

FOREWORD

The New Zealand and Australian academy of restorative justice researchers and practitioner-scholars is a sophisticated and thoughtful one. It is a community that the Institute of Criminology at the University of Sydney can take pride in having done much to nourish. The editors of this collection deserve congratulation for another important contribution. In these pages you will find a rich collection by some of the best Australian scholars and practitioners, as well as two of New Zealand's national treasures, Helen Bowen and Jim Boyack. Of course, some of the contributions, such as Meredith Rossner's scholarship on emotionally intelligent adult justice, have strong connections to other parts of the globe and point to the quality of the Antipodean conversation in this field. The collection provides an important corrective to one major bias of the restorative justice literature, which is a predominant focus on youth justice, to the neglect of restorative justice for adult offenders. It also highlights the strong links between academia and the practice of restorative justice – several chapters in this volume are from first-time authors, practitioners who write with a real passion and depth of experience about what they do well (which one does not always see in other domains).

Restorative justice scholarship has been distinguished within criminology by a productive interplay between evidence-based explanatory theory and normative theories of justice. This conversation between explanatory research on crime prevention and victim recovery on the one hand, and justice values on the other, bubbles throughout this collection. Its pages reveal that at this point the evidence is no less positive for adults than for juveniles, and no less fraught with reservations, on effectiveness for crime prevention, victim well-being and justice enhancement.

Scholars interested in the promise and limitations of restorative justice have assembled a formidable body of evaluation research and critical analysis over the past two decades. It is fair to say that as a group they have worked harder at this task than those who publish on the virtues of mainstream criminal law jurisprudence and its reform. While

it is a splendidly positive thing for Antipodean social science that New Zealand and Australian scholars and practitioners, including many of the contributors herein, have been influential in restorative justice debates, restorative justice hardly qualifies as an inspiring example of what Raewyn Connell calls 'Southern Theory'. Antipodean restorative justice scholarship is utterly integrated into North Atlantic intellectual circuits. A good illustration is Australian and New Zealand scholarship on the interface between indigenous justice and restorative justice. This, now considerable, literature is sophisticated, pluralising, yet almost wholly about indigenous justice in white-settler societies, mainly the United States, Canada, Australia, New Zealand (and to a much lesser extent South Africa). The context of learning from indigenous justice is mostly limited to reflection on environments in which white settler majorities have pushed indigenous justice to the margins of a justice system dominated by European legal systems run by lawyers trained in western law schools. Phenomena such as indigenous Muslim minorities practising Sharia law in a majority Hindu or Buddhist society, or animist indigenous minorities practising a traditional form of justice in such societies, are barely part of the indigenous justice conversation of the restorative justice academy. More troubling still is that Australian restorative justice scholarship is so little influenced by non-state justice in the majority Polynesian and Melanesian societies that surround us. Not only is it not influenced by it, it is rarely mentioned, even as a footnote. Māori traditions have, of course, had an influence, although as Bowen and Boyack warn in their chapter, less than our writing suggests. My point is that Māori philosophies of justice have only been of interest because they contest one of those white-settler justice systems which are the objects of interest to western criminology. Asia is the other part of the Eastern hemisphere that Australia shares with societies of the Pacific. For many years there have been countless restorative justice programs across Asia. Not one of these has had a significant influence on the Australian restorative justice conversation that could compare to the influence of so many New Zealand and North Atlantic programs.

For all that gloom, the last two years have seen the leadership of Brian Steels and Dot Goulding of Murdoch University in establishing the Asia-Pacific Forum for Restorative Justice. The Forum has shown admirable leadership, for example in 2011 at the World Congress of

state justice outside wealthy western countries. In Australia I am a guilty party of that tiny network of more than two decades ago for the 'restorative justice' rebranding. John McDonald and David Moore were attracted to 'transformative justice', as most famously conceptualised by the late Canadian criminologist, Ruth Morris. John and David duly founded Transformative Justice Australia a few years later, and as John's chapter shows he continues to contribute 'big ideas' to the movement. The idea was that it was more important for the South African Truth and Reconciliation Commission to transform the injustice of Apartheid than to 'restore' justice. Restore what justice? Helen Bowen and Jim Boyack in New Zealand were also attracted during the New Zealand debates to the Ruth Morris vision of transformative justice. New South Wales police officer, Terry O'Connell, became the intellectual inspiration for the 'International Institute for Restorative Practices', under the Ted Wachtel view that 'practices' invited broader appeal in realms beyond criminal justice such as education and child protection, and that schools were a more important place for a restorative, non-punitive, social movement to start than the criminal justice system. Later still, other Australian pioneers, including Peta Blood, Marg Thorsborne, both Leigh Garretts, and Brenda Morrison, became leaders of Restorative Practices International (which had originally been the Australasian Restorative Justice Association in the 1990s). These and the other Australians at the cutting edge of 'restorative justice' profoundly agreed upon more philosophical issues than they disagreed on, though their disagreements were hard fought and not mainly about the brand!

Like all histories of social movement politics and histories of the politics of social theory, there are things to look back on with satisfaction and others with regret. What matters is how we move forward from where we are now. This book brings together a positive movement forward, from a restorative justice that has so often focused exclusively on youth offenders to one that also embraces adult offenders. This is timely, given that the evidence for effectiveness and justice seems at least as strong with adults. One edited collection can only be expected to target forward movement on one major front. It does this exceedingly well, with innovation and inspiration. Other neglected fronts still loom as future challenges.

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