by survivors. Many survivors of domestic and sexual violence and abuse, forced marriage or so-called 'honour' related violence, do not wish to pursue a formal response via the criminal justice system. Does that mean that these survivors never achieve 'justice'? If not, what does 'justice' actually mean to survivors of gender-based violence? The ESRC funded 'Justice, Inequality and Gender Based Violence' research project 2015-2018³ (hereafter the Justice project) set out to answer this question.

The Justice, Inequality and Gender Based Violence Project

To close the knowledge gap that exists regarding justice, inequality and gender-based violence. In partnership with Women's Aid and Welsh Women's Aid, a team of researchers from the universities of Bristol, Cardiff and West of England conducted a large piece of research to explore how survivors understand, experience and perceive 'justice' in its widest sense. The key objectives of the Justice project were:

1. To close the knowledge gap that exists regarding justice, inequality and gender-based violence
2. To address how 'justice' (in its wider sense) is understood, sought and experienced by victims-survivors of GBV and key practitioners
3. To produce findings that will contribute to the enhancement of justice for victims-survivors of GBV by influencing academic and policy debates in the UK and elsewhere, and will be fed into the practice of GBV, justice and related service providers at the national and local levels
4. To explore experiences and perceptions of 'justice' related to a range of criminal, civil and alternative forms of justice and their intersection with different types of GBV and forms of inequalities.

Method

Stage 1: Extensive literature searches / review to inform the development of the research tools and database of national and international literature relating to justice, inequality and GBV and 'models' of justice.

Stage 2: Quantitative analysis of trajectories of rape and DVA cases through the criminal justice system as indicated through police data and linked to inequalities PLUS quantitative analysis of survivors use of Women's Aid services, inequalities and justice links/outcomes (criminal, civil and family).

Stage 3: Qualitative analysis of the experiences and perceptions of survivors regarding justice, inequalities and GBV to identify enablers of and barriers to justice and qualitative perceptions of professionals/ practitioners regarding justice, inequality and GBV. **Stage 4:** Synthesis of quantitative police and non-CJS agency data and qualitative interview data using the socio-ecological model to draw together themes and groups (inequalities, justice forms) linking Stage 1, Stage 2 and Stage 3.

The Justice project team:

Bristol University: Dr Hilary Abrahams, Dr Nadia Aghtaie (CI), Dr Lis Bates, Dr Nathan Eisenstadt, Dr Geetanjali Gangoli (CI), Professor Marianne Hester (PI), Dr Andrea Matolcsi, Dr Natasha Mulvihill, Dr William Turner (CI), Mary Wakeham, Sarah-Jane Walker, Dr Emma Williamson (CI). **Cardiff University:** Dr Amanda Robinson (CI). **University of the West of England (UWE):** Duncan McPhee (CI), Professor Philip Rumney (CI), Anneleise Williams. **Welsh Women's Aid:** Gwendolyn Sterk and **Women's Aid:** Lizzie Magnusson

Findings: What is justice?

A nuanced picture of what justice means to survivors of GBV emerged from the research with 'justice' perceived to be much more than formal (criminal) justice. In its widest sense, justice was predominantly conceptualised as: (1) accountability (including punishment, rehabilitation, recognition of harm the perpetrator and/or the community, divine accountability and revenge); (2) fairness of outcome; (3) fairness of process (just as important as fairness of outcome); (4) protection from further /future harm (for themselves, their children and others); (5) agency and voice; (6) being believed; (7) empowerment; (8) social transformation (societal / cultural change leading to the eradication of GBV); (9) affective justice (the sense or feeling that justice has been done); and (10) reparation (payment for harm done, including financial payment for damages).

Interviews with survivors and practitioners also revealed the diverse role of specialist GBV support services, and how the emotional and practical support provided by advocates work to break down the barriers to help-seeking and justice, predominantly at the individual level but also at the interpersonal or community level, institutional level and wider, societal level.

Narrowing the justice gap

The Justice project demonstrated that the wider justice gap is both complex and little understood and improved understanding of the routes to justice and how the knowledge gap between justice, inequality and gender-based violence might be bridged. In order to maximise the use (and thus impact) of the Justice project findings a Knowledge Exchange Fellow (KEF) from the University of Bristol was situated within an influential domestic abuse organisation (My Sister's Place⁴) as part of an ESRC funded impact acceleration project⁵. A key objective of this project was to translate the Justice project findings into practice and/or policy to enhance agency effectiveness (and reduce the time lag between research completion and its use to benefit third sector and statutory organisations that work to support survivors of GBV (the ultimate beneficiaries). The KEF worked with My Sister's Place to share and embed the learning from the research

outputs and produce guidance on measuring survivor-focused justice outcomes so that My Sister's Place might have systems in place to use research knowledge to inform their work with survivors as well as with other specialist organisations, statutory agencies or criminal justice actors.

Survivor-focused outcomes

My Sister's Place uses the Women's Aid On-Track case management system⁶ to collect a wide range of information to monitor and measure progress and impact. This includes information regarding accommodation; finances; safety and risk assessments; physical health; mental health and wellbeing outcomes (based on the Warwick-Edinburgh Mental Well-Being Scale⁷). The system also collects information about criminal justice (and family court) outcomes for each client, including charges, any counter allegations made, court orders and convictions. Information regarding pre-trial support, special measures and whether the trial proceeded with or without survivor support, is also recorded within the system. Criminal justice outcomes are completed on the system post sentencing, and any additional notes recorded (e.g. any other resources and/or documents related to outcomes or the client).

The KEF worked with My Sister's Place (in particular an IDVA supporting clients whose cases were being heard at the Specialist Domestic Violence Court) to develop additional justice outcome measures based on the Justice project findings. These wider justice outcome measures related in the main to clients' perceptions of accountability; affective or effective justice; belief and recognition or procedural justice. The aim of developing these measures was to see if we could improve the way we capture how survivors themselves felt about the outcome in their case and to measure whether the survivor felt they had achieved 'justice', whatever the criminal and/or family court outcome. Draft outcome measures were developed and refined based on consultation with domestic abuse advocates /support workers from My Sister's Place to test whether they adequately reflected their experiences of working with survivors and how they perceived justice.

Widening justice outcomes

In the light of the research findings regarding survivor-focused justice and the role of specialist advocacy in achieving survivor-focused justice, the evidence suggests specialist support services can, and do, offer multiple routes to 'justice' (in its widest sense) by facilitating both **Accountability and Empowerment** (a kind of survivor A&E). This has implications for evaluating the added value of specialist support services in terms of achieving justice for survivors, in addition to or beyond improving formal, criminal justice outcomes.

The IAA project found when measuring 'justice' service providers need to think and talk about justice in a different way. How do specialist GBV services define, and thus measure, justice as perceived by their clients/survivors? Typically, 'justice' measures within existing outcome monitoring frameworks focus only on criminal justice system

outcomes – and often ignore criminal justice processes. However, justice may also relate to achieving other forms of accountability (of the perpetrator, community, agencies or wider) in addition to the processes and outcomes of empowerment.

Consultation with IDVAs at My Sister's Place indicated that thinking and talking about justice to clients in a different way can have a positive and empowering effect for both service providers and survivors,

It was quite easy to get disheartened about a case I worked on for some months, where the survivor made a choice to reconcile with the husband. However she spoke about justice without being prompted, she felt she wanted to make this decision because she had "justice" as he admitted to his and her family about his behaviour. There will be intense social care involvement with the family as a consequence, however the survivor feels she has met her justice. As an IDVA I would always promote rights and options/choices. It was surprising to hear the survivor referring to "justice"[and] warming at a time I am about to close the case, that the support was very meaningful to her [...] whilst the criminal case was dropped, she's not left with any void. Her outcomes have continued to improve via the Warwick-Edinburgh [wellbeing scale] and she feels she has found justice. She definitely found that "recognition" significant. (IDVA)

I am hearing my clients talk about it in a slightly different way. I had a client recently who wanted to make withdrawal statement to police. She wanted to withdraw her complaint but she actually put within her withdrawal statement that she was going 'to get her justice in a different way'. And I thought that was really quite powerful, not only to be talking about it within an IDVA service but telling the police and the CPS that actually 'my justice is gonna come from me and my son being happier' and I thought that was really quite key, to be telling other professionals that 'my justice can come in a different way than this criminal case'. (IDVA)

The findings of both projects suggest existing 'justice' outcomes should and could better reflect survivor and practitioner experiences related to the criminal justice process.

It is hoped that identifying the multifaceted 'routes to justice' as defined by survivors of GBV services can identify their 'routes to impact' and enhance the way they measure the value of their services.

By taking the meaning of 'justice' (in its widest sense) for survivors (as evidenced by the Justice project findings) and applying it to the work of specialist GBV support services we can start to understand their 'routes to impact' and how the value of such services could be measured.

It is also hoped the research findings will help to re-frame / widen the way justice might be conceived by survivors of GBV (particularly in the absence of effective criminal justice outcomes) and by practitioners providing essential support to those survivors.

¹ See Lovett et al (2004) Home Office Research Study 285 Sexual Assault Referral Centres: developing good practice and maximising potentials. London: Home Office; Robinson, A.R. (2009) Independent Sexual Violence Advisors: A process evaluation. Cardiff: University of Cardiff

² See Stern, V (2010) The Stern Review: a report by Baroness Stern CBE of an independent review into how rape complaints are handled by public authorities in England and Wales. London: Home Office; Coy et al (2011) Islands in the Stream: An evaluation of four London independent domestic violence advocacy schemes. London, London Metropolitan University; Howarth et al (2009) Safety In Numbers: A Multi-site Evaluation of Independent Domestic Violence Advisor Services. London, The Hestia Fund and The Henry Smith Charity; Robinson et al (2009) A process evaluation of Ynys Saif, the Sexual Assault Referral Centre in Cardiff: Final evaluation report. Glamorgan University; Hester et al (2017) More than support to court: rape victims and specialist sexual violence services. International Review of Victimology 1-16; Brooks et al (2017) Reporting rape: Victim perspectives on advocacy support in the criminal justice process. Criminology & Criminal Justice Vol. 17(2) 209-225.

³ bristol.ac.uk/sps/research/centres/genderviolence

⁴ My Sisters Place, based in Middlesbrough, North East England, is an independent specialist domestic abuse service for women, aged 16 years and over. A full member of Women's Aid, they are a feminist organisation that offers a confidential, women-only space and needs-led, trauma-informed approach to domestic abuse See mysistersplace.org.uk/about-us/who-we-are

⁵ ESRC Impact Acceleration Award 'Narrowing the Justice Gap for Survivors of GBV (grant ES/M500410/1)

⁶ Case management system which allows Women's Aid member services to collect evidence against the Imkaan and Women's Aid National Outcomes Framework. See womensaid.org.uk/what-we-do/ontrack

⁷ The Warwick-Edinburgh Mental Well-being Scale (WEMWBS) is a 14 item scale of mental well-being covering subjective well-being psychological functioning in which all items are worded positively and address aspects of positive mental health - uses a 1-5 Likert scale ranging from 'none of the time' to 'all of the time'. See www.mentalhealthpromotion.net/userguide

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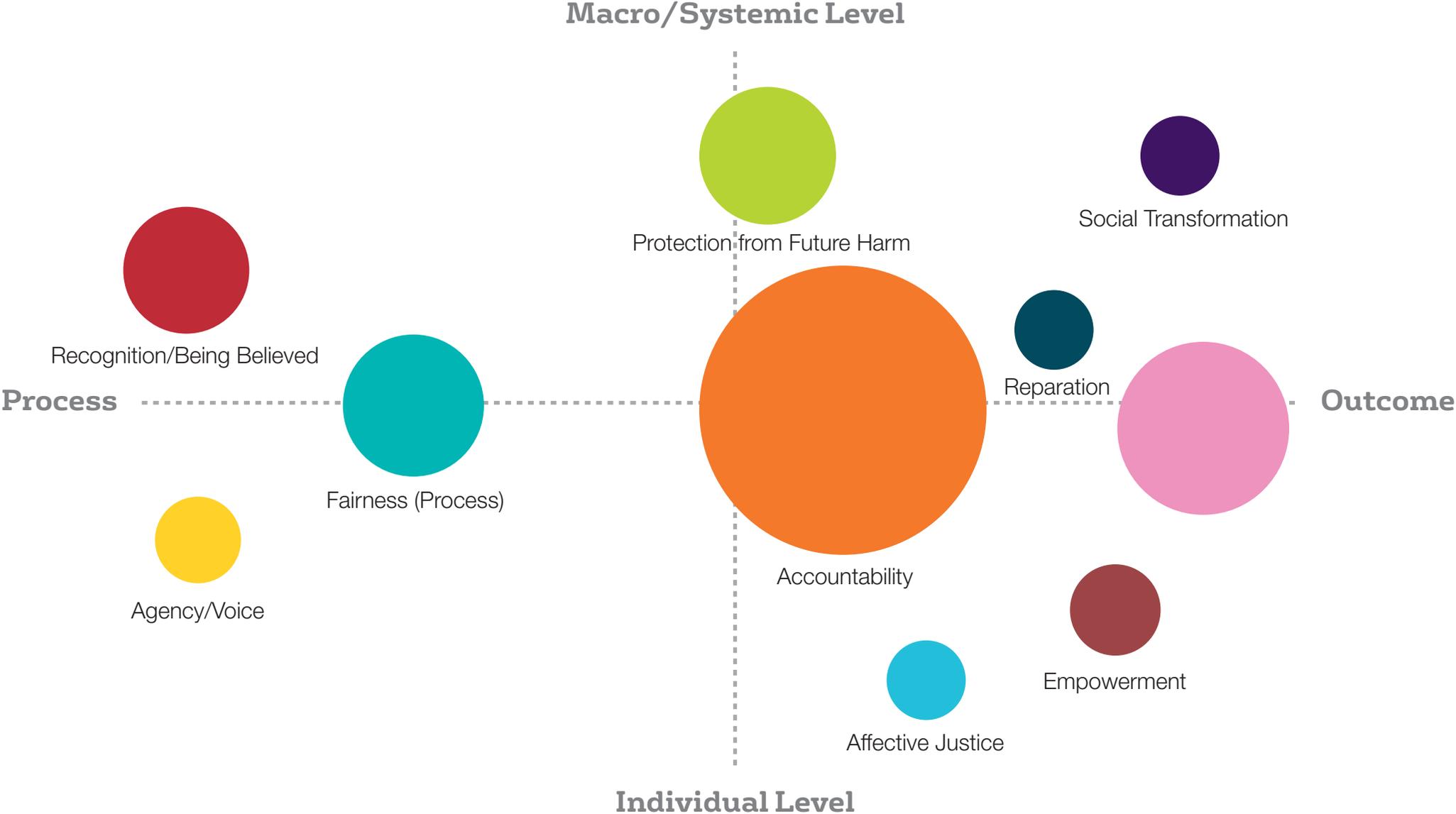
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What does justice mean to survivors?



Created by Nathan Eisenstadt (2018) University of Bristol. Based on data from the Justice, Inequality and Gender Based Violence project (ES/M010090/1)

What does justice mean to survivors?

The Justice project found survivors of gender based violence (GBV) consider justice in different ways, depending on where they are in their own journey. Analysis of interview data identified the following **meanings of or 'routes to' justice**:

Accountability was the most commonly cited form of justice referring to the perpetrator being held to account. This notion was most frequently referred to in terms of formal /criminal punishment but also included the concepts of perpetrator rehabilitation; revenge or retaliation and divine accountability or spiritual justice.

Fairness /equality of outcome Justice relates to the fairness of the criminal /civil /family justice outcome. For many of those who did seek justice, the outcome was described by survivors as inadequate or negatively disproportionate to the harm caused by the abuse.

Fairness / equality of process refers to the transparency, efficiency and fairness of the criminal / civil /family justice process, perceptions of justice depending on whether the survivor received adequate information or was treated with dignity and respect during the process.

Recognition refers to the importance of belief, especially by those held in high-esteem e.g. close friends, family and authorities. Not being believed, despite in some cases disclosing to more than one person/ agency, was frequently reported as a form of injustice.

Protection from further / future harm Justice in the sense that the survivor, and others, are protected from further harm by the perpetrator in the future. Also refers to the notion that the justice process does not result in any further / additional harm.

Empowerment refers to justice as improved self-efficacy, self-confidence, independence or resolve, allowing the survivor to recover from the harm done, and to move on with their life (whether the perpetrator was held to account or not, punished or not).

Agency and voice Justice was often referred to as being 'heard', as having a voice and/or choice in the process and regaining a sense of agency which had been taken away from the survivor as a result of the abuse they had experienced.

Reparation refers to the sense that something has been done to repair the harm done and was commonly referred to in terms of the financial or distributive aspects of justice such as recognition of the economic loss experienced (e.g. housing, job, credit status) as a result of GBV and control.

Affective justice refers to the emotive or sentimental aspects of penal policy /criminal justice, the type of justice that satisfies the psychological needs of the survivor, a sense of 'healing' or a cathartic process perhaps leading reduction in anger or desire for revenge. Justice can be formal, non-informal, or illegal - whatever makes the survivor feel vindicated.

Social transformation refers to perceptions of justice as wider social change so that GBV is no longer tolerated, through the elimination of attitudes, beliefs and behaviours that allow violence against women to happen (e.g. the eradication of rape culture or misogyny).



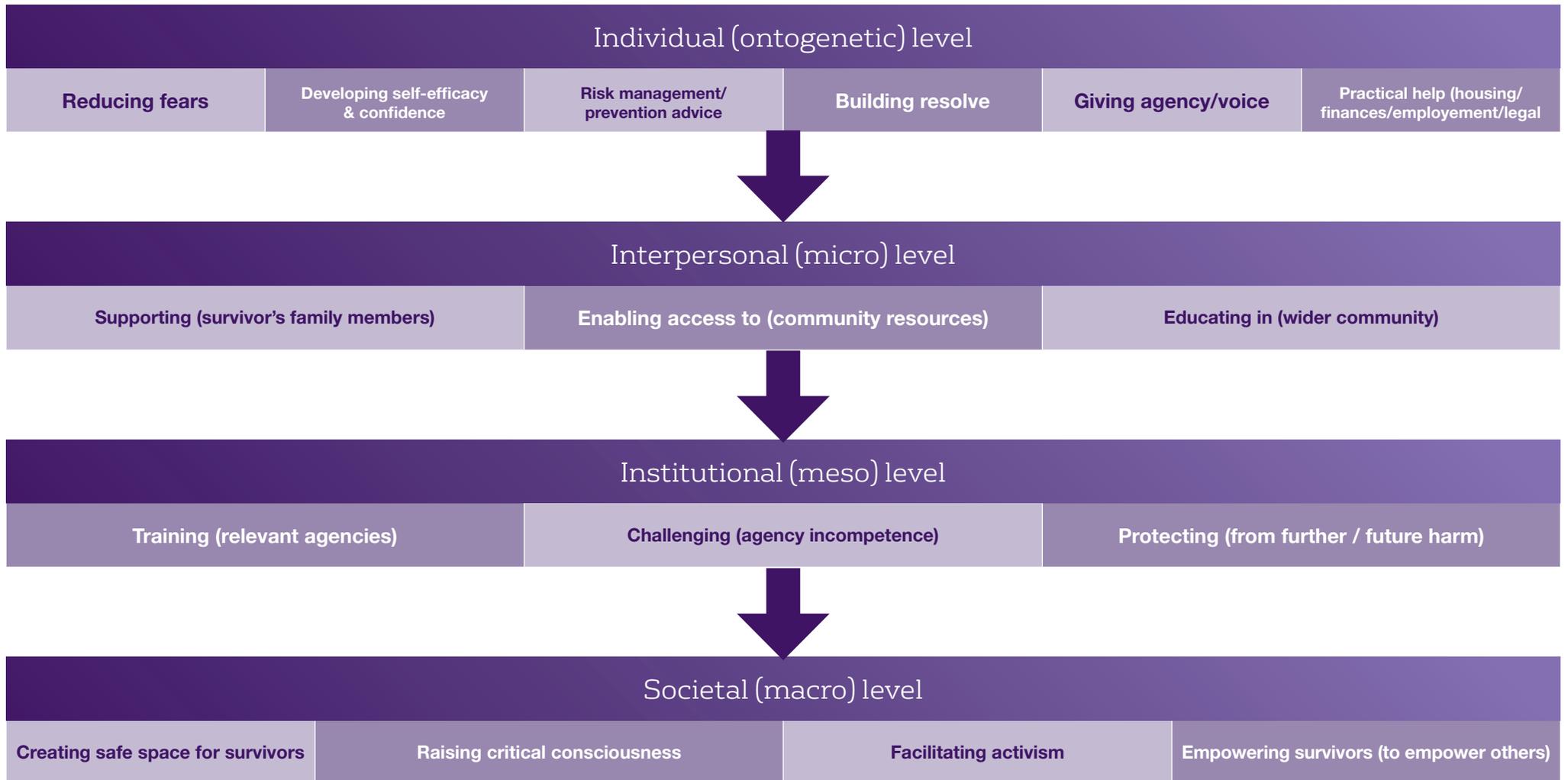
Descriptions of justice and injustice

	Justice	Injustice
Individual	<ul style="list-style-type: none"> • It's a 'personal thing' for each survivor • Recovery: 'getting back your body/mind' • Being safe • Empowerment • Closure and moving on 	<ul style="list-style-type: none"> • Self-blame • Denial • Victimisation in childhood • On-going situation/not safe/still fearful
Micro/Interpersonal	<ul style="list-style-type: none"> • Both sides are heard equally • Being listened to/Validated • The impact of the abuse has been recognised • Using experience to help others 	<ul style="list-style-type: none"> • Survivor's account not believed (e.g. especially by parents) • Negative impact of abuse not recognised • Friends/family 'duped' by perpetrator
Meso/Community	<ul style="list-style-type: none"> • Perpetrator being held accountable • Suitable punishment: 'getting what's deserved' • Perpetrator accepting blame, apologising, never hurting anyone else • Empathy/humour from professionals • Religious faith offers comfort e.g. Karma 	<ul style="list-style-type: none"> • No punishment/consequences for perpetrators • Punishment does not fit the crime • Perpetrator does not accept blame, will go on to victimise others • Routine discourtesy from professionals • Religious institutions: conspiracy of silence
Macro/Societal	<ul style="list-style-type: none"> • Social example e.g. Hillsborough and Saville • Popular media e.g. The Archers • New Laws e.g. coercive control • Raising awareness through education 	<ul style="list-style-type: none"> • Low status of Survivor/children in courts e.g. cross-examination, presumption of contact • Male dominated institutions • Inadequate government funding of services

Based on interviews with 251 survivors of gender based violence this table presents examples of how survivors described justice and injustice and how these perceptions of justice traverse the different socio-ecological levels. Survivor's perspectives on 'justice' were often contradictory to how the (adversarial) criminal justice system is set up

The role of specialist advocacy in enabling survivor-focused justice

Specialist domestic and sexual abuse support services and advocates/support workers enable or offer routes to justice, for survivors by breaking down some of the barriers to justice and/or help-seeking. These 'routes to justice' can be seen at the four socio-ecological levels:



Enabling Justice: The Role of Specialist Advocacy

Level (individual/ontogenetic)

Barriers to justice

- Not recognising abuse
- Self-blame / childhood abuse
- Fear of police / social services
- Previous negative experiences of police / social services
- Poor mental health (as result of abuse)
- Unaware / unable to access help
- Lack of financial resources / legal aid
- Fear of legal / court system

Enablers of justice (individual advocacy)

- Giving agency & voice (via consultations, impact statements)
- Knowledge / preparation (e.g. court)
- Support to claim CICS (financial justice / validation / control)
- Improving understanding about abuse(er)
- Risk management (prevention)
- Help to articulate personal goals
- Support to report (police / social services)
- Resistance strategies
- Specialist / trauma-informed counselling
- Expectation management (police / CPS / social services)
- Education /myth busting about agencies/procedures
- Support to understand /work through experiences

Level (community/micro)

Barriers to justice

- Continued abuse via perp's family / friends
- Not being believed by own family members
- Normalisation of abuse within community
- Threats made by perpetrator
- Perpetrator manipulating agencies
- Reluctance to involve police (e.g. if family 'known' to police)
- Isolation / being shunned
- No support network
- Financial abuse by perpetrator
- Stigma / shame

Enablers of justice (individual advocacy)

- Enabling access to community resources
- Raising awareness within the community about DVA (opening up the conversation)
- Education and support for family members of survivors
- Providing a supportive network for survivors (shared experiences)

Level (institutional/meso)



Barriers to justice

- Institutional discrimination / racism
- Agencies perceived as believing perpetrator not survivor
- Organisations not acting in interests of survivors / women
- Police not taking breaches of orders seriously
- Agencies / practitioners assuming survivors' needs
- Lack of female officers / doctors in SARCs
- Ineffective criminal justice response
- Routine discourtesy / attitude
- Not following policy / procedure
- Professional incompetence
- Inadequate service provision
- Legal costs
- Lack of link between NGOs and MH services



Enablers of justice (institutional advocacy)

- Routine courtesy and belief
- Help with housing issues
- Facilitating specialist /proactive legal advice
- Support with applications for court orders (NMOs, ROs, DVPOs etc)
- Ensuring agencies follow correct procedure
- Training and awareness raising for relevant CJS and non-CJS partners/ practitioners
- Building close relationships with relevant CJS and non-CJS partners /practitioners
- Help with legal aid / financial issues
- Help with employment / training access

Level (societal/macro)



Barriers to justice

- Repeated impunity for perpetrators
- Victim-blaming culture
- Social stigma of 'victim' label
- Legislation (e.g. property laws)
- Confusing 'elder' abuse with abuse of 'older' people
- Gender stereotyping
- Poverty / benefits system
- Rape myths
- Racism / discrimination



Enablers of justice (wider advocacy)

- Encouraging or facilitating activism / participation opportunities (volunteering / socials for survivors)
- Awareness raising /myth busting in wider community
- Promoting information about DVA services
- Campaigning / lobbying Government
- Creating women-only safe spaces
- 'Holding' survivors within CJS to reduce attrition
- Empowering survivors (who can then go on to empower others)

Wider Justice Outcomes

Tick all that apply	Yes	No	Partly	Who helped achieve this?
Do you feel like you got justice? (either what you expected / needed / wanted)?				
I am satisfied the perpetrator has been held accountable for what they did				
I am satisfied that the perpetrator has acknowledged their own abusive behaviour (E.g. via a guilty plea) ¹				
I am satisfied the perpetrator's abusive behaviour has been acknowledged ² <ul style="list-style-type: none"> • by my friends or family • by the perpetrator's friends or family • by / within the community • by the criminal justice system • by the family court system • other 				
I feel satisfied agencies / professionals took appropriate action against the perpetrator <ul style="list-style-type: none"> • specialist support service • police • CPS / criminal court • family court • social services • other 				
I feel satisfied agencies / professionals recognised the abuse and took my case seriously <ul style="list-style-type: none"> • specialist support service • police • CPS / criminal court • family court • social services • other 				
I feel satisfied agencies / professionals provided me with timely and/or accurate information about my case: <ul style="list-style-type: none"> • specialist support service • police • CPS / criminal court • family court • social services • other 				
I feel satisfied the court process was fair / that I had some choice or voice in the process				
I feel satisfied the perpetrator got what they deserved / the court <i>outcome</i> was fair or proportionate to the harm caused				

Tick all that apply	Yes	No	Partly	Who helped achieve this?
I feel satisfied as the perpetrator is getting the help they need [e.g. with mental health / substance misuse/ issues] ³				
I (and/or my children) feel safer / better protected as a result of the court outcome				
I feel the court sentence was too lenient / did not reflect the harm caused to me (and/or my children)				
I feel the court sentence was too long / was not what I wanted to happen				
I feel like I can move on with my life / I am no longer fearful				
Additional notes / comments				

Resources and capacity for outcome measurement must be built into service schedules to avoid taking time away from sessions with clients/survivors, which may be time limited. The wider justice outcomes proforma shown here was developed to fit with the existing outcome monitoring system used by My Sister's Place (On Track) for ease of completion, collation and comparison and in order to minimise the burden of outcome data collection.

The measures were developed to ensure they reflected the experiences of both the service provider and their clients/service users. Discussions with advocates indicated it would be beneficial to record a client/service user's understanding of what justice means to them

specifically, along with their thoughts and feelings about the criminal justice process as well as the outcome.

The measures relate to a number of wider 'routes to justice' identified by survivors in the Justice project including: wider accountability; procedural justice (e.g. informational and/or interactional justice⁴); affective justice⁵; protection from further or future harm (for themselves, their children and others); agency and voice; and being believed. The intention in developing these additional outcome measures was to enhance the current justice outcome monitoring framework used in order to better reflect the justice outcomes that are most relevant to survivors.

³ It is important to be mindful that a guilty plea does not necessarily mean the perpetrator has accepted /acknowledged their abuse as they may have been advised to do so by their legal team. However, in some cases a guilty plea in court may still provide the survivor with a form of validation / closure i.e. despite the motivation behind it.

² The acknowledgement of abusive behaviour could come from the friends/ family of either the survivor or the perpetrator and depends on the particular experience of each survivor and their relationship with those around them

³ If a case has gone through the court process it is possible the relationship has ended therefore the client/survivor may not necessarily know what support the perpetrator would receive.

However, some survivors in the Justice project reported wanting the perpetrator to get help e.g. with their mental health or problematic drugs/alcohol use issues.

⁴ Laxminarayan (2012) identifies 'informational justice' as receiving adequate information about the justice system and 'interpersonal justice' referring to being treated with dignity and respect during the justice process. Laxminarayan, M et al (2012) Procedural and interactional justice: a comparative study of victims in the Netherland and New South Wales. European Journal of Criminology 9 (3) pp260-275.

⁵ Affective justice refers to emotive or sentimental aspects of penal policy, the type of justice that satisfies emotions and feelings, the psychological needs of the victim/survivor.

Fairness in Process

I think justice as I say should be fair, and representation to the community of doing what is right for individuals within that and ensuring that everything is fully investigated. But you can do all the investigation you like – when you're up against a judge and actually they see that they're wearing the same watch as the perpetrator and feel a bond there – that can be enough to tip them over into making a different decision (096)

Accountability

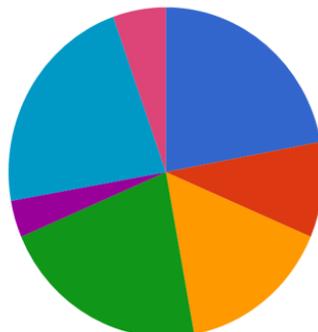
The largest cluster of responses fell within the category accountability. This theme included a range of ideas for v/s. This included punishment, rehabilitation, recognition by perpetrators of harm done, recognition by authorities or the community of harm done, and divine retribution (see below).

So I'm not saying punish just for the sake of punishing, I'm also not saying rehabilitation doesn't play a part as well... for me my husband never faces the consequences of his actions, ever ... Not just the violence but the financial abuse as well, which is a big thing. He'd always kind of like try and blame other people for his shortcomings instead of facing ... taking it on the chin and saying it's my fault. And I think if perpetrators aren't willing to take responsibility then if they did take responsibility maybe their punishment would be lesser because they'd already kind of realised their mistake themselves. But if they blatantly don't acknowledge what they've done is wrong, then I think maybe the only way for them to learn is to be punished (016)

I just want him sitting down at the table. And just him look in me eye, I just want to say, "Why"? And get an honest answer. And that'd be enough closure for me. In fact I'd rather had that than him getting sent down [to prison]" (267).

Accountability - Breakdown

- Punishment
- Rehabilitation
- Recognition by perp of harm done
- Recognition by authorities or community of harm done
- Divine accountability
- Generic concept - something being done
- Revenge or retaliation



The Justice Project

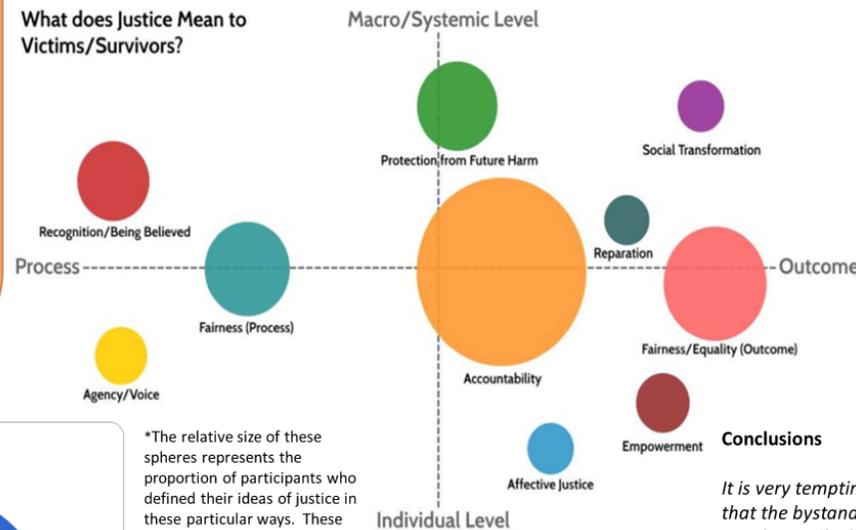
This poster is based on data collected as part of the Justice, Inequalities, and Gender Based Violence Project. It included a comprehensive literature review; analysis of 1500 police case files; analysis of interviews with 251 v-s; interviews with practitioners; and analysis of data from 2 UK based NGOs. The analysis below is based on the interview data from v-s.

Recognition/Being believed

- Justice in its broadest sense linked to family
- Recognition and acknowledgement
- Being believed
- Amplifying the voice of v/s

Whether it's the justice system or family members or ... it's acknowledgement, it's acknowledgement you're not lying. And it's knowing that you were telling the truth and having your voice being believed and amplified (140)

What does Justice Mean to Victims/Survivors?



*The relative size of these spheres represents the proportion of participants who defined their ideas of justice in these particular ways. These categories are not mutually exclusive.

Agency/Voice

- Sense of self
- Recognise abuse
- Have agency
- Be able to have your say

... just to be able to have your say. [...] you should just be allowed to be yourself and say what's ... you know what's happened (003)

feeling like a little insect on its back, unable to reach out for help and that the obstacles are insurmountable (309).

Protection from Future Harms

- Self
- Others (altruism)
- Children

I know that seems really odd but I didn't really care what happened to him [...] I honestly did not care. If they'd sent him to prison or whatever, it was irrelevant to me. I didn't even go to the sentencing hearing, couldn't ... I wanted to know that he was ... the only part I wanted to know was was he allowed anywhere near me (019).

I look at younger women and they're going around ... and I just think God you don't realise how vulnerable you are. Because they're going around like confident, laughing, you know they buy themselves a car, they get a job ... you know and I just feel like ... it worries me because I think about my own child and I think well you know you can build your life and have a career, work hard, and yet some bloke can come along and just take that down (098).

Social Transformation

It's embarrassing that we live in a society where it's not taken seriously, and yeah we need to do more work with men in prisons afterwards... responsibility is put back on survivors to sort of sort out this issue, and it's these women's issues... when actually it's men's issues, cos men are the ones that are causing most of the violence (178)

Empowerment

So I don't know in some ways I feel like justice is getting out of my head all of these people who have mistreated me, who are all somehow living inside of me still, you know. It's like it's getting some kind of boundary and some kind of 'no' against them... and then with that a sense of worth, it's dignity (120)

*It is very tempting to take the side of the perpetrator. All the perpetrator asks is that the bystander do nothing. He appeals to the universal desire to see, hear, and speak no evil. The victim, on the contrary, asks the bystander to share the burden of pain. The victim demands **action, engagement, and remembering** (Herman, 1992)*

- V-S perceive justice to be much wider than formal justice
- V-S don't assume they are entitled to justice
- They state that justice is not revenge (justifying their right to justice)
- Justice operates at different levels simultaneously and sequentially
- Justice as social transformation and equality is key to v-s
- Agency, recognition, and empowerment as important as accountability and fairness
- Justice works at the individual through to social level for v-s
- Process is as important as outcome