

## Face to face, a victim seeks justice from her burglar

Mary Riddell is the first journalist allowed to sit in on a jail experiment in restorative justice that could change the British penal system

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The burglar was moving towards his victim's back door when a neighbour saw him in the shadows and dialled 999. As Alexi Estathiou, desperate for money to buy heroin, was overcome by two policemen in the kitchen, his intended victim, Maria Vassiliou, ran in from her sitting room, terrified and weeping.

In a capital city, in an age of fear, such a break-in would barely register on the national barometer of terror. No one was killed. Nothing was stolen. Yet small crimes damage lives. Mrs Vassiliou, a widow in her sixties, has lived in constant fear since the attempted burglary. Police sirens make her tense with anxiety and she dare not leave her house. She sleeps on her front-room sofa, a knife beside her in case Estathiou should return to her terraced cottage in south London, though she has been told he is in prison awaiting sentence.

Now Mrs Vassiliou is facing her greatest dread. Estathiou, a grey-faced man of 37, dressed in a purple T-shirt and tracksuit trousers, is staring her in the eye.

This time, though, she is on his turf. They sit in a bare classroom in Pentonville prison, north London, with a trained police facilitator, a university researcher, Mrs Vassiliou's son and daughter, Estathiou's uncle, Spiros, and me. This face-to-face encounter is a part of an experiment in restorative justice.

Many visitors have come to this locked room in Pentonville. The Attorney-General, Lord Goldsmith, appeal court judges, the Director of Public Prosecutions, Ken Macdonald, and government ministers have sat on these plastic chairs, or similar ones in other prisons. Cherie Booth QC, who told me she believes her husband's government should do more to expand this technique, hopes to attend a session.

Until now, the media have been barred from the Pentonville experiment. The Observer is the first newspaper to be allowed to witness the two-year study run by criminologists for the Justice Research Consortium (JRC), a partnership between UK agencies, the University of Pennsylvania and the Australian National University. In a series of conferences, serious offenders who have pleaded guilty to their crimes are brought face to face with their victims for several hours' truth and reconciliation. What happens in this room to such people as Estathiou and Mrs Vassiliou could help to transform British justice.

Restoration is the government's latest big idea. Pay-back by offenders has been a statutory part of youth justice since 1999. It goes on in schools and at police stations, where officers can give

restorative cautions. It has been used with malefactors ranging from graffiti sprayers to the three boys who kicked a baby wallaby to death at Dudley zoo.

Now the Home Office has spent a large part of a £4.9 million restorative justice budget on testing the practice on adult burglars and robbers. Participants are tried normally, but any remorse, apologies or explanations are passed on to the sentencing judge. Researchers will evaluate whether participants get lighter sentences, but the aim is not soft justice. The government hopes it will result in reduced reoffending. Britain remains the biggest jailer in Western Europe and keeping a prisoner inside costs £27,500 a year. Added to that, prison suicide rates are at a record high. David Blunkett, the Home Secretary, is desperate to halt a trend under which the number of inmates, on the worst prognosis, could rise from an already stratospheric 74,000 to 91,400 by 2009.

Today's immediate aims are to give Mrs Vassiliou peace and reparation, and to make Estathiou want to give up drugs and crime. At first, neither looks achievable. Estathiou moans that his wife and children have left him and that his drunken father used to beat him. His uncle tells his nephew several times that he is useless.

Mrs Vassiliou shakes and cries. She had not wanted to come here. Her children stare with loathing at Estathiou. Then a different story starts to emerge, explaining why a crime that involved no loss or violence damaged the Vassiliou so deeply. 'Think what my mum went through,' her son, Nick, shouts at Estathiou. 'She thought you would take a knife out and kill her. Our dad is dead. There is no one to take care of her.'

Estathiou tells Nick, a City lawyer, of his troubled childhood. 'You have had all the chances,' the housebreaker says. By now Mrs Vassiliou's daughter, Athena, is crying with anger. Her father, she says, was, like Estathiou's, an impoverished Greek Cypriot who drank. He collapsed with a heart attack soon after his 50th birthday. Athena, then aged 12, held her mother's hand as his body was taken away. 'I had never seen her look like that again, until the day you burgled her,' she tells Estathiou.

After her husband's death, Mrs Vassiliou was left with large debts. Her two small children helped run the cafe they owned, cooking fried meals before and after school, and studying until late into the night. Athena gave up a place to read economics at a leading university to help her mother. Her brother stayed at home to care for Mrs Vassiliou until she had learnt English and come to terms with her sorrow. He had just moved into his own flat on the day that Estathiou broke in.

As Estathiou grows mortified by the Vassiliou family's struggle against adversity, their mother looks at him with growing pity. 'I'm scared of you,' she says. 'But I am trying to be strong. You could get a job and get off drugs. If you give them up, Alexi, I will invite you for tea.' Two hours later, all the participants sign an agreement in which Estathiou says he will apply for drugs treatment and look into getting a job in the fitness industry. His uncle says he will send him some new trainers.

Mrs Vassiliou advises him to stay off heroin, but she sounds now as if she is talking to a recalcitrant son, not a monster. When the crying stops and the shabby room is empty, it feels as if a seance has been ruptured. Senior judges, used to adversarial justice, have gone away from similar meetings full of evangelistic fervour. But does this idea work?

For victims, the answer is a fairly unequivocal yes: 75 per cent of them, rising to almost 90 per cent in the consortium study, say they are helped an immense amount. For offenders, some results are startling. One Australian study found violent criminals were 38 per cent less likely to reoffend in the year following their conference, rising to 50 per cent in the second year, compared with those who had gone straight to jail.

The reasons for these successes are unclear, although researchers speculate that attackers and their prey - often young men - may be struck by their similarities when they meet. For burglars, the results were much less convincing, and drink-drivers were actually more likely to reoffend after restorative justice sessions. Drug users and alcoholics denied proper treatment often find that addiction trumps good intentions.

Even so, leading figures in criminal justice are convinced that the idea offers a major breakthrough demanding more research and wider, careful use. As the consortium's study draws to a close, the question is whether the government is doing enough. Cherie Booth thinks not. Though she stresses the Home Office's active interest, she argues that the government should do more. 'We have moved to a position where restorative justice is integral to our youth justice system,' she told me. 'I think the government deserves credit for this. But from where I sit, we now need to go further so that a similar approach is taken across the entire criminal justice system. I think the time is right for us to look at making restorative justice an integral part of all guilty pleas. There would then be an assumption that it is available to all those passing sentence on a guilty plea, rather than making this an exceptional approach.'

What she is proposing is infinitely more radical - and expensive - than what the Home Office now plans. Her suggestion does not mean that all victims and offenders would meet face to face, but it does imply that courts could ask for reports on what reparation might be offered by any defendant who admits a crime. Would Booth include very serious offenders, such as rapists, as potential candidates for pay-back? She does not rule it out. 'I think the process would need very careful handling and specialist training for very serious, violent offences. And, as with all restorative justice, it could never happen unless the victim actively wanted it and fully consented. In such cases, too, it could not be a substitute for a custodial sentence, but could conceivably run alongside it.'

Does she think the government should urgently spend more money on it? 'Restorative justice is not a panacea, and it is not going to solve all the problem of our criminal justice system, or empty our prisons. But if the evidence shows it is successful, in particular in helping cutting reoffending, I believe it could further boost confidence in the criminal justice system, help to redress the wrongs done to victims of crime and play a part in reducing prison populations...

'Everyone I have spoken to - fellow judges, senior police officers and facilitators - believe they [the pilot schemes] have been a success. There certainly seems plenty of evidence that victims support this approach which must be an important, if not clinching, guide to whether it works.'

Enthusiasm at the Home Office is more measured. Paul Goggins, the Prisons Minister, who has been an observer at a serious offender conference, says: 'It was very powerful and I was very impressed. Surveys have shown very high victim satisfaction. But we don't have the robust evidence about reoffending rates we need if we are going to roll out this approach extensively.'

A worldwide body of evidence has persuaded jurisdictions from Australia to America to incorporate restorative justice into mainstream criminal justice, but Heather Strang, the criminologist leading the commission's study, thinks that more trials are essential. 'It is very promising. But what we need to do is test it in a rigorous way, not just assume it's a magic bullet. That is why it's important to continue this research programme.'

As an academic, Strang has been astonished by the support from police and judges. 'It's very nice to have a gang of judges wanting to continue this. But it's up to them to lobby the Home Office to get the money.' Other voices are demanding a higher priority for a varied system of restorative justice designed to reduce crime, allay fears and bind together divided communities.

To Sir Charles Pollard, the former Chief Constable of the Thames Valley police, restorative justice is 'social penicillin'. He adds: 'The government says the jury is still out on reoffending, but my personal view is that case is overwhelmingly made. We know restorative justice can reduce reoffending significantly in most types of crime.' In time, he believes, it could work in sexual assault and domestic violence cases too.

But first, he argues, the government must set up a national agency to run all restorative programmes. In its report last week, the group Rethinking Crime and Punishment - which co-funded the consortium's research - made the same demand. It recommends, like Cherie Booth, the presumption that all sentences include an element of reparation.

For serious offenders and their victims, the tide flows the other way. The research money is largely spent, and the number of conferences is dwindling. Many regret that a programme offering so much promise is put on ice, while the government waits to assess the reoffending patterns of the study's guinea pigs, many of whom are now serving long sentences. In the absence of a criminal justice revolution, the champions of restorative justice have to settle for small breakthroughs. Estathiou is on the drugs treatment course he requested. Mrs Vassiliou sleeps easy in her bed.

- Some names and personal details in this article have been altered to protect people's identities.