

Procedural Safeguards and Victim Satisfaction in Restorative Justice Practices in the Western Region, Kenya

Authors

Solomon Mosis ⁽¹⁾; Evans Makori Oruta ⁽²⁾; Erick Ater Onyango ⁽³⁾

Main author email: mosisoloms@gmail.com

(1.2.3) Masinde Muliro University of Science and Technology, Kenya.

Cite this article in APA

Mosis, S., Oruta, E. M., & Onyango, E. A. (2026). Procedural safeguards and victim satisfaction in restorative justice practices in the Western Region, Kenya. *Journal of policy and development studies*, 5(1), 250–262. <https://doi.org/10.51317/zk2b4f70>



A publication of Editon Consortium Publishing (online)

Article history

Received: 2026-08-07

Accepted: 2026-09-13

Published: 2026-10-09

Scan this QR to read the paper online



Copyright: ©2026 by the author(s). This article is an Open Access article distributed under the terms and conditions of the Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License (CC BY-NC-SA 4.0).



Abstract

This study examined the relationship between procedural safeguards and victim satisfaction among adult victims who participated in community-based restorative processes in Kakamega, Bungoma, Busia, and Vihiga counties. Although victim satisfaction with restorative justice varies, limited empirical evidence exists on how procedural safeguards influence satisfaction in Kenya's Western Region. Thibaut and Walker's Procedural Justice Theory guided a convergent parallel mixed-methods design involving a correlational survey, semi-structured interviews, and focus group discussions. The target population comprised 18,284 adult victims of non-capital and non-sexual offences recorded by National Government Administration Officer offices between January 2022 and December 2024. A proportionately allocated sample of 400 victims was selected, of whom 349 returned usable questionnaires; 24 National Government Administration Officers were interviewed, and 32 village elders participated in four focus group discussions. Data analysis involved descriptive statistical techniques, Pearson correlation, simple linear regression, a supplementary multiple-regression model, and thematic interpretation. Quantitatively, procedural safeguards were strongly and positively related to victim satisfaction ($r = .660$, $p < .001$) and explained 43.6 per cent of the variance, $F(1, 347) = 267.726$, $p < .001$. Qualitatively, participants indicated that impartial facilitation, clear information, confidentiality, and flexibility in meeting arrangements promoted trust and readiness, while elder evidence qualified impartiality as context-sensitive fairness. The study concluded that procedural safeguards were central to how victims evaluated restorative justice. It recommends clearer minimum practice standards for informed participation, confidentiality, impartial facilitation, preparation, and victim support. The findings provide localised evidence for strengthening victim-centred restorative justice practice in Western Kenya.

Key terms: Procedural safeguards, restorative justice, victim advocacy, victim satisfaction.

INTRODUCTION

Although restorative justice is intended to give victims voice, recognition, healing, and closure, satisfaction with community-based restorative processes is not necessarily uniform. In the Western Region, Kenya, National Government Administration Officers and village elders handle eligible non-capital and non-sexual matters through informal restorative processes, yet there is limited localised evidence showing whether the procedural protections used in these processes are associated with victim satisfaction. The specific problem addressed by the study was therefore the lack of empirical evidence on the combined role of meeting preferences, facilitator impartiality, information, confidentiality, preparation, and victim support in shaping victim satisfaction in this setting.

Restorative justice involves the victim, offender, and affected community in a process focused on recognising harm, ensuring accountability, agreeing on a resolution, and facilitating healing. In contrast to mainstream criminal justice, where the victim may remain primarily a witness to a state-led case, restorative justice gives the victim an active role in discussing what occurred and what should be done to repair the harm. Omowon and Kunlere (2024) described this orientation as an effort to bring victims and offenders closer through participation, dialogue, and repair.

Victim satisfaction refers to the victim's evaluation of both the restorative process and its outcome, including whether the process enabled fair treatment, understanding, confidentiality, meaningful communication, acceptance, healing, and a consensual agreement. Satisfaction therefore differs from restorative justice itself and from the procedural safeguards used to conduct it. Van Camp and Wemmers (2013) demonstrated that satisfaction is not simply a function of a restorative programme being available, but also of how victims experience the process and how they are treated.

Procedural safeguards are the protections intended to make victim participation informed, fair, voluntary, and non-coercive. In this study, they included victim preferences concerning time and place, facilitator impartiality, clarity and completeness of information,

confidentiality, preparation, understanding of victim roles and expectations, and victim support. These safeguards are closely related. Flexibility in time and place can support safety and readiness, but it cannot protect a victim where facilitation is biased, or the process is not understood.

Impartial facilitation is also important. If the facilitator seems to be on the side of the offender, a family or clan, or an influential local actor, that trust can be lost prior to substantive discussion. Bolitho and Bruce (2017) proposed that a high-quality restorative facilitation consists of both technical competence and practical judgment. Neutrality does not mean passivity; it means that the facilitator must avoid domination, avoid restricting participation, ask difficult questions, and make sure the final process does not neglect the victim's needs for the sake of administrative convenience or community harmony.

The presence of information is another safeguard because, without knowledge of the purpose, stages, likely outcomes, risks, and other alternatives to restorative justice, meaningful choice by victims is not possible. Wemmers et al. (2023) linked information that restores confidence to the process of participation of victims; this is thought to bring about information equality for participation, in other words, information that allows them to participate from an informed position. In a similar vein, Umbreit (2023) highlighted preparation, explanation, and support as facilitators to effective victim-offender relations. Information can also help a victim to decline inappropriate offers or opt for the formal justice system if a restorative approach is inappropriate.

The legal and policy framework in Kenya enables alternative and restorative justice processes, including community-based approaches. The National Alternative Dispute Resolution Policy provides a national framework for accessible and coordinated dispute resolution (Office of the Attorney General and Department of Justice, 2024). National Government Administration Officers and village elders are involved in resolving eligible community matters in the Western Region. However, legal recognition does not itself establish that all procedures consistently protect victims or meet their expectations.

Against this background, the study evaluated procedural safeguards within restorative justice practices and their relationship with victim satisfaction in the Western Region, Kenya. It specifically asked how procedural safeguards within restorative justice practices affect victim satisfaction. The analysis focused on victim preferences, facilitator impartiality, information, confidentiality, preparation, role clarity, and victim support, drawing on survey, interview, and focus group evidence.

LITERATURE REVIEW

Conceptual Review of Procedural Safeguards and Victim Satisfaction

Procedural safeguards refer to the protections that ensure that restorative justice is transparent, fair, voluntary, and responsive to victims' rights and needs. They translate the general promise of restorative justice into concrete practice. In the present study, the construct was organised around three connected dimensions: victim preferences, impartiality assessment, and information dissemination. These dimensions were operationalised through meeting arrangements, neutrality, confidentiality, preparation, role clarity, advocacy, and understandable information.

Victim preferences concern the extent to which the victim can influence the practical conditions of participation. Kilchling (2019) argued that victim-centred practice should recognise needs and expectations from the beginning of the restorative journey. The ability to choose a suitable time or safe location can strengthen agency and reduce the feeling that justice is being done to, rather than with, the victim. Suzuki (2020) explained that readiness is a key factor to consider, as the victim might not be emotionally ready for dialogue right after the offence.

A neutral environment is one that lessens fear and facilitates communication. Meléndez Peretó (2021) noted that challenges exist in face-to-face meetings that require careful management, as the setting and relationship have an impact on the victim's experience. Also, Avdija (2019) revealed that relationships between victims, offenders, and witnesses affect justice behaviour. In a community process, the venue can convey power, security, confidentiality, and/or bias. Flexibility is, therefore, not

just a facilitation of the logistical aspects of participation, but also part of the conditions upon which the meaningfulness of voluntary participation can be built.

Respecting preferences must nevertheless be balanced with feasibility, offender accountability, and public interest. Kirkwood (2022) described restorative justice as a practice framework requiring structured assessment rather than automatic accommodation of every request. Where there is intimidation, intimate-partner abuse, serious power imbalance, or risk of retaliation, face-to-face engagement may be inappropriate. Gavrielides (2021) warned that restorative dialogue can reproduce power inequalities when protection is weak. A victim-centred safeguard may therefore require separate preparation, shuttle mediation, support persons, or a decision not to proceed.

Impartiality concerns whether the facilitator is perceived as independent, fair, and free from personal, family, clan, political, or institutional bias. The facilitator must provide equal opportunity to speak, prevent domination, and maintain focus on the harm and the victim's needs. Bolitho and Bruce (2017) treated restorative facilitation as an interaction of skill, judgment, and ethical practice. A neutral facilitator helps participants trust that the process will not conceal wrongdoing, privilege the more powerful party, or impose a settlement for the convenience of administrators.

Information dissemination includes clear explanations of the process, the roles of participants, confidentiality boundaries, possible outcomes, the right to withdraw, and alternatives available to the victim. Jülich and Landon (2017) emphasised that restorative processes should generate justice outcomes through prepared and informed participation. Information should be understandable, culturally appropriate, and delivered through more than one mode when necessary. It also should be repeated, as consent is a process and may change as new facts or feelings arise.

A victim advocate can be of particular value if a victim feels the need for help interpreting the legal terms, expressing his/her needs, or resisting pressure. Emotional experiences can be conveyed by the

advocate into actionable requests, but such requests are not to be the advocate's voice. Wemmers et al. (2023) claimed that victim-centred practices should be described as belonging to the category of confidence-restoring practices, because victims are supported and their concerns have an impact on the work. Advocacy, therefore, is not necessarily a reflection of a bias on the part of the facilitator, but rather, it is a safeguard to allow for equalising participation where the information or power is not equal.

Theoretical Review

The study was guided by Thibaut and Walker's Procedural Justice Theory. This theory suggests that individuals make judgements of justice based on the fairness of both the outcome and the procedures leading to this result. It differentiates between process control, the opportunity to provide information and have an influence on the decisions, and decision control, authority over the final decision itself (Thibaut & Walker, 1975).

The theory is directly applicable to restorative justice in that victims need to be given a voice, treated with respect, have neutral authorities, information conveyed in a clear way and confidence that the process does not predetermine an outcome. Lind and Tyler (1988) expanded procedural justice to include fair treatment, which communicates inclusion and social standing. Victims are more likely to perceive legitimacy in the process and results when they feel listened to, are informed and are protected. An agreement, on the other hand, may on the face of it seem to be quite reasonable, and yet if it is arrived at by bias, by secrets, by pressure, it is not satisfactory.

The safeguards measured in this study were mapped directly onto Procedural Justice Theory. Process control was represented by victim choice over meeting time and place, preparatory meetings, role clarity, and the opportunity to participate from an informed position. Neutrality was represented by facilitator impartiality and a neutral meeting environment. Informed and respectful treatment was represented by clear information, explanation of rights, confidentiality, and victim support. The theory therefore provided a basis for expecting a positive relationship between the quality of procedural safeguards and victim satisfaction.

At the same time, the theory has limitations in this context. It gives strong attention to fairness of procedure but does not by itself account for all outcome, relational, or cultural factors that may shape victim satisfaction. Community-based restorative justice in Western Kenya also operates in settings where facilitators or elders may know the parties and where social harmony is valued. Strictly identical treatment may therefore not always be experienced as substantively fair where there are differences in vulnerability or power. The study used qualitative evidence to examine whether impartiality was understood as rigid symmetry or as trusted, context-sensitive fairness, while recognising that the cross-sectional design could establish association rather than causal direction.

Empirical Review and Knowledge Gap

Globally, empirical evidence supports links among victim participation, satisfaction, preparation, safety, and communication, although the evidence does not always isolate procedural safeguards as one integrated construct. Strang et al. (2013), in a systematic review of restorative conferencing, found that face-to-face conferences could improve victim satisfaction when encounters were appropriately managed. The strength of this evidence lies in its comparative review of restorative interventions, but the studies were conducted mainly within formal conferencing programmes and did not examine the combined safeguards used in community-administered processes in Western Kenya. Nascimento et al. (2023) similarly found that restorative practices can support psychological recovery, while also showing that outcomes vary according to implementation quality. These findings support a safeguard-based approach but leave contextual questions unresolved.

Research on facilitation further shows that what occurs during the restorative encounter matters. Batchelor (2019) identified procedural justice among the psychological mechanisms associated with victims' responses to communication with offenders. Bolitho (2017) showed that emotional change in restorative justice is not produced merely by attendance, but by interactional processes within the encounter. Bolitho and Bruce (2017) also emphasised facilitator skill, judgement, preparation, and management of power. These studies provide detailed evidence on facilitation,

but they give less attention to the combined contribution of logistical choice, confidentiality, information, preparation, and victim support within one model.

Within Africa, Murhula and Tolla (2021) found that restorative justice practices in South Africa could respond to victims' needs and improve their experience of justice. Their study contributes important African victim-centred evidence, but it relied primarily on qualitative accounts and did not quantify an integrated procedural-safeguards construct. The African evidence therefore supports the relevance of victim-centred restorative practice while leaving uncertainty about the magnitude of the relationship between specific safeguards and satisfaction.

In Kenya, Gachoki et al. (2023) found that procedural justice reforms were associated with victim satisfaction in Kakamega Law Courts, showing the local importance of information, participation, and fair treatment. However, the study focused on a formal court setting and vulnerable victims of sexual and gender-based violence rather than community-administered restorative processes for non-capital and non-sexual offences. Kiogora (2025) reported that alternative justice processes in Isiolo County could support peace and relationship restoration through community dialogue, but that study focused on dispute-resolution outcomes rather than the combined safeguards that shape individual victim satisfaction. The Kenyan evidence therefore demonstrates the relevance of procedural fairness and alternative justice while leaving the Western Region safeguard-satisfaction relationship insufficiently examined.

The reviewed literature therefore revealed both a contextual and a methodological gap. Contextually, global, African, and Kenyan studies did not establish how the combined safeguards of meeting choice, neutral setting, impartial facilitation, understandable information, confidentiality, preparation, role clarity, and victim support relate to satisfaction among adult victims using NGAO- and elder-supported processes in the Western Region. Methodologically, prior research often examined single safeguards, formal justice settings, or qualitative experience without integrating a statistical test of the safeguard-satisfaction

relationship with explanations from implementers and community facilitators. The present study addressed these gaps through a convergent mixed-methods design.

METHODOLOGY

The study adopted a convergent parallel mixed-methods design, integrating a correlational approach for the quantitative component and an exploratory approach for the qualitative component (Babbie, 2020). This design enabled the study to examine the relationship between procedural safeguards and victim satisfaction while exploring how these safeguards were implemented in practice. The research was undertaken in Kakamega, Bungoma, Busia, and Vihiga counties in Kenya's Western Region, where National Government Administration Officers (NGAOs) and village elders facilitated restorative approaches to resolving community disputes and addressing non-capital, non-sexual offences.

The quantitative target population comprised 18,284 adult victim case records registered between January 2022 and December 2024. Taro Yamane's formula for finite populations was applied to determine a sample of 400 victims, based on a 95 per cent confidence level and a 5 per cent allowable sampling error. Proportionate stratified sampling was used to allocate participants across the four counties, followed by simple random sampling within each stratum. Eligible participants were adults who had voluntarily used informal restorative processes for non-capital and non-sexual offences. The qualitative component involved purposive selection of 24 NGAOs and 32 village elders from areas with relatively high and low reported caseloads to obtain perspectives on restorative justice implementation.

Quantitative data were collected using structured questionnaires containing Likert-scale and multiple-choice items. The qualitative component involved interviewing NGAOs using a semi-structured format and conducting four focus group discussions with village elders, with each county hosting one session. All sessions were audio-recorded with participants' informed consent, and field notes were taken to supplement the recordings. Confidentiality was maintained by assigning codes to participants and anonymising their identities.

The research instruments were evaluated by experts and pilot-tested with 40 victims in Kisumu County. The procedural-safeguards scale achieved a Cronbach's alpha coefficient of .766 during the pilot phase, providing a basis for refining the instruments. Construct validity was examined during the main study using principal component analysis, the Kaiser-Meyer-Olkin (KMO) measure, Bartlett's Test of Sphericity, and component loadings (Field, 2018). Quantitative data were processed using SPSS version 31. Descriptive statistics, Pearson's correlation, and simple linear regression were employed to assess the relationship between procedural safeguards and victim satisfaction. An additional multiple-regression model was used to evaluate victim participation, the pre-existing relationship between victims and offenders, procedural safeguards, and community inclusion as predictors of victim satisfaction. Qualitative data were analysed thematically using the approach proposed by Braun and Clarke (2019). Finally, findings from the quantitative and qualitative analyses were brought together during interpretation to identify areas of agreement and divergence.

Ethical clearance was obtained from Masinde Muliro University of Science and Technology, and a research permit was obtained from the National Commission for Science, Technology and Innovation. The study obtained the necessary administrative approvals and informed consent from participants. Participation was voluntary, with safeguards in place to uphold confidentiality, privacy, and the right to withdraw. Both electronic and hard-copy records were stored securely,

and counselling services were available to participants who experienced emotional distress.

RESULTS AND DISCUSSION

Response Rate and Measurement Quality

A total of 400 questionnaires were administered to victims, and 349 were completed and usable, yielding an effective response rate of 87.25 per cent. The 51 non-returned questionnaires accounted for 12.75 per cent of the target sample and were mainly associated with relocation or voluntary withdrawal. The qualitative strand comprised 24 National Government Administration Officers and 32 village elders.

The suitability of the eleven procedural-safeguard items for component analysis was supported by a Kaiser-Meyer-Olkin measure of .934 and a significant Bartlett's Test of Sphericity, $\chi^2(55) = 2876.543$, $p < .001$. Principal component analysis extracted one component in the retained output, with loadings ranging from .828 to .970. The highest loadings were victim advocate support (.970), clear and understandable information (.967), facilitator explanation of the process and rights (.964), and confidentiality (.961). Because the retained output did not report the eigenvalue, percentage of variance explained, or scree-plot evidence, these results are presented as a construct check and not as complete proof of a single-factor structure. The .766 Cronbach's alpha reported during instrument development was from the pilot sample ($n = 40$) and was not used as evidence of reliability in the final $n = 349$ dataset.

Table 1: Measurement Quality of the Procedural Safeguards Construct

Indicator	Result	Interpretation
Kaiser-Meyer-Olkin measure	.934	Excellent sampling adequacy
Bartlett's Test of Sphericity	$\chi^2(55) = 2876.543$, $p < .001$	Items were sufficiently correlated
Factor-loading range	.828–.970	All retained items loaded strongly on the extracted component
Usable questionnaires	349/400 (87.25%)	Adequate response rate

Source: Field Data (2026).

The component loadings indicated that the safeguard items were closely related to the broader procedural-safeguards construct, especially items on advocacy, understandable information, facilitator explanation, and confidentiality. However, given the missing retention statistics noted above and the absence of a final-sample Cronbach's alpha in the retained output,

the measurement findings are interpreted cautiously rather than as conclusive evidence of unidimensionality and final-sample internal consistency. Accordingly, the pilot coefficient of .766 is not reported as the reliability coefficient for the final study sample; a final-sample alpha would require the

original item-level data and is not estimated from the aggregate results.

Victims' Assessment of Procedural Safeguards

Table 2 summarises the eleven statements relating to procedural safeguards. The agreement percentage combines the strongly agree and agree categories. The

mean scores for all items were greater than 4.60, which are extremely high levels of endorsement across the 349 victims. The standard deviations demonstrated a limited magnitude distribution as well, indicating that there was not a small minority for whom the importance of safeguards was limited.

Table 2: Victims' Ratings of Procedural Safeguards (N = 349)

Procedural safeguard statement	Agreement (%)	Mean	SD
Choice of meeting time and location supported healing	98.9	4.63	0.507
Neutral and unbiased meeting environment was crucial	98.8	4.63	0.550
Convenient meeting time improved communication and healing	98.9	4.64	0.547
Impartial facilitators increased fair agreement and closure	100.0	4.67	0.471
Clear and complete prior information supported control and closure	99.7	4.63	0.489
Privacy and confidentiality enabled open participation	100.0	4.66	0.476
Clear explanation of the process and rights promoted closure	99.7	4.65	0.483
Understandable information supported healing	100.0	4.66	0.473
Victim advocate support promoted acceptance	99.7	4.66	0.480
Preparatory meetings supported readiness and healing	98.6	4.64	0.509
Understanding role and expectations supported closure	100.0	4.66	0.475

Source: Field Data (2026).

Note. Agreement combines "strongly agree" and "agree" responses on a five-point Likert scale. Facilitator impartiality recorded the highest mean ($M = 4.67$, $SD = 0.471$) and 100 per cent agreement that it increased the likelihood of a fair agreement and closure. Confidentiality and understandable information each recorded a mean of 4.66. These results were consistent with Procedural Justice Theory because victims treated neutrality, voice, understandable information, and transparent treatment as integral to their experience of justice rather than as minor administrative details.

Victims also strongly endorsed appropriate time, location, and meeting convenience as conditions that supported healing and open communication. The

uniformly high responses in Table 2 require cautious interpretation. The items asked respondents to rate the importance or perceived contribution of safeguards and did not independently verify whether every safeguard had been delivered in every case. Near-ceiling responses may therefore reflect strong normative endorsement as well as experience. The voluntary-user sample, the 12.75 per cent non-response, and unmeasured acquiescence or social-desirability effects could also have reduced variation. The findings are consequently interpreted as strong consensus about the value of safeguards, not as evidence that implementation was uniformly satisfactory across all sites.

The thematic analysis produced three recurring themes that corresponded with the safeguard dimensions: victim control through timing, venue, and readiness; impartiality as trusted and context-sensitive fairness; and information, confidentiality, preparation, and victim support. Evidence from Assistant Chiefs, Chiefs, Assistant County Commissioners, and village elders contributed across these themes.

Victim Preferences, Safety, and Process Control

The interview evidence was used to provide details as to the rationale behind the strong ratings of meeting preferences. Time, place, emotional readiness, physical comfort, attendance and freedom to speak were all related to participants. According to the undersigned Assistant Chief, the victim was the main point of reference in reaching a mutually agreeable neutral site:

Time and place matter a lot. This is because the victim and offender have to agree on a neutral place and most appropriate time that in most cases is determined by the victim. A neutral place always makes the victim and the offender to be contented (Assistant Chief [AC-INT-02], personal communication, 14 April 2026).

Improvement was greater in the preference of victims than in convenience. It provided greater process control for the victim in conditions that limited anxiety and indicated respect. A Chief also reported that, in his experience, restorative justice typically took place after the initial 'emotional heat' of the occurrence had subsided, with the selection of a 'neutral' venue, such as a church, community building, police station, or office, being important. The results confirmed Suzuki's (2020) claim that encounters depend on readiness to carry out a constructive dialogue.

Flexibility was particularly crucial with practical barriers that victims might experience. An Assistant County Commissioner linked attendance and openness of older people, women, and those coming from faraway villages with the appropriateness of venue and time:

Flexibility in time and place tends to improve victim satisfaction by enhancing comfort, safety and empowerment. Allowing parties to choose suitable times and venues encourages attendance and openness, especially for elderly

persons, women, or individuals travelling from distant villages (Assistant County Commissioner [ACC-INT-01], personal communication, 28 April 2026)

These accounts indicated that accessibility was part of the perceived fairness of the process. Although an established administrative calendar may seem equal, it imposes unequal burdens on victims who have mobility, care, safety, or transportation restrictions. Accommodating such constraints therefore provided for substantive rather than simply formal fairness. The result was aligned with Kilchling's (2019) victim-centred methodology and the high level of consensus for choice and convenience in the results found in Table 2.

Facilitator Impartiality and Contextual Fairness

Administrators and elders repeatedly reinforced the quantitative finding on impartiality. A Chief stated how impartiality removed biased perceptions and allowed both parties to engage in a full process:

When the facilitator is impartial during restorative justice process, it increases victim satisfaction level with the process. Impartial facilitator resolves the issue of biasness that could exist or arise and therefore encourages both victim and offender to participate fully (Chief [CH-INT-01], personal communication, 16 April 2026)

The mechanism described was trust. Victims were more likely to share information and more likely to agree when they felt that the facilitator was not defending the abuser or that he or she was putting pressure on them to adopt what the preferred family members wished, especially in the more intimate communities where administrative officials and members of the elders' circle may know both parties. An Assistant County Commissioner warned that a process could fail where local administrators were perceived to favour one family or clan.

If local administrators are perceived to favour one family or clan, the process may fail because parties lose confidence. Facilitator impartiality in my opinion as Government admin builds trust, ensures fairness, and supports a safe environment for meaningful dialogue and

healing (Assistant County Commissioner [ACC-INT-01], personal communication, 28 April 2026).

Results confirmed Thibaut and Walker's (1975) concept that outcome acceptance relies on the principles of neutrality and process control. They also concurred with Bolitho and Bruce (2017), who defined restorative facilitation as skilful ethical practice. Facilitators did not stand back from the interaction; they actively engaged in managing power, evidence, speaking space, emotional escalation, and conflicts.

However, there was a significant qualification that came from the qualitative analysis. One elder indicated that treating everyone the same might impede a just resolution if the victim was a part of the conflict. The elder did not reject impartiality, but called for wisdom in applying it:

Though impartiality is important and encourages the victim to share valuable information, sometimes it can make it hard to reach out to a better solution that promotes victim healing. The facilitator should act in a wise manner in such incidences to ensure that the issue is resolved favorably.” (Village Elder FGD [VE-FGD-03], personal communication, 14 April 2026)

This contrast added a further dimension to the overwhelmingly positive survey result. A strong safeguard was one founded on impartiality understood as reliable and trustworthy fairness rather than mechanical symmetry. The qualitative evidence therefore added specificity to Procedural Justice Theory in a community context: neutrality required principled and context-sensitive decision-making that did not expose the victim to domination or coercion.

Information, Confidentiality, Preparation, and Advocacy

Clear information, confidentiality, preparation and advocacy were highly valued by victims. These qualitative results showed that information had three roles. First, it allowed the victim to make sense of it all and to make a choice as to which was more appropriate, restorative justice or court action. Second, it lowered the confusion and helped to set realistic expectations. Third, it shielded the victim from

pressure and provided standard procedures and acceptable outcomes.

Clear and understandable information is highly profitable to the victim who plays a major role in restorative justice process. Information helps the victims to make decision and decide whether to support restorative justice process or opt for court (Assistant Chief [AC-INT-02], personal communication, 14 April 2026)

The quotation showed that understandable information was necessary for voluntary participation. Consent was not meaningful if victims were unaware of what was on offer or felt they were not allowed to choose whether they wanted restorative justice. This resonated with Wemmers et al. (2023), who found that there was a relationship between victim confidence and victim-centred information that was easy to understand. It also endorsed Juelt and Landon's (2017) focus on prepared involvement.

An Assistant County Commissioner highlighted the need for information to be simple, transparent and honest, adding it should give an indication of the intention of the interaction and its scope:

When information is communicated in a simple, transparent and honest manner, the victims will not only open up, but will also be prepared to engage with the offender meaningfully. Clear information also makes the victims understand and manage their expectations resulting from the restorative justice process (Assistant County Commissioner [ACC-INT-01], personal communication, 20 April 2026)

The high ratings for clear information, role understanding, and facilitator explanation showed the importance victims attached to preparation. Preparation went beyond a pre-meeting briefing because it helped victims identify needs, anticipate emotional risks, understand confidentiality, and determine whether support was required. The victim-advocate item had the highest component loading (.970), but the study instrument measured the perceived value of a person who could explain the process and support the victim; it did not establish that a standardised advocacy service existed at every site.

Within the study, the victim advocate was conceptually distinct from the neutral facilitator. The intended role was to support the victim in understanding options and expressing needs rather than to control the mediation or automatically speak on the victim's behalf. The study did not verify a common training standard, formal institutional independence, or universal availability of advocates. These issues are therefore treated as implementation questions rather than established features of the sites. Any formal use of advocates should define role boundaries carefully so that support reduces power imbalance without introducing another source of influence or replacing the victim's own voice.

Confidentiality was essential to openness, as disclosures about crime experiences could lead to stigma, retaliation, family conflict, and community gossip. Nearly everyone agreed that privacy should be respected, which means that victims wanted to be assured that information would be shared only for clearly restorative or legal reasons. This protection was particularly instrumental in an area where the people who were victims, offenders, facilitators and

community members had overlapping social networks. This meant that information and confidentiality had to go hand in hand: information on what was going to happen and information on how personal information would be safeguarded.

Relationship between Procedural Safeguards and Victim Satisfaction

A simple linear regression was performed with the composite procedural-safeguards score as the independent variable and victim satisfaction as the dependent variable. The model summary and coefficient statistics are presented in Table 3. The wider study also included a secondary multiple-regression analysis with victim participation, pre-existing victim-offender relationship, procedural safeguards, and community inclusion as simultaneous predictors; this analysis was specified in the methodology above.

Table 3 presents the simple regression of the overall procedural-safeguards construct on victim satisfaction. The model does not test the eleven safeguard indicators as separate predictors.

Table 3: Regression of Procedural Safeguards on Victim Satisfaction (N = 349)

Statistic	Value	Interpretation
Pearson R	.660	Strong positive relationship
R ² / Adjusted R ²	.436 / .434	43.6% of satisfaction variance explained
Standard error of estimate	5.612	Average prediction error
ANOVA	F(1, 347) = 267.726, p < .001	Regression model was significant
Unstandardised coefficient	B = .560, SE = .034	Positive change in satisfaction
Standardized coefficient	β = .660, t = 16.362, p < .001	Strong significant predictor
Constant	B = 1.232, p = .243	Intercept was not significant

Source: Field Data (2026).

Procedural safeguards had a strong positive relationship with victim satisfaction ($r = .660, p < .001$). The safeguards explained 43.6 per cent of the variance in satisfaction ($R^2 = .436$), and the regression model was significant, $F(1, 347) = 267.726, p < .001$. The positive coefficient ($B = .560, SE = .034; \beta = .660, t = 16.362, p < .001$) indicated that higher perceived procedural safeguards were associated with higher victim satisfaction. Because the design was cross-sectional, this finding is interpreted as association and predictive contribution within the observed data

rather than proof of causation. The findings produced a solid empirical base to support the Procedural Justice Theory. When victims had impartial facilitators, understandable information, confidentiality, preparation, advocacy, and choice of meeting arrangements, they were more satisfied. This finding was consistent with Umbreit (2023), who relates mediated success to the quality of facilitation and victim experience. It also affirmed Kiogora's (2025) finding that fair and transparent community processes could help enhance restorative outcomes in Kenya.

In the secondary multiple-regression analysis specified for the study, procedural safeguards remained significant after victim participation, pre-existing victim-offender relationship, and community inclusion were considered together ($B = .226, \beta = .267, p < .001$). Procedural safeguards were the second strongest unique predictor after the pre-existing relationship. This qualified the simple-regression result by showing that satisfaction was influenced by procedural, relational, participatory, and community factors rather than by safeguards alone.

Integrated Interpretation and Contribution

The qualitative findings confirmed the quantitative results in three main ways. First, the strong survey endorsement of meeting-time and venue choice was explained by accounts linking flexibility to readiness, attendance, safety, and openness. Second, the high rating for facilitator impartiality was confirmed by NGAO accounts describing neutrality as a basis for trust and full participation. Third, the near-unanimous endorsement of clear information was confirmed by interview evidence showing that understandable information enabled victims to decide whether to proceed and to manage expectations.

The qualitative findings also qualified and complicated the quantitative results. Village-elder evidence showed that impartiality could not be reduced to identical treatment in every case; it had to be experienced as principled and context-sensitive fairness. The evidence on advocacy also qualified the survey result because respondents strongly valued a support function, but the study did not establish a standardized advocate service across all sites. More broadly, the near-ceiling survey ratings did not mean that every safeguard was equally available or implemented. The integrated interpretation was therefore that victims strongly valued safeguards and that safeguards were associated with satisfaction, while their effect depended on how they were implemented in particular cases.

The article is novel in that processes of safeguarding are measurable as integrated processes in a community-based restorative justice framework. It goes beyond simply saying that the process was fair and what operational practices constituted fairness. In terms of policy and practice, the results suggest that if

neither the victim nor the other parties were adequately informed, facilitated, confidential, prepared, or supported, then one should not consider a settlement to be a "success" unless the victim has signed off on it.

CONCLUSION AND RECOMMENDATIONS

Conclusion: The study established that procedural safeguards were strongly and positively associated with victim satisfaction in the Western Region, Kenya. Victims consistently identified impartial facilitation, clear and complete information, confidentiality, neutral environments, flexible meeting arrangements, preparation, role clarity, and victim advocacy as essential to healing and closure. The statistical analysis showed that the safeguard construct explained a substantial proportion of variation in satisfaction.

Procedural safeguards were therefore not optional amenities added after a restorative justice process had been designed. They were central conditions that determined whether participation was voluntary, whether the victim trusted the process, and whether the final agreement could be experienced as fair. Their value depended on competent and context-sensitive implementation. The most defensible conclusion was that restorative justice became victim-centred only when fairness was translated into clear and consistently applied protections.

Recommendations: Relevant national justice bodies, including the National Council on the Administration of Justice and the Office of the Attorney General and Department of Justice, should consider incorporating the safeguards examined in this study into guidance for community-based restorative justice. The guidance should emphasise understandable information, voluntary participation, confidentiality, impartial facilitation, preparation, and reasonable consideration of victim preferences concerning meeting time and venue.

National Government Administration Officers and community facilitators should conduct brief pre-meeting readiness and safety checks to identify practical barriers, perceived bias, fear, or power imbalance before the restorative meeting proceeds. Where direct participation is unsuitable, the process should be adapted or referred in accordance with

applicable law and policy rather than being continued solely to secure an agreement.

Facilitators should explain, in a language and form the victim understands, the purpose of the process, participant roles, confidentiality boundaries, possible outcomes, and available alternatives. Understanding should be checked during the process rather than assumed after a single briefing.

The time and location of meetings should, where practicable, take account of victim safety, accessibility, and readiness. Where a victim-support or advocacy

function is used, its role should be clearly distinguished from neutral facilitation, with defined boundaries intended to support rather than replace the victim's own voice.

Monitoring of restorative justice should include measures of process quality in addition to completion of an agreement. Records should indicate whether victims received understandable information, were prepared for participation, understood confidentiality, had an opportunity to express reasonable preferences, and participated without pressure.

REFERENCES

- Avdija, A. S. (2019). Examining the effect of witness-offender and witness-victim relationship on crime-reporting behavior. *Criminal Justice Studies*, 32(4), 317–329. <https://doi.org/10.1080/1478601X.2019.1627531>
- Babbie, E. R. (2020). *The practice of social research* (15th ed.). Cengage Learning.
- Batchelor, D. (2019). How restorative justice 'works': Psychological changes expected and experienced by victims who communicate with offenders [Doctoral dissertation, University of Oxford]. Oxford University Research Archive. <https://ora.ox.ac.uk/objects/uuid:20225f07-14ac-4edc-93e8-1015903e0487>
- Bolitho, J. (2017). Inside the restorative justice black box: The role of memory reconsolidation in transforming the emotional impact of violent crime on victims. *International Review of Victimology*, 23(3), 233–255. <https://doi.org/10.1177/0269758017714549>
- Bolitho, J., & Bruce, J. (2017). Science, art and alchemy: Best practice in facilitating restorative justice. *Contemporary Justice Review*, 20(3), 336–362. <https://doi.org/10.1080/10282580.2017.1348896>
- Braun, V., & Clarke, V. (2019). Reflecting on reflexive thematic analysis. *Qualitative Research in Sport, Exercise and Health*, 11(4), 589–597. <https://doi.org/10.1080/2159676X.2019.1628806>
- Field, A. (2018). *Discovering statistics using IBM SPSS statistics* (5th ed.). SAGE Publications.
- Gachoki, D. W., Oruta, E. M., & Onyango, E. A. (2023). Victims' satisfaction with procedural justice reforms in Kakamega Law Courts, Kenya. *East African Journal of Education and Social Sciences*, 4(3), 217–228. <https://doi.org/10.46606/eajess2023v04i03.0293>
- Gavrielides, T. (2017). The victims' directive and what victims want from restorative justice. *Victims & Offenders*, 12(1), 21–42. <https://doi.org/10.1080/15564886.2014.982778>
- Gavrielides, T. (2021). *Power, race, and justice: The restorative dialogue we will not have*. Routledge.
- Julich, S., & Landon, F. (2017). Achieving justice outcomes: Participants of Project Restore's restorative processes. In E. Zinsstag & M. Keenan (Eds.), *Restorative responses to sexual violence: Legal, social and therapeutic dimensions* (pp. 192–212). Routledge. <https://doi.org/10.4324/9781315630595-10>
- Kilchling, M. (2019). Restorative justice: Incorporating victims' rights and needs. In G. Fornasari & E. Mattevi (Eds.), *Giustizia riparativa: Responsabilità, partecipazione, riparazione* (pp. 3–34). Facoltà di Giurisprudenza, Università di Trento.
- Kirkwood, S. (2022). A practice framework for restorative justice. *Aggression and Violent Behavior*, 63, Article 101688. <https://doi.org/10.1016/j.avb.2021.101688>
- Kiogora, D. M. (2025). *Alternative justice system and resolution of disputes in Isiolo County, Kenya* [Master's research project, Kenyatta University]. Kenyatta University Institutional Repository. <https://ir-library.ku.ac.ke/items/8d46b400-74ec-4ab4-96d2-139cfc3c3adc>
- Lind, E. A., & Tyler, T. R. (1988). *The social psychology of procedural justice*. Plenum Press.

- Meléndez, A. (2020). The challenge of a face-to-face meeting: When offenders meet their victims during mediation. *Revista de Victimología*, 11, 67–94. <https://doi.org/10.12827/RVJV.11.05>
- Murhula, P. B. B., & Tolla, A. D. (2021). The effectiveness of restorative justice practices on victims of crime: Evidence from South Africa. *International Journal for Crime, Justice and Social Democracy*, 10(1), 98–110. <https://doi.org/10.5204/ijcjsd.1511>
- Nascimento, A. M., Andrade, J., & de Castro Rodrigues, A. (2023). The psychological impact of restorative justice practices on victims of crimes—a systematic review. *Trauma, Violence, & Abuse*, 24(3), 1929–1947. <https://doi.org/10.1177/15248380221082085>
- Office of the Attorney General and Department of Justice. (2024). *Sessional Paper No. 4 of 2024 on the National Alternative Dispute Resolution Policy*. <https://libraryir.parliament.go.ke/handle/123456789/28895>
- Omowon, A., & Kunlere, A. S. (2024). Restorative justice practices: Bridging the gap between offenders and victims effectively. *World Journal of Advanced Research and Reviews*, 24(3), 2768–2785. <https://doi.org/10.30574/wjarr.2024.24.3.3978>
- Strang, H., Sherman, L. W., Mayo-Wilson, E., Woods, D., & Ariel, B. (2013). Restorative justice conferencing (RJC) using face-to-face meetings of offenders and victims: Effects on offender recidivism and victim satisfaction. A systematic review. *Campbell Systematic Reviews*, 9(1), 1–59. <https://doi.org/10.4073/csr.2013.12>
- Suzuki, M. (2020). From ‘what works’ to ‘how it works’ in research on restorative justice conferencing: The concept of readiness. *The International Journal of Restorative Justice*, 3(3), 356–373. <https://doi.org/10.5553/IJRJ.000049>
- Tavakol, M., & Dennick, R. (2011). Making sense of Cronbach’s alpha. *International Journal of Medical Education*, 2, 53–55. <https://doi.org/10.5116/ijme.4dfb.8dfd>
- Thibaut, J. W., & Walker, L. (1975). *Procedural justice: A psychological analysis*. Lawrence Erlbaum Associates.
- Umbreit, M. (2023). *Victim meets offender: The impact of restorative justice and mediation*. Wipf and Stock Publishers.
- Van Camp, T., & Wemmers, J. A. (2013). Victim satisfaction with restorative justice: More than simply procedural justice. *International Review of Victimology*, 19(2), 117–143. <https://doi.org/10.1177/0269758012472764>
- Wemmers, J. A., Parent, I., & Lachance Quirion, M. (2023). Restoring victims’ confidence: Victim-centred restorative practices. *International Review of Victimology*, 29(3), 466–486. <https://doi.org/10.1177/02697580221128830>