

**Beyond Retribution: Understanding When and Why People Favour Restorative Justice
over Traditional Punishment**

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Abstract

Public perception of justice approaches plays a central role in implementing restorative and retributive practices within the justice system. Research relates justice preferences to an interplay of contextual factors, such as perceived seriousness and the choice of justice options, and individuals' characteristics, including moral foundations and worldviews. This study employs a within-subjects design to examine public perception of justice approaches across six crime case vignettes of varying severity and explore the role of moral foundations and worldviews in justice preferences. Participants (N = 82) chose among three justice approaches: (1) a purely retributive sentencing process, (2) a restorative procedure with impact on sentencing, or (3) a parallel restorative procedure without impact on sentencing and rated the perceived appropriateness of each justice option across all cases. In line with the hypotheses, as perceived crime seriousness increases, participants were more likely to choose a parallel restorative justice approach without impact on sentencing, while they rated a purely retributive sentencing process as highly appropriate. However, neither worldview was examined as a mediator of the relationship between the hypothesised justice choice preference or appropriateness rating of the justice option. These findings call for future research on restorative justice in legal practice and how more specific characteristics such as political orientation shape public perception of justice approaches.

Beyond Retribution: Understanding When and Why People Favour Restorative Justice over Traditional Punishment

Theories of punishment or responses to crime, including retributivism, deterrence, rehabilitation, and restorative justice, offer distinct justifications for penal measures (Brooks, 2015). One of the oldest and most familiar approaches is the retributive justice theory, which attributes crime as a violation against the state and justifies punishment for crime based on the damage to society, rather than the victim (Brooks, 2021; Gabbay, 2005; Trenczek, 2013; Zehr, 1990). Retributive justice is achieved by systematic legal processes focusing on desert and proportionality, claiming that ‘criminals deserve punishment in proportion to [the] crime [they committed]’ (Brooks, 2021, p. 17).

However, the retributive justice approach has been criticised due to its high costs, ineffective rehabilitation, failure to reduce reoffending (Clarke, 2010; Eadie & Morley, 2011) and a lack of insight into the conditions and effects of imprisonment on offenders (Kerr, 2018). Critics emphasise that imprisonment as a retributive punishment can harm offenders' social relationships and job opportunities potentially leading to social exclusion (O'Donnell, 2016; Pager, 2003; Sutton, 2022). Imprisonment may even reinforce their criminal identity instead of exemplifying societal reintegration, ultimately increasing the risk of reoffending (Estes, 1944; Nagin et al., 2009; United Nations Office on Drugs and Crime, 2018). These shortcomings, combined with the negative effects on victims associated with excluding them from the justice process of their case, gave rise to the implementation of alternative responses to crime (Trenczek, 2013; Umbreit, 2002; Van Dijk, 2001; Victim Support, 2010).

Such alternative response lies within restorative justice, which views crime as harmful to the relationship between the offender, the victim, and society (Brooks, 2014). This approach fosters reconciliation and achieves agreement among all parties involved in the crime to recover their relationship (Brooks, 2014; Roberts & Stalans, 2004). Victim-offender

mediation (VOM), the most well-known program of restorative justice in Europe, involves victims and offenders in a guided process addressing the harm caused by a crime (Bazemore & Stinchcomb, 2004; Umbreit & Armour, 2010). It can be part of the justice system with an impact on legal proceedings, or in addition to the justice system without affecting sentencing (Gerkin, 2008). Restorative justice and programs of VOM have been applied for many years; however, so far, only in a minority of cases in a few European countries (Dünkel et al., 2015).

For the implementation of these justice programs, it is important to consider public perception to foster trust in the criminal justice system and establish balanced legal policies and sentencing (Karstedt & Endtricht, 2022; Warner et al., 2010). Previous research has shown that the public seems to have a positive attitude towards restorative justice (Vaandering & Reimer, 2019). Especially in less severe cases, people are in favour of restorative justice. However, previous studies did not examine whether people have a different perspective on the application of restorative justice when it is part of and impacts subsequent sentencing, or in addition to the criminal justice system. Since the public perception of restorative justice is important for broader application, this research will examine the following research question: *'Is the public perception of restorative justice different when VOM is part of the justice versus when it is not?'*

Restorative Justice

Over the years, practices of restorative justice have been introduced and continued to rise in developed countries all over the world (D'Souza & L'Hoiry, 2019; Marshall, 2020). From a restorative perspective, a crime is viewed as actively harming the relationship between the offender, the victim, and society (Brooks, 2014). The primary aim of restoration is to foster 'reconciliation between the offender, the victim and the community to which both belong' (Roberts & Stalans, 2004, p. 316) to achieve mutual agreement among all parties involved in the crime and recover their relationship (Brooks, 2014). This is accomplished by a

victim-centred approach that addresses the victim's needs and supports offenders in comprehending the harm their crime has caused, taking responsibility, and showing remorse (Roberts & Stalans, 2004; Umbreit, 2002). Restorative justice can be implemented in every step of the criminal justice process.

To achieve reconciliation at the sentencing stage, Johnstone and Van Ness (2007) conceptualised three components of restoration. Firstly, all individuals affected by the crime participate in an *encounter*, such as VOM or a peace-making circle. Secondly, the *transformative* component requires offenders to show empathy with the affected parties and commit to following the law in the future (Bazemore & Stinchcomb, 2004; Johnstone & Van Ness, 2007). Lastly, the *reparative* principle includes the offender restoring the societal damages through restitution or community services, striving to reintegrate them into society (Bazemore & Stinchcomb, 2004; Johnstone & Van Ness, 2007).

As restorative practices become more prominent, VOM stands out as the most well-known program of restorative justice in Europe (Gerkin, 2008). VOM aims to repair the psychological, and material damages of the offence through a voluntary, multi-staged process involving offenders, victims, and, in some cases, victims' families (Bazemore & Stinchcomb, 2004; Umbreit & Armour, 2010). It is always accompanied by a trained mediator who initially examines the suitability of the case and both parties, followed by a conversation with the offender and the victim separately (Umbreit, 2002). In the actual mediation session, crime victims and offenders meet in a safe environment to discuss the crime, its impact, and agree on approaches to restoration (Johnstone & Van Ness, 2007; Umbreit, 2002). Finally, there is a follow-up meeting, to check in with both parties and whether the commitments have been kept (Umbreit, 2002). When VOM is part of the justice system, the offender's participation does not exempt them from court procedures or sentencing; whether they meet the requirements may positively or negatively impact the outcome of further legal proceedings.

However, if VOM is conducted in addition to the justice system, it does not affect the offender's sentence. VOM is usually effective for less serious crimes, such as minor assaults or property offenses, but can also be applied to more severe cases (Umbreit, 2002).

VOM prioritises the needs of victims and offenders while also benefitting society. Usually resulting in mutual agreement, VOM increases the likelihood that offenders fulfil their restorative commitments compared to those in traditional court proceedings (Lauwaert & Aertsen, 2017). Many offenders perceive expressing emotions and apologising for their deeds as helpful for processing the crime and may even desist from reoffending. VOM offers psychosocial benefits for both parties as reflected by a cross-national assessment, with victims and offenders indicating high levels of satisfaction with the mediation process, its outcome and fairness compared to traditional court proceedings (Abrams et al., 2006; Hansen & Umbreit, 2018; Umbreit, 2002). Furthermore, VOM alleviates pressure from the criminal justice system by reducing the number of cases. It offers a cost-efficient approach and decreases recidivism rates among participating offenders (Hansen & Umbreit, 2018). Thus, VOM qualifies as a promising approach to incorporating the perspectives of victims and offenders into the justice process.

Restorative justice practices, such as VOM, are additional to retributive punishment. While some researchers may argue for strict separation of restorative and retributive justice practices (Strang & Braithwaite, 2001), most agree that they should complement each other in a justice system (Duff, 2003; Johnstone, 2007). Johnstone (2007), for instance, summarises that restorative justice practices cannot fully replace retributive justice in the current justice system, both approaches need to interact to be efficient. According to Duff (2003), restoration even necessitates retribution to satisfy all parties, as restoration aims for the offender to repair the harm caused to the victim, while retribution accounts for their moral wrongdoing within society. This implies that restorative justice is not a substitute for retributive punishment but

rather an additional response to crime. However, caution is required when mixing both practices, as Zehr (1990) and Pavlich (2005) express their concern that restorative justice may lose its purpose if it is integrated within an otherwise retributive justice system. Restorative justice practices may be reframed and applied as a form of coercive punishment, thus, losing the principle of the offender's voluntary participation and authenticity (Zehr, 1990; Zehr & Mika, 1998). Overall, the correct integration of restoration and retribution within the justice system would effectively address both accountability and healing.

Public Perception of Justice Approaches

Public perception plays a central role in the ongoing debate on implementing mixed justice procedures with restorative and retributive components in the justice system. The European legal system relies heavily on public opinion for making or reforming laws and their application in court (Freeman, 2006; Robinson & Darley, 2007). Assessing public perception is essential to establishing balanced legal policies and sentencing (Karstedt & Endtricht, 2022). Most often, sentencing decisions align with public opinion, and societal views on these decisions influence the overall trust in the justice system (Warner et al., 2010). As a crime does not only violate a victim but also societal norms, a suitable punishment needs to be supported by the affected individuals and the broader community (Duff, 2003; Gromet & Darley, 2006). This debate over balancing justice approaches in a legal system highlights the need for a deeper examination of public perception of different justice components.

While research has explored the role of public perception in the legal system, less attention has been given to how individuals perceive different justice approaches. Researchers have assessed the public perception of restorative justice procedures in isolation, for instance, through analyses of media articles, online comment sections or telephone interviews (Moore, 2012; Vaandering & Reimer, 2019). However, these studies present mixed findings. Moore (2012) emphasises that the media adopted a critical perspective lacking substantial

information and objectivity, while Vaandering and Reimer (2019) evaluate public attitudes towards restorative practices as generally favourable. These contrasting findings highlight the complexity of the perception of restorative justice.

Addressing this complexity, previous quantitative studies examined individuals' preferences for restorative or retributive justice based on crime severity. Roberts and Stalans (2004) found that public acceptance of restorative justice decreased with increasing crime severity, while support for a retributive justice approach increased. Similarly, Gromet and Darley (2006) examined that participants preferred purely restorative justice practices, like VOM, for minor offences (e.g., vandalism, assault, bike theft) but supported a combination of restorative and retributive justice when the crime was more serious (e.g. burglary, identity theft, attempted murder, rape). Building on this, Gromet and Darley (2009) assessed the impact of psychological factors, such as crime severity and shared identity between the victim and the offender, on participants' preference for restorative or retributive justice. Their findings underline that with growing crime severity support for restorative justice decreases. They also identified the shared identity between a victim and an offender as a factor that increases public support for restorative approaches. Thus, multiple factors may contribute to the public perception towards justice options.

Despite these insights, a research gap remains. While Roberts and Stalans (2004) confronted participants with a choice between a retributive or a restorative justice option, Gromet and Darley (2006; 2009) offered a choice between three options: Firstly, a purely retributive sentencing where the offender goes through a traditional court process with a judge determining their punishment. Secondly, a mixed approach in which VOM as a restorative justice procedure preceded a retributive court process, not indicating that the restorative component impacts subsequent retribution. Lastly, a purely restorative justice procedure, consisting solely of a VOM with no further court process or punishment. However, their study

did not inform participants that offenders' successful participation in VOM of the mixed approach resulted in a potential sentence reduction which is a probability when restorative justice is integrated into the justice system (Federal Judicial Center, n.d.). This lack of knowledge may have led to overestimating public preference for restorative justice.

Addressing this gap and examining whether the public perception of restorative justice differs when VOM is part of the justice versus when it is not, is essential for an accurate reflection of public perception and ensuring a balance of restorative and retributive justice in the legal system.

Therefore, this research aims to evaluate the public perception of justice approaches by assessing individuals' preferences for restorative and retributive practices. This study will present multiple crime case vignettes of varying severity and allow individuals to choose from three justice approaches: (1) a purely retributive sentencing process, (2) a restorative procedure with impact on sentencing, and (3) a parallel restorative procedure without impact on sentencing. Addressing the limitation of Gromet and Darley (2006), participants will be informed that the offenders' successful participation in VOM of the second justice option accounts for mitigating circumstances in the retributive justice component, while the third justice option keeps the full retributive punishment independent of the restorative component. With this approach, participants can actively decide whether successful participation in a restorative justice practice (VOM) should mitigate the offender's sentence or not. While individuals may generally support the restorative justice component, previous findings suggest that they will be more inclined to choose the parallel, non-impacting rather than the impactful approach. Especially as the severity of the crime increases, they will perceive the necessity for an independent sentencing procedure (Gromet & Darley, 2006; Roberts & Stalans, 2004; Vaandering & Reimer, 2019). Thus, the hypotheses addressing the main effect state the following:

H1: As the severity of the crime increases, a greater proportion of participants will choose a parallel restorative procedure without impact on sentencing (Option 3) over a restorative procedure with impact on sentencing (Option 2).

H2: As the severity of the crime increases, participants will perceive a purely retributive sentencing process as more appropriate (Option 1).

The Role of Moral Foundations and Worldviews in Justice Choice Preferences

As the role of moral foundations and worldviews in perceptions of justice and punishment remains debated, the current study addresses these potentially underlying mechanisms. Côté-Lussier and Carmichael (2018), for instance, utilised a structural equation modelling approach to examine factors influencing punishment perceptions in Western society. They assessed the impact of ideological and moral systems on public opinion on harsh punishment by testing two models. The ideological model proposes that ideological systems underlie moral systems, and the moral model suggests that moral systems underlie ideological systems. Since they found support for the moral model, they argued that ideological beliefs may constitute a partial mediator of the relationship between moral concerns and punitive attitudes, especially right-wing authoritarianism. Building on this, Jørgensen and Nilsson (2024) examined the effect of moral intuitions and worldviews on individuals' perception of criminal punishment. They assessed how and why worldviews and moral foundations affect preferences and attitudes towards punishment methods. Their findings suggest that individuals' worldviews influence their punitive opinion in terms of severity, while moral foundations predict individuals' preferences for punishment methods.

However, neither of these studies analysed the influence of worldviews on the relationship between moral foundations and justice choice preferences. Addressing this research gap, the current study draws on *Moral Foundations Theory* (MFT) and *Polarity Theory* (PT) to examine their impact on justice perceptions and preferences.

Moral Foundations according to Moral Foundations Theory

MFT identifies the psychological mechanisms that form the basis of peoples' moral systems (Graham et al., 2011). It is a 'nativist, cultural-developmental, intuitionist and pluralistic approach to the study of morality' (Graham et al., 2013, p. 14), emphasising that moral foundations arise from innate intuitions influenced by cultural and social factors. Proponents argue that moral foundations are intuitions enabling the reasoning and resolution of adaptive problems that individuals are confronted with in their lives (Graham et al., 2013; Malka et al., 2016). While individuals differ in their moral foundations, two overall foundations shape their reasoning and decision-making: *binding* and *individualised moral foundations*.

According to MFT, individuals with binding moral foundations possess high levels of respect for authority, concern for purity and ingroup loyalty (Malka et al., 2016). While loyalty and authority were classified as community ethics, purity was conceptualised as an aspect of divinity ethics (Shweder et al., 1997). All three components serve as the basis for religious and conservative moral orientations and correspond to group commitment, duty and self-control (Graham et al., 2009).

MFT also includes individualised moral foundations, such as care and fairness (Malka et al., 2016). Shweder et al. (1997) categorised these as components of autonomous ethics. Individualised moral foundations are described as the psychological processes involved in the individuals' concern for rights, justice and equality as well as the recognition and response to the pain and suffering of others (Campos-Rams et al., 2023; Haidt, 2008). The findings of Campos-Rams et al. (2023) emphasise that high levels of individualised moral foundations buffer moral disengagement, especially in processes such as blame attribution.

Worldviews according to Polarity Theory

A second factor affecting individuals' justice choice preferences is political ideology. PT differentiates political ideology based on two broad worldviews: *Humanism* and *Normativism* (Nilsson & Jost, 2020). These worldviews reflect fundamental differences in individuals' perspectives on human nature, interpersonal relationships, emotional regulation, political ideology and epistemology. Humanism and normativism lie on a continuum, influencing individuals' moral and political perspectives. Although PT was proposed long ago, recent research by Nilsson and Jost (2020) underlines how it remains highly relevant in explaining the conflict between opposing worldviews that influence today's politics. This is especially evident in the current political development of increasing ideological polarisation.

The normativistic worldview is shaped by the belief that human worth depends on adherence to social norms and rules (Nilsson & Jost, 2020). Individuals with a normativistic worldview argue that human nature is fundamentally bad, and discipline is required to bring out the good (Nilsson, 2014). Nilsson and Jost (2020) emphasise that normativists present lower levels of the character traits honesty-humility, openness to experiences and emotionality compared to humanists. Normativists attach much value to controlling and regulating emotion and argue that affect hinders people from adhering to social standards and rationality (Nilsson, 2014). In terms of politics, normativists support the concept of rewarding good and punishing bad behaviour as they prioritise social discipline, and law and order. They prefer objectivity, empirical thinking, and verification over intuitive or abstract approaches to avoid mistakes. Normativistic beliefs align with right-wing political ideologies, resisting change, and accepting social hierarchies (Nilsson & Jost, 2020). Right-wing authoritarianism is thus closely linked to normativism and characterised by obedience to authority, adherence to traditional rules and norms and hostility towards those who oppose them (Duckitt & Bizumic, 2013). This aligns with their approach to failure with punishment and discipline and

their promotion of a rule-based social hierarchy, where affection and respect for others depend on their achievements and compliance (Nilsson, 2014).

The humanistic worldview, in contrast, highlights the intrinsic worth and goodness of human beings (Nilsson & Jost, 2020). Individuals with a humanistic worldview perceive humans as fundamentally good and only external influences lead to negative behaviours (Nilsson, 2014). They emphasise self-expression and spontaneity by encouraging trust, emotional openness and seeking enjoyable experiences. Referring to politics, humanists highlight collective well-being instead of compliance and advocate for liberty, rights and dignity. They perceive that explanation and imagination are essential for comprehending the world and value processes of innovation, exploration and emotionality. The findings of Nilsson and Jost (2020) further support a strong connection between humanism and left-wing political ideologies, preferences for equality, and openness to change. Humanists presented lower tendencies towards epistemic and existential justification, social dominance, and authoritarianism. They generally value unconditional love, empathy and reconciliation towards others and offer support even in cases of failure (Nilsson, 2014).

Justice Choice Preferences of Normativists with Binding Moral Foundations

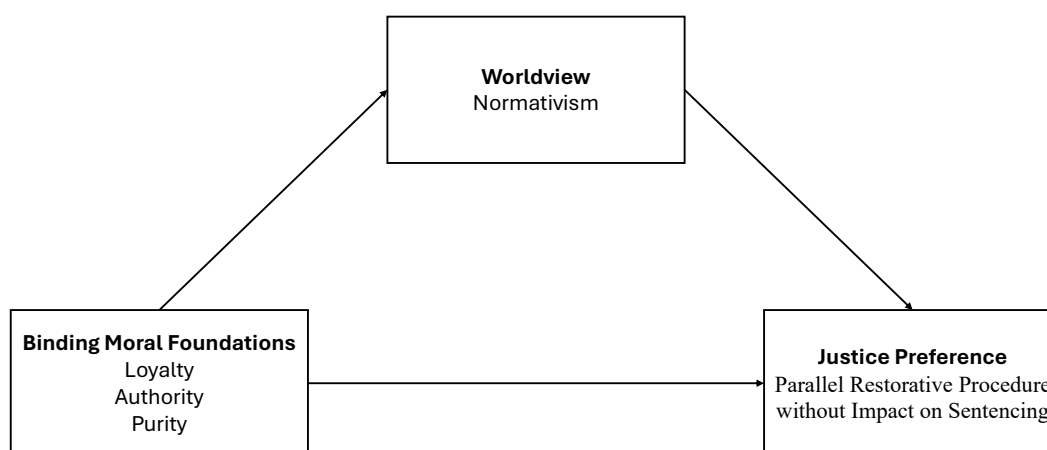
Normativists with binding moral foundations are linked to rigid attitudes towards punishment and justice. Research suggests that authority, loyalty and purity, were correlated with support for harsher penalties (Côté-Lussier & Carmichael, 2018). Especially normativists with these binding moral foundations were in favour of retributive and more severe penalties, such as imprisonment (Jørgensen & Nilsson, 2024). Due to the current studies' choice format, normativists with binding moral foundations may be torn between the purely retributive justice process and the restorative justice practice (VOM) in addition to and independent from the retributive sentencing process. But based on the finding that individuals generally hold a favourable attitude towards restorative justice and the fact that one choice of the current study

preserves an independent retributive while merely adding a restorative justice component (VOM), normativists are expected to support this option, as it maintains their primary focus on retribution (Vaandering & Reimer, 2019). Thus, individuals with a binding moral foundation who prefer a rigid structure of conformity and discipline are expected to be more in favour of a parallel restorative procedure without impact on sentencing mediated by their normativistic worldview (see Figure 1). This leads to the formulation of the following hypothesis:

H3: Normativists with binding moral foundations most often prefer a parallel restorative procedure without impact on sentencing (Option 3).

Figure 1

Normativistic Worldview as a Mediator of the Relationship between Binding Moral Foundations and a Preference for a Parallel Restorative Procedure without Impact on Sentencing



Justice Choice Preferences of Humanists with Individualised Moral Foundations

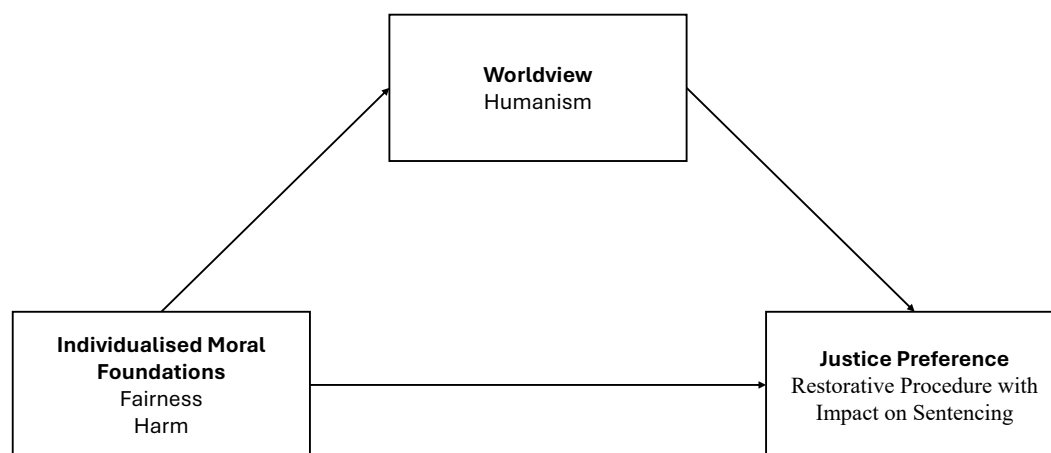
Humanists with individualised moral foundations are associated with flexible and compassionate attitudes towards punishment and justice. The findings of Côté-Lussier and Carmichael (2018) demonstrate that individuals' concerns about fairness and care were correlated with a preference for less severe punishments. Humanists with these individualised

moral foundations prefer restorative justice practices and rehabilitation over punitive measures (Campos-Rams et al., 2023; Jørgensen & Nilsson, 2024). They generally resist harsh punishments, but for some severe crimes, they would still choose a retributive punishment (Jørgensen & Nilsson, 2024). Ultimately, apart from some exceptions, individuals with individualised moral foundations will promote a restorative procedure with impact on sentencing to prioritise fairness and the well-being of individuals which is mediated by their humanistic worldview (see Figure 2). Therefore, the following hypothesis can be proposed:

H4: Humanists with individualised moral foundations most often prefer a restorative procedure with impact on sentencing (Option 2).

Figure 2

Humanistic Worldview as a Mediator of the Relationship between Individualised Moral Foundations and a Preference for the Restorative Procedure with Impact on Sentencing



Methods

Design

This quantitative study employed a within-subjects design to examine public perceptions of restorative and retributive justice practices. The study also explored whether individuals' worldviews mediate the relationship between moral foundations and justice choice preferences. Justice choice preferences and perceived appropriateness of the justice

options can be characterised as the dependent variables, while the perceived seriousness of the crimes and the influence of worldviews and moral foundations were assessed as independent variables. Data were collected via an online survey on the platform *Qualtrics*.

Participants

A total of 116 participants took part in this study, but the data of 34 participants (29.31%) were excluded due to missing demographic information or short completion times (< 15 minutes) with random response patterns. The remaining 82 participants ($M_{\text{age}} = 28.12$, $SD = 13.33$) of this sample, consisted of 52 females (63.41%), 28 males (34.15%) and two participants who did not report their gender (2.44%). The majority of the participants were German ($n = 64$, 78.0 %), followed by Dutch ($n = 6$, 7.3%), and Italian and Austrian ($n = 2$, 2.4 %; $n = 2$, 2.4 %). The remaining eight participants reported no, or other nationalities (Brazilian, Ecuadorian, German French, Lithuanian, Romanian, Swiss), while two participants did not give their nationality. Most participants indicated that they were students ($n = 59$, 72.0 %) or part-time/full-time workers ($n = 19$, 23.2 %). Regarding education, the highest completed level was most often a secondary school degree ($n = 43$, 52.4%), followed by a bachelor's degree ($n = 14$, 17.1%) and an apprenticeship ($n = 11$, 13.4 %). Seven participants reported holding a master's degree (8.5 %) and other types of educational qualifications (8.5%), while none reported holding a doctoral degree. Most participants indicated that they had not been familiar with the concepts of restorative justice and VOM prior to this study ($n = 52$, 63.4 %). While some participants were familiar with both concepts ($n = 22$, 26.8%), only a few reported that they were familiar with either of the two concepts ($n = 8$, 9.8%).

The study fulfilled the target sample size of at least 77 participants. This was the result of a power analysis conducted with the software program G*power (Faul et al., 2007; Faul et al., 2009) which indicated a .80 power across all analyses corresponding to a medium effect

size of .15 at the standard probability of a .05 alpha error. Participants were recruited via word-of-mouth and the University of Twente's SONA system, an online platform for participant recruitment. Participation in this study was voluntary. University of Twente students received 0.25 SONA credits as compensation, whereas other participants were not compensated for participating. The inclusion criteria required participants to be at least 18 years of age and have sufficient English proficiency. The study received ethical approval from the Ethics Committee of the University with the number 250697.

For the hypotheses testing, participants' responses were considered incomplete and excluded if they missed more than 20% of the Moral Foundations Questionnaire or the Modified Polarity Scale items, or when more than three justice approach choices, appropriateness ratings of the justice options, or crime seriousness ratings were missing. Participants who failed to absolve either of the two attention check items were excluded from the analyses considering moral foundations and worldview scores to ensure data integrity. Thus, three responses were removed from testing the third and fourth hypotheses.

Materials

Moral Foundations Questionnaire

To measure participants' moral foundations, the Moral Foundations Questionnaire (MFQ-30; Graham et al., 2009; Graham et al., 2011; YourMorals.org Collaboration, 2017; see Appendix) was utilised. This two-part questionnaire consists of 32 items, including two attention-check items. The questionnaire assesses five moral foundations: *Loyalty (Ingroup)*, *Authority*, *Purity*, *Fairness* and *Care*, each is represented by six items. These foundations can be categorised into the two umbrella terms of *Binding Moral Foundations*, considering *Loyalty*, *Authority* and *Purity*, and *Individualised Moral Foundations*, such as *Fairness* and *Care*. The mean scores on the items of the moral foundation subscales reflect their extent of influence on individuals' moral judgement.

In the first part of the questionnaire, participants were asked to indicate how *relevant* 16 given considerations were to their judgement of whether an action is right or wrong, e.g. ‘Whether or not someone did something to betray his or her group’ or ‘Whether or not someone acted in a way God would approve of’. Participants rated the statements on a six-point Likert scale with anchor points of ‘Not at All Relevant’ and ‘Extremely Relevant’. The attention-check item stated, ‘Whether or not someone was good at math’.

In the second part, participants rated their *agreement or disagreement* with 16 statements, e.g. ‘I am proud of my country’s history’ or ‘It can never be right to kill a human being’. They rated the statements on a six-point Likert scale ranging from ‘Strongly Disagree’ to ‘Strongly Agree’. The attention-check item in this scale stated, ‘It is better to do good than to do bad’.

The internal consistency of the Moral Foundations Questionnaire was examined using Cronbach’s alpha measure. The binding moral foundations’ subscale showed good reliability ($\alpha = .81$) and the individualised moral foundations’ subscale presented moderate reliability ($\alpha = .62$). These measures are considered reasonable reliability due to the small number of items used to capture a wide range of moral values (Graham et al., 2011).

Modified Polarity Scale

Participants’ worldviews were measured with the Modified Polarity Scale (Nilsson, 2015; see Appendix) which is a 30-item short scale derived from the Worldviews Questionnaire. This scale assesses worldviews based on two 15-item subscales covering the dimensions of *Normativism* and *Humanism*. The overall dimensions consist of five facets, such as *View of Human Nature*, *Interpersonal Attitudes*, *Attitude of Affect*, *Epistemology*, and *Political Values*. Participants indicated their agreement or disagreement with each statement on a seven-point Likert scale with the anchor points ‘Strongly Disagree’ and ‘Strongly Agree’, including a neutral response option.

The first 15 items of the scale considered the humanistic worldview, e.g. ‘The main purpose of education should be to enable the young to discover and create novelty’ or ‘Human beings are basically good’. The remaining 15 items addressed the normativistic worldview, e.g. ‘When people are in trouble, they should help themselves and not depend on others’ or ‘The bad people in the world outnumber the good people’. Higher scores on a subscale indicate a stronger inclination towards the respective worldview.

The internal consistency for the Modified Polarity Scale was also evaluated with a Cronbach’s alpha measure. The humanism short scale presented acceptable reliability ($\alpha = .78$) and the normativism short scale showed good reliability ($\alpha = .81$).

Crime Case Vignettes

Participants were presented with six fictional crime case vignettes (see Appendix), each describing a different offense. The order of the vignette presentation was randomised utilising a randomisation block of the Qualtrics platform to account for potential order effects. The crime scenarios addressed a range of antisocial behaviours varying in severity, context and type of harm (e.g. physical, financial or psychological).

The selection of crime types was based on the study of Gromet and Darley (2006) and included: vandalism, identity theft and fraud, domestic burglary, assault, sexual assault, and attempted murder. All case vignettes were written in a neutral narrative form and from a third-person perspective to reflect real-life crime conditions for simulated legal decision-making. The case descriptions were similar in length and amount of detail to ensure consistency across conditions. Each case vignette provided demographic information about the individuals involved (e.g., name, age, and gender), a brief description of the incident, and the offender’s legal charge. A trigger warning preceded each case vignette to prepare participants for potentially distressing content.

Justice Approach Choice

Before making their justice approach choice, participants were introduced to the concepts of restorative justice, VOM, and their relevance within legal decision-making (see Appendix). Thus, all participants, regardless of prior familiarity, were provided with an informative foundation for understanding the justice approaches in question.

Participants were instructed to take the perspective of an impartial judge choosing to refer each case to one of the three justice approaches. They were provided with brief definitions of each justice approach available for choice, including the expected consequences for the offender. These descriptions were also integrated along each justice approach choice to serve as a reminder to give participants the chance to refresh their knowledge when needed.

For each case vignette, participants chose one of the three justice approaches they found most appropriate for the offender: (1) a purely retributive sentencing process, (2) a restorative procedure with impact on sentencing, and (3) a parallel restorative procedure without impact on sentencing. Participants' justice choice was measured as a single categorical outcome for each case and considered as their justice choice preference.

Appropriateness Ratings of the Justice Options

In addition to the justice approach choice, participants also rated the perceived appropriateness of each of the three justice approaches for every crime case vignette. This was measured on a continuous slider scale from 'Not appropriate at all' (0) to 'Extremely appropriate' (100). Establishing this, allowed participants to indicate the extent to which they considered each justice approach as potentially appropriate for each case apart from their previous and definite justice approach choice. The appropriateness ratings for the justice approaches were averaged per crime case vignette to create six mean scores per justice approach reflecting participants' perceived appropriateness across the cases.

Perceived Seriousness of Crime

Participants indicated their agreement with five statements regarding the perceived seriousness of each crime on a seven-point Likert scale ranging from ‘Strongly Disagree’ to ‘Strongly Agree’. The scale addressed perceived harmfulness and perceived wrongfulness which constitute the two main components of crime seriousness.

Therefore, two items considered the extent of perceived harmfulness, including: ‘This crime has caused significant harm to individuals, society, the government and private entities’ and ‘The offender meant to or intended to commit this offense’ (Adriaenssen et al., 2018; Warr, 1989; Zebel et al., 2017). One item measured the perceived level of moral wrongfulness: ‘Committing this crime is morally wrong or bad’ (Warr, 1989; Zebel et al., 2017). A fourth item captured participants’ overall reflection on the crime’s seriousness: ‘The offense is serious considering both the severity of harm and its wrongfulness’ (Adriaenssen et al., 2018). For the final item, participants reported their views on the risk of reoffending and the potential for rehabilitation: ‘The offender has a high risk of reoffending and cannot be rehabilitated’ (Nee & Witt, 2013). All items were adjusted to fit a consistent statement format. To obtain an overall score of perceived crime seriousness, participants’ responses to the five items were averaged for each crime case vignette, forming a single seriousness score per case which is treated continuously.

The scale demonstrated varying levels of internal consistency across the case vignettes, $\alpha = .47-.77$. A six-factor structure indicated an adequate structural validity of .06 with a model fit of .086 and high factor score adequacy, $R^2 = .82-.92$.

Familiarity with the Main Concepts

At the end of the case vignettes section, participants were asked whether they had prior knowledge of the main concepts of this study: ‘Were you familiar with the concepts of restorative justice or victim-offender-mediation before participating in this study?’. They

could respond by indicating their familiarity with both concepts, only restorative justice, only VOM, or neither concept.

Procedure

Accessing the current study's survey, participants were presented with an informed consent form describing the study's purpose and procedure, their rights and confidentiality measures. Those who gave their consent to participate proceeded to the survey.

In the first part of the study, participants completed the two validated psychological questionnaires, the Moral Foundations Questionnaire and the Modified Polarity Scale. In the second part of the study, participants were introduced to the constructs relevant to their task in this study. This included definitions of restorative justice, VOM and the three justice approaches available for their decision. Participants were asked to take the perspective of an impartial judge considering fictional criminal cases. After reading each case, participants were reminded of the justice approach definitions and instructed to choose one of these three possible consequences: (1) a purely retributive sentencing process, (2) a restorative procedure with impact on sentencing, and (3) a parallel restorative procedure without impact on sentencing. They also rated the appropriateness of each justice approach on a scale and indicated their view on the seriousness of each crime.

Having evaluated all six cases, participants were asked whether they had been familiar with the concepts of restorative justice and VOM before this study. At the end of the survey, they reported their demographic information (e.g., age, gender, highest level of education, and occupation) and were debriefed on the study and its purpose. Each participant was assigned a confidential identification number and provided with instructions on how to withdraw their data if they wished to. On average, the survey took participants 37.03 minutes to complete, excluding three participants whose response time spanned over multiple days.

Results

The data were analysed in R, version 4.5.0.

Descriptive Statistics

Descriptive statistics were computed with the R packages dplyr, tidyverse, stringr, and psych. The Moral Foundations Questionnaire measured participants' moral foundations. Most participants in the current study showed stronger tendencies for individualised moral foundations ($M = 3.85$, $SD = 0.42$) than binding moral foundations ($M = 2.14$, $SD = 0.62$). The Modified Polarity Scale measured participants' worldviews. Most participants leaned towards a humanistic worldview ($M = 5.48$, $SD = 0.57$), while only a few had a normativistic worldview ($M = 3.81$, $SD = 0.76$). The respective descriptive statistics for all subscales are shown in Table 1.

Table 1

Descriptive statistics of the Moral Foundations Questionnaire and the Modified Polarity Scale.

Moral Foundations Questionnaire		
Moral Foundations	<i>M</i>	<i>SD</i>
Loyalty (0:5)	2.12	0.68
Authority (0:5)	2.35	0.67
Purity (0:5)	1.95	0.83
Binding Moral Foundations (0:5)	2.14	0.62
Fairness (0:5)	3.88	0.46
Care (0:5)	3.81	0.56
Individualised Moral Foundations (0:5)	3.85	0.42
Modified Polarity Scale		
Worldview	<i>M</i>	<i>SD</i>
Normativism (1:7)	3.81	0.76
Humanism (1:7)	5.48	0.57

Table 2 shows the descriptives of perceived seriousness ratings per case with the corresponding proportions of justice choices and appropriateness ratings for each justice option. Seriousness ratings were highest for the cases of attempted murder and sexual assault, and lowest for domestic burglary and vandalism. For cases with high seriousness ratings, a greater proportion of participants chose a parallel restorative procedure without impact on sentencing. Appropriateness ratings for these cases showed that participants considered both the parallel restorative procedure without impact on sentencing and the purely retributive sentencing as similarly appropriate. This suggests that their choice may rather reflect a preference. For cases with lower seriousness ratings, a greater proportion of participants chose a restorative procedure with impact on sentencing. The respective appropriateness ratings indicate that participants not only preferred but perceived this justice approach as the most appropriate for the offenders.

Table 2

Descriptive Statistics of Perceived Seriousness of Crime Scale from Highest to Lowest with the respective Justice Choice Proportions and Appropriateness Ratings for each Justice Option.

Crime Case Vignette	Perceived Seriousness (1:7)	Justice Choice Proportions			Appropriateness Ratings for Justice Options (%)		
	<i>M (SD)</i>	TPR	RI	RP	TPR	RI	RP
Attempted Murder	5.76 (0.79)	0.29	0.20	0.51	66.2	41.2	69.1
Sexual Assault	5.56 (0.73)	0.28	0.30	0.43	61.2	43.7	61.5
Identity Theft and Fraud	5.48 (0.67)	0.41	0.28	0.31	65.5	49.4	58.0
Assault	4.53 (0.90)	0.10	0.70	0.20	43.4	71.4	53.4
Domestic Burglary	4.47 (0.93)	0.18	0.64	0.19	51.4	65.5	52.4
Vandalism	4.43 (1.03)	0.21	0.63	0.16	51.5	64.2	53.9

Note. TR – Traditional Purely Retributive Sentencing; RI – Restorative Procedure With Impact on Sentencing; RP – Parallel Restorative Procedure Without Impact on Sentencing

Results of Hypotheses Testing

The Influence of Crime Seriousness on Justice Choice Preferences

For the first hypothesis, a Bayesian multinomial logistic mixed-effects regression was utilised with the R packages dplyr, ggplot2, brms, marginaleffects and DHARMA. The ratings of perceived seriousness of crime were treated continuously to examine their effect on justice choice preferences. Checking the assumptions, residual analyses revealed no significant outliers or variations in uniformity, $p = .21$; $p = .16$. A significant dispersion test ($p < .001$) indicates that the model underestimates data variability, implying less reliability of the predicted probabilities. Linearity between the perceived seriousness of crime and justice choice preference was tested with a smooth model, presenting no significant model improvement, $\Delta\text{elpd} = -4.6$, $SE = 3.3$. The model explained a moderate variance in justice approach choices, with McFadden's pseudo- R^2 of .24.

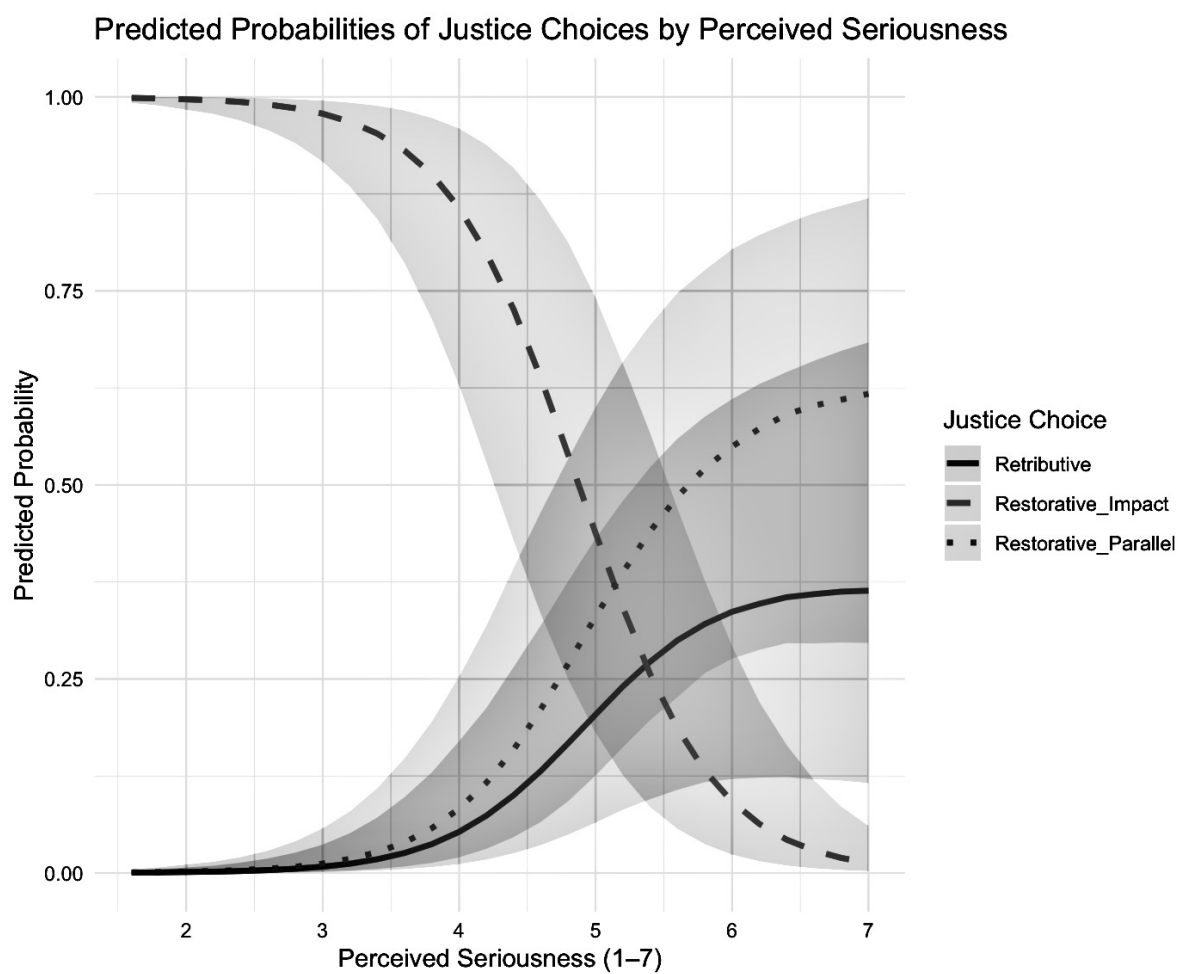
The results demonstrated that participants were significantly more likely to choose a restorative procedure with impact on sentencing when the perceived seriousness was low, ≤ 4.8 ; $M_{\text{Difference}} = -0.35$, 95% CI: [-0.54, -0.14], and more likely to choose a parallel restorative procedure without impact on sentencing when the perceived seriousness was high, ≥ 5.6 ; $M_{\text{Difference}} = 0.21$, 95% CI: [0.03, 0.38]. These findings were in line with the first hypothesis, stating that participants are more likely to choose a parallel restorative procedure without impact on sentencing, as the perceived seriousness of the crime case increases.

Exploratory analyses compared the probability of choosing the purely retributive sentencing process to the two restorative justice approaches across the levels of perceived crime seriousness. The results revealed a significant negative effect of perceived seriousness on the probability of choosing a restorative procedure with impact on sentencing relative to purely retributive sentencing, $\beta = -2.02$, 95% CI: [-2.55, -1.54]. However, the effect of perceived seriousness on the probability of choosing a parallel restorative procedure without

impact on sentencing was small and non-significant compared to purely retributive sentencing, $\beta = 0.04$, 95% CI: [-0.33, 0.40]. This indicates that with an increase in perceived seriousness, participants were less likely to choose the restorative procedure with impact on sentencing and chose either a parallel restorative procedure without impact on sentencing or a purely retributive sentencing instead (see Figure 3).

Figure 3

Effect of Perceived Seriousness on Probability for Choosing the Justice Options.



The Influence of Crime Seriousness on Perceived Appropriateness of a Retributive Sentencing Process

For the second hypothesis, a linear mixed-effects regression with the R packages lme4, lmerTest, tidyverse, lme4, emmeans, effectsize, ggeffects, parameters and performance were

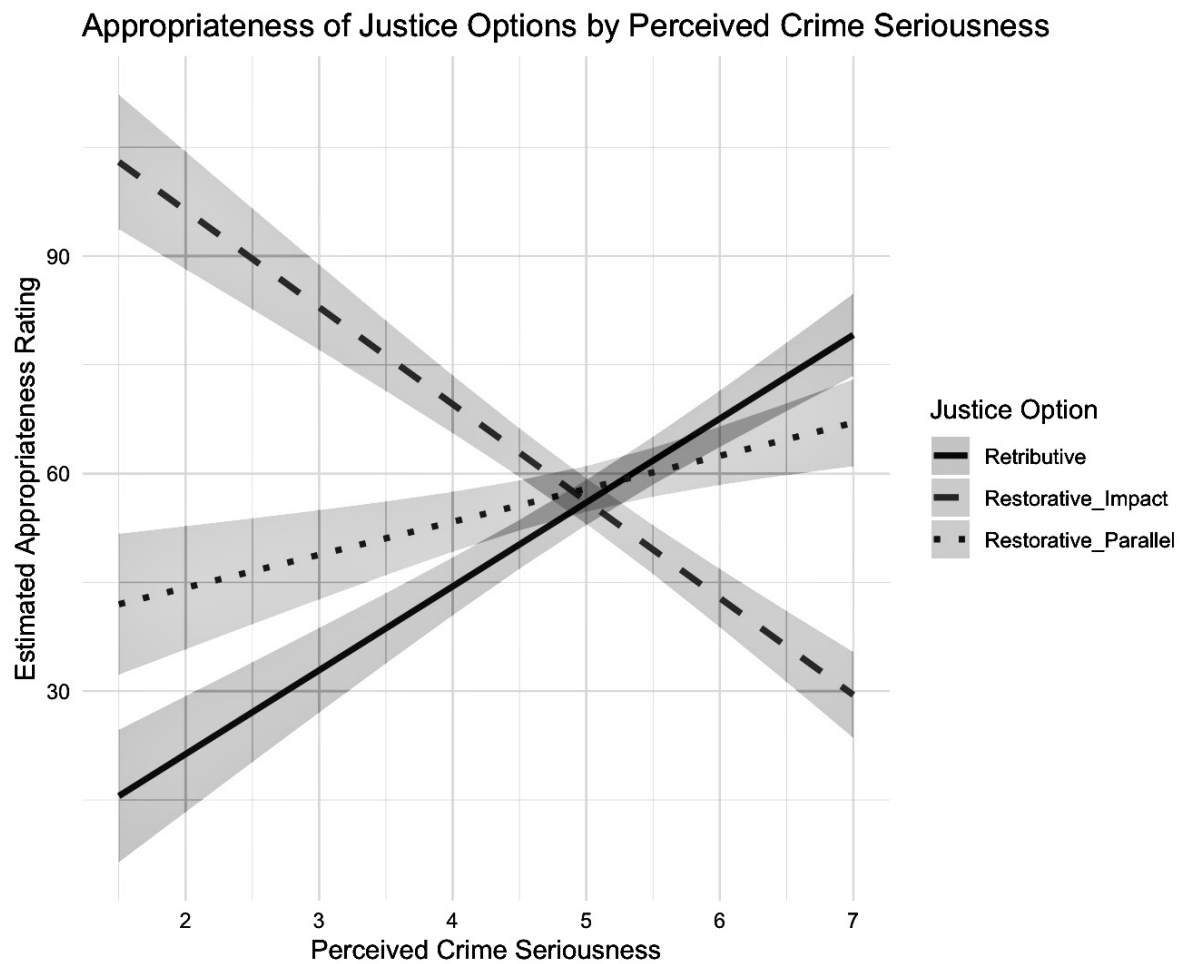
used to assess the effect of the continuously treated perceived seriousness of crime ratings on the appropriateness ratings of a retributive sentencing process. In the assumptions check, diagnostic residual plots showed a generally linear relationship with an overall normal distribution and only minor deviations. The variance appeared lower around a medium rating and presented a slightly wider spread at the extremes. Ultimately, these deviations were minor, and the remaining assumptions of independence and outliers were satisfied. Thus, the linear mixed-effects model presented a reasonable and valid fit.

The results showed a significant positive relationship between appropriateness ratings for the purely retributive sentencing and perceived seriousness of crime across all cases, $b = 12.37$, $SE = 1.09$, $t(438) = 11.33$, $p < .001$, 95% CI: [10.22, 14.51]. The standardised coefficient suggested a medium to large effect size, $\beta = .43$, 95% CI: [0.36, 0.51]. Therefore, these findings support the second hypothesis stating that with an increase in the severity of the crime, participants will perceive the purely retributive sentencing process as more appropriate.

Exploratory analyses addressed the effect of continuously treated perceived seriousness of crime ratings on appropriateness ratings of the remaining justice options. These revealed a significant negative relationship between appropriateness ratings for the restorative procedure with impact on sentencing and perceived seriousness of crime across all cases, $b = -15.68$, $SE = 1.25$, $t(434) = -12.51$, $p < .001$, 95% CI: [-18.14, -13.17], with a medium to large standardised effect size, $\beta = -0.50$, 95% CI: [-0.58, -0.42]. For the parallel restorative procedure without impact on sentencing and perceived seriousness of crime across all cases a positive significant relationship, $b = 6.18$, $SE = 1.23$, $t(417) = 5.02$, $p < .001$, 95% CI: [3.74, 8.59], with a moderate standardised effect size was found, $\beta = 0.21$, 95% CI: [0.13, 0.29]. As perceived seriousness increases, participants view the restorative procedure with impact on sentencing as less appropriate, while rating the parallel restorative procedure without impact on sentencing and the purely retributive sentencing as more appropriate (see Figure 4).

Figure 4

Effect of Perceived Seriousness on the Appropriateness Ratings of the Justice Options.



The Impact of Moral Foundations and Worldviews on Justice Choice Preferences

Testing the third and fourth hypotheses, the R packages *dplyr*, *parameters*, *janitor*, *mediation*, *ggplot2*, *performance*, *pscl*, and *tidyr* were utilised. The impact of moral foundations (individualised for H3; binding for H4) on worldviews (humanism for H3; normativism for H4), both used as continuous scores, was assessed with a simple linear regression. In the assumptions check, a Shapiro-Wilk test for both moral foundations and respective worldviews, revealed a deviation of the residuals from normality, $W_{H3} = 0.98, p < .001$; $W_{H4} = 0.99, p < .001$. Both regressions presented acceptable homoscedasticity and no interfering outliers. Although the normality assumption was violated, a simple linear regression model was utilised.

The mediation analyses utilised a linear regression for the mediator and a binomial logistic regression for the outcome, with bootstrapping including 5,000 resamples. Justice choice preference as outcome was recoded into binary, dependent categories; a preference for a restorative procedure with impact on sentencing (H3) or a parallel restorative procedure without impact on sentencing (H4) versus no preference for the hypothesised justice approach. Checking the assumptions of the mediation analyses, showed acceptable multicollinearity between the concepts, $r_{H3} = .38$; $r_{H4} = .56$. Plotting the log-odds, a linear relationship was found for individualising moral foundations and humanism while binding moral foundations and normativism violated this assumption. McFadden's pseudo- R^2 showed that both models explained minimal variance in the hypothesised justice choice preferences, $R^2_{H3} = .003$; $R^2_{H4} < .001$.

For hypothesis three, binding moral foundations were examined as a significant positive predictor for a normativistic worldview with a medium standardised effect size. Table 3 shows the mediation analysis which did not reveal significant effects or explanatory power for choosing a parallel restorative procedure. Therefore, hypothesis 3 suggesting a normativistic worldview as a mediator of the relationship between binding moral foundations and choosing a parallel restorative procedure was rejected.

As the variable perceived appropriateness was rated on a continuous scale, it differs from the finite justice approach choice participants made. Thus, exploratory mediation analyses with the outcome variable appropriateness rating were conducted using linear regressions. In line with previous research findings considered for hypothesis three, normativism could potentially mediate the relationship between binding moral foundations and appropriateness ratings of either justice option that preserves an independent retributive component (Jørgensen & Nilsson, 2024; Vaandering & Reimer, 2019). The results of the exploratory analyses are displayed in Table 4 and revealed an indirect effect of normativistic

worldview on binding moral foundations and appropriateness ratings of a parallel restorative procedure without impact on sentencing. They also showed a significant direct effect of binding moral foundations on appropriateness ratings for a purely retributive sentencing. However, as these effects are only partial and did not significantly explain the variance in appropriateness ratings of the justice options, they are characterised as overall not significant. Ultimately, the current study suggests that participants' binding moral foundations and normativistic worldview are no underlying mechanisms neither for choosing a parallel restorative procedure nor for rating both justice approaches preserving an independent retributive component as more appropriate.

For hypothesis four, individualised moral foundations were examined as a significant positive predictor for a humanistic worldview with a medium to large, standardised effect size. Table 3 presents the mediation analysis which shows no significant explanatory power for choosing a restorative procedure with impact on sentencing. Thus, hypothesis four stating that a humanistic worldview mediates the relationship between individualising moral foundations and choosing a restorative procedure with impact on sentencing, was also rejected.

Similar to the previous exploratory analyses, an additional mediation analysis with linear regressions for the outcome variable appropriateness rating of a restorative procedure with impact on sentencing, was conducted. This was based on the literature underlying hypothesis four, which suggests humanism as a potential mediator of the relationship between individualising moral foundations and higher appropriateness ratings for a restorative procedure with impact on sentencing (Campos-Rams et al., 2023; Jørgensen & Nilsson, 2024). However, this analysis also shown in Table 4 revealed no significant results. Overall, these findings show that participants' individualised moral foundations and humanistic

worldview do not impact choosing or rating the restorative procedure with impact on sentencing as more appropriate.

Table 3

Results of the Simple Linear Regression and the Mediation Tests.

Simple Linear Regression							
Hypothesis	Effect	<i>b</i>	<i>SE</i>	β	<i>t</i>	Lower CI	Upper CI
H3	Binding → Normativism	0.47	0.13	0.38	3.63***	0.21	0.72
H4	Individualised → Humanism	0.76	0.13	0.56	5.88***	0.50	1.02

Mediation Test Results					
Hypothesis	Effect	<i>b</i>	Lower CI	Upper CI	<i>p</i>
Total Effects					
H3	Binding → Option 3	-0.01	-0.06	0.06	.75
H4	Individualised → Option 2	-0.04	-0.15	0.07	.48
Indirect Effects					
H3	Binding → Normativism → Option 3	-0.01	-0.04	0.01	.30
H4	Individualised → Humanism → Option 2	-0.01	-0.09	0.06	.72
Direct Effects					
H3	Binding → Option 3	< 0.01	-0.06	0.08	.92
H4	Individualised → Option 2	-0.03	-0.15	0.10	.70
Proportion Mediated					
H3	Binding → Normativism → Option 3	1.37	-7.48	9.19	.83
H4	Individualised → Humanism → Option 2	0.33	-7.38	7.79	.86

Note. Binding – Binding Moral Foundations; Normativism – Normativistic Worldview; Individualised – Individualised Moral Foundations; Humanism – Humanistic Worldview; Option 3 – Parallel Restorative Procedure Without Impact on Sentencing; Option 2 – Restorative Procedure With Impact on Sentencing

* $p < .05$, ** $p < .01$, *** $p < .001$

Table 4

Results of the Exploratory Mediation Tests.

Exploratory Mediation Test Results

Hypothesis	Effect	<i>b</i>	<i>Lower CI</i>	<i>Upper CI</i>	<i>p</i>
Total Effects					
EA H3	Binding → Rating 3	-3.16	-7.54	1.12	.15
	Binding → Rating 1	8.07	3.60	12.40	<.001***
EA H4	Individualised → Rating 2	2.26	-4.86	9.59	.54
Indirect Effects					
EA H3	Binding → Normativism → Rating 3	-3.86	-6.38	-1.69	<.001***
	Binding → Normativism → Rating 1	0.91	-1.06	2.85	.34
EA H4	Individualised → Humanism → Rating 2	-0.86	-5.52	3.63	.69
Direct Effects					
EA H3	Binding → Rating 3	0.70	-4.11	5.64	.77
	Binding → Rating 1	7.15	2.16	11.95	.004**
EA H4	Individualised → Rating 2	3.12	-5.22	11.71	.45
Proportion Mediated					
EA H3	Binding → Normativism → Rating 3	1.22	-8.73	11.93	.15
	Binding → Normativism → Rating 1	0.11	-0.14	0.49	.34
EA H4	Individualised → Humanism → Rating 2	-0.38	-6.96	7.19	.88

Note. EA H3 – Exploratory Analyses for Hypothesis 3; EA H4 – Exploratory Analyses for Hypothesis 4; Binding – Binding Moral Foundations; Rating 3 – Appropriateness Rating for the Parallel Restorative Procedure Without Impact on Sentencing; Rating 1 – Appropriateness Rating for the Purely Retributive Sentencing; Individualised – Individualised Moral Foundations; Rating 2 – Appropriateness Rating for Restorative Procedure With Impact on Sentencing; Normativism – Normativistic Worldview; Humanism – Humanistic Worldview

* $p < .05$, ** $p < .01$, *** $p < .001$

Discussion

This study investigated when and why people favour restorative justice over traditional, retributive punishment, by examining the effect of six crime case vignettes with varying severity on justice choice proportions and appropriateness ratings of the justice

options. This study also examined the impact of moral foundations theory and polarity theory on individuals' justice choice preferences and appropriateness ratings of the justice options.

The study's findings reflected that perceived crime seriousness significantly impacts individuals' justice choice preferences and appropriateness ratings of the justice options. In line with hypothesis one, as perceived crime seriousness increased, participants chose either a parallel restorative procedure without impact on sentencing or a purely retributive procedure, while they were unlikely to choose a restorative procedure with impact on sentencing. The results also support hypothesis two that as perceived crime seriousness increased, participants rated the purely retributive sentencing or the parallel restorative procedure without impact on sentencing as highly appropriate. Similar to justice choice preferences, participants' appropriateness ratings for the restorative procedure with impact on sentencing decreased as crimes increased in perceived seriousness.

For the second research question, the results were initially in favour of the hypotheses showing that binding moral foundations predicted a normativistic worldview and individualised moral foundations predicted a humanistic worldview. Further analyses revealed neither worldview as a mediator between the suggested moral foundations and justice choice preferences, leading to the rejection of hypotheses three and four. Conducting exploratory analyses in line with the underlying literature of the hypotheses, but with appropriateness ratings of the justice options instead of justice choice preferences as the outcome variable, revealed partial significant effects. However, the found effects did not significantly explain the variance, indicating no mediation effect from either worldview on the corresponding moral foundation and appropriateness rating for the justice option.

Perceived Crime Seriousness and Justice Choice Preferences

This study showed that when individuals can choose from different justice options as a response to crime, they prefer justice approaches that include both a restorative and a

retributive component. For crimes perceived as less serious, such as the cases of vandalism and assault, participants of the current study preferred choosing the potentially mildest consequence, a restorative procedure with impact on consecutive sentencing. In contrast, for crimes perceived as serious, such as the cases of sexual assault and attempted murder, participants preferred choosing either a parallel restorative procedure without impact on sentencing or a purely retributive sentencing process.

Adding to previous research (Gromet & Darley, 2006; Gromet & Darley, 2009; Roberts & Stalans, 2004), the current study grants insight into participants' justice preferences by offering a choice between two mixed justice options and whether the restorative component has an impact on the retributive sentencing component or not. In line with Johnstone (2007), who emphasised the need for integrating restorative and retributive justice approaches, this study avoided a purely restorative procedure as a justice option to reflect real-world legal proceedings of severe crimes more accurately. Taking this realistic perspective, the findings support that individuals are generally in favour of justice approaches including restorative components (Vaandering & Reimer, 2019).

The current study's findings on perceived crime seriousness and justice choice preferences are mostly aligned with previous research insights. The lowest perceived seriousness ratings for vandalism and assault corresponded to those of Gromet and Darley (2006). Most participants of the current study chose the restorative procedure with impact on sentencing for these cases, aligning with Gromet and Darley (2006) who found the greatest support for their mildest consequence, the purely restorative procedure. This demonstrates that participants see the highest rehabilitation potential for such offenders. The current study also aligned with Gromet and Darley (2006) by finding the highest perceived seriousness ratings for the cases of sexual assault and attempted murder. In both studies, most participants

chose a mixed justice procedure which reflects their need for an independent sentencing procedure but also the addition of a restorative justice component.

However, in some respects, Gromet and Darley's (2006) findings deviated from the current study. While they examined high seriousness ratings for the case of domestic burglary and most participants chose a mixed justice procedure, the participants of this study rated the domestic burglary case as second least serious and most of them chose a restorative procedure with impact on sentencing. In line with recent research, both studies showed high seriousness ratings for the identity theft and fraud cases, but participants' justice choice preferences deviate across studies (Button et al., 2022). Gromet and Darley (2006) found that most participants preferred a mixed justice procedure. Unexpectedly, the current study demonstrated relatively balanced justice choice proportions for all three justice options, with a slight majority for a purely retributive sentencing process.

To explain these found distinctions, scanning and comparing the compositions of the case vignettes brings clarifications. In the highly seriously perceived domestic burglary case vignette of Gromet and Darley (2006), for instance, the offender was armed, and acted professionally, there was no mention of any personal motivation or potential triggers for empathetic involvement. In contrast, the case vignette of the current study described an unarmed offender, sneaking through an unlocked door, motivated by situational cues and financial desperation, factors that may be associated with lower perceived seriousness ratings. According to Fousiani and Van Prooijen (2022), individuals are more likely to attribute powerless offenders to restorative procedures mediated by the perceived low evilness of the offender. The portrait of the offender in this study's case vignette on domestic burglary may contribute to such perception of participants. This may have elicited lower perceived seriousness ratings and similar to the cases of vandalism and assault, participants preferred

choosing the potentially mildest consequence of the current study, a restorative procedure with impact on consecutive sentencing.

Regarding the case of identity theft and fraud, the differential composition of the case vignette is also apparent. Gromet and Darley (2006) addressed a physical crime case from the offender's perspective, in a neutral writing style and lacking information about the victim or the offender. The current study, in contrast, considers a cybercrime case, written from an emotionally charged victim's perspective, and describes the offender as an intentional hacker implying previous hacking offenses. According to Cullen et al. (2019), individuals prefer harsher punishments for white-collar crimes such as this when they are harmful, the offender is clearly responsible, breaks trust, and there is a need for equality. Fulfilling these criteria, along with the context and writing style of the current study's case may have shaped participants' justice perception. This may explain their preferences for choosing either a purely retributive sentencing or a parallel restorative procedure and participants' need for an independent retributive justice component.

For the other seriously perceived cases, such as sexual assault and attempted murder, participants preferred choosing a parallel restorative procedure without impact on sentencing. Similarly, the participants of Gromet and Darley's (2006) study rated these offenses as highly serious and chose a justice approach with a parallel retributive component. This further emphasises participants' need for an independent sentencing procedure apart from the restorative practice in response to serious crimes. Fousiani and Van Prooijen (2022) found that individuals are more likely to attribute powerful offenders, such as in these case vignettes, to utilitarian punishment mediated by the perceived high evilness of the offender. Utilitarian punishment is conceptualised as having no harmful consequence for the offender but rather as focused on minimising future harm to society by preventing reoffending (Hanafy, 2021). Thus, participants may perceive the parallel restorative procedure without

impact on sentencing as a form of utilitarian punishment for offenders of these serious crimes, to ensure rehabilitation while maintaining an independent court procedure.

Overall, the favourable view on restorative justice across the case vignettes of the current study reflects emerging trends in public perception. Araña et al. (2025) suggest that the public increasingly prefers rehabilitation for criminal behaviours as they consider offenders' mechanisms and reasons instead of rigid punishment. In line with this, individuals' justice choice preferences in the current study were mainly split between two options: the restorative procedure with impact on sentencing or the parallel restorative procedure without impact on sentencing. This reflects the need for clarity on how and with what impact restorative components are integrated into justice procedures. Individuals consider not only the characteristics and seriousness of a case when choosing whether a justice approach with a restorative component should be applied, but also how the implementation of that component would affect the offender's consecutive legal proceedings. To capture these complexities of public perception, the justice system requires a blend of justice procedures distinguishing retributive and restorative justice constructs and within-component variations, to address distinct characteristics and severity of crimes more appropriately.

Moral Foundations, Worldviews and Justice Choice Preferences or Appropriateness Ratings of the Justice Options

Beyond the impact of perceived seriousness, this study showed that individuals with binding moral foundations had a normativistic worldview. This means that individuals who possess high levels of respect for authority, concern for purity and ingroup loyalty are shaped by the normativistic belief that human worth depends on adherence to social norms and rules (Côté-Lussier & Carmichael, 2018; Malka et al., 2016; Nilsson & Jost, 2020). These findings aligned with Côté-Lussier and Carmichael's (2018) support for the moral model. However, contrary to the expectations based on previous research (Côté-Lussier & Carmichael, 2018;

Jørgensen & Nilsson, 2024), this study's mediation analyses revealed that binding moral foundations and normativistic worldview are no underlying mechanisms, neither for choosing a parallel restorative procedure nor for the appropriateness ratings of both justice approaches preserving an independent retributive component.

This study also found that individuals with individualised moral foundations had a humanistic worldview. Thus, individuals who possess high levels of care and fairness also highlight the humanistic belief of intrinsic worth and goodness of humans in line with previous research (Côté-Lussier & Carmichael, 2018; Malka et al., 2016; Nilsson & Jost, 2020). Unexpectedly, the mediation analyses revealed that participants' individualised moral foundations and humanistic worldview do not impact choosing or rating the restorative procedure with impact on sentencing as more appropriate. This deviates from the expectations based on previous studies (Campos-Rams et al., 2023; Côté-Lussier & Carmichael, 2018; Jørgensen & Nilsson, 2024).

A potential explanation for the absence of mediation effects lies in the distinct measurement approaches to constructs of punishment perception. In the current study, participants' perception of justice choices was assessed by a multiple-choice question requiring participants to decide on one suitable justice procedure among three mutually exclusive justice options for each offender (Taherdoost, 2016). In contrast, the outcome variable appropriateness for the justice options considered participants' ratings on a continuous scale. Côté-Lussier and Carmichael (2018) examined participants' punitive attitudes based on Likert scales. Both measurement types enabled individuals to express their level of agreement gradually (Koo & Yang, 2025). However, Côté-Lussier and Carmichael (2018) assessed punitiveness through agreement with multiple statements, while the current study considered a single appropriateness rating per justice option across the cases. This

differentiation in measurement may not only reason for the variation in constructs of punishment perception but also their distinct underlying mechanisms.

Building on this, Jørgensen and Nilsson (2024) emphasise the complexity of capturing individuals' punishment perceptions and their underlying constructs. While Côté-Lussier and Carmichael (2018) highlight that individuals' moral foundations underlie worldview which affects their extent of punitiveness, Jørgensen and Nilsson (2024) argue that these effects cannot fully explain individuals' punishment perceptions. The realisation that studies address distinct outcome constructs under the label of punishment perceptions, underlines the complexity of gaining clarity on its underlying interplay of variables. Even the observed association influencing individuals' extent of punitiveness, is based on multiple sub-criteria, such as the available punishment methods, crime type, kind of moral violation and potential further characteristics of the cases (Côté-Lussier & Carmichael, 2018). This indicates that the assessment of individuals' punishment perceptions and its underlying mechanisms depend on the outcome construct and confounding case- and justice-related factors.

This explanation may account for the absence of mediation effects in the current study and highlights the multifaceted nature of how individuals perceive punishment. While some studies stress moral foundations and ideological systems as relevant to factors of punishment perception, such as punitiveness (Côté-Lussier & Carmichael, 2018), others show that support for rehabilitative justice efforts is independent of political orientations (Mascini & Houtman, 2006). Similarly, the current study's findings indicate that moral foundations and worldviews do not directly affect justice choice preferences and appropriateness ratings of justice options. This supports the proposition that their impact is case- and justice-specific but also depends on which construct of punishment perception is assessed. Overall, these findings call for further research to clarify the complex framework underlying the distinct outcome constructs associated with punishment perception.

Limitations

While the current study showed relevant outcomes, they should be interpreted in light of certain limitations. One limitation of this study is the recruitment of mainly female participants. This gender imbalance may affect the reliability of the current study's findings. Gault and Sabini (2000), for instance, emphasise that males and females experience different emotions when encountering crimes. On the one hand, women were found to experience higher levels of anxiety when confronted with crime (Hallers-Haalboom et al., 2020; Johansson & Haandrikman, 2021). On the other hand, female students were less punitive due to higher levels of empathy, in contrast to their male counterparts who showed higher levels of punitiveness and less empathy. In terms of crime types, women were found to exhibit higher punitive attitudes for perceived unfairness of procedures and outcomes, while men were more likely to punish evil intentions (Dato & Friehe, 2025). The current study's gender imbalance may have led to an overestimation of perceived seriousness, and participants' appropriateness ratings of justice options and justice choice preferences may deviate from the actual public perception. To represent public perception more accurately, future researchers should strive to recruit a sample with a balanced gender distribution.

Another limitation addresses the imbalance of individuals' worldviews and moral foundations. Most participants of this study reported individualised moral foundations and a humanistic worldview. These individuals present flexible and compassionate attitudes towards punishment and justice and a preference for less severe punishment, while emphasising rehabilitation and restoration over punitive measures (Campos-Rams et al., 2023; Côté-Lussier & Carmichael, 2018; Jørgensen & Nilsson, 2024). This underrepresentation of individuals with a normativistic worldview and binding moral foundations may not reflect society and skew justice perceptions. Future research should address this imbalance within the sample to contribute to an accurate reflection of society to assess public perception.

Furthermore, the nature of the crime case vignette descriptions presents a limitation. While the case vignettes fulfilled the criteria of realistic and concise descriptions, their conception may unintentionally distort participants' perceptions (Finch, 1987). According to Krahé et al. (2007), who assessed participants' blame attribution in cases of sexual assault, their level of assigning blame was based on unrelated, additional information apart from the legal case. Participants' assignment of blame to offenders would decrease significantly if it was mentioned that they had a previous relationship with their victim of sexual assault. This aligns with the information given in the current study's sexual assault case and may, similar to the remaining case vignettes addressing case-unrelated aspects, affect participants' responses. For instance, the current study's findings for the case vignette on identity theft and fraud adopting an emotionally charged, victim-focused perspective deviated from Gromet and Darley (2006) who utilised a neutral case description. The case vignette on domestic burglary, for example, also addresses the offenders' financial desperation. However, Bieneck and Krahé (2010), who compared cases of sexual assault and burglary, emphasise that individuals consider this information for blame attribution only in sexual assault cases. These findings suggest that the included case-unrelated, additional information may affect participants differently across crime types and may constitute an uncontrollable confounding variable influencing their justice perception in this study.

Another limitation considering the case vignettes is that they were self-composed without expertise in writing crime scenarios, legal matters or emotion elicitation. All case vignettes were written from a third-person perspective but differed in their focus point. The cases of vandalism, attempted murder, domestic burglary and assault cases primarily consider the offender's perspective, while the cases of sexual assault and identity theft and fraud focus on the experiences from the victim's point of view. The latter cases are deemed more ecologically valid by emotionally engaging participants (Bosma, 2019). These differences in

emotion-elicitation may affect the validity of the findings as public perception, based on lay people's perspective on legal proceedings, is guided by their emotions (Hartnagel & Templeton, 2012). However, in real-life sentencing, legal professionals are required to pursue their responsibilities while dealing with their emotions and adhering to the law (Bosma, 2019). This highlights how differences in the writing style of this study's case vignettes may especially affect lay peoples' justice perceptions and chosen consequences compared to legal professionals. Future research should therefore be aware of this issue when assessing public perception of justice approaches to criminal cases.

Implications and Future Research

Adding to the findings of Gromet and Darley (2006), the current study implemented two mixed justice options. This distinction enabled participants to decide whether the restorative procedure should affect consecutive sentencing or not which is valuable as it transparently reflects a fictive justice procedure and supports participants' informed decision-making. Thus, the study's design offers a blueprint for implementing justice practices within real-world settings of the legal system. For serious crimes, restorative justice practices should be implemented parallel to the justice system and without impact on consecutive sentencing. For less serious crimes, restorative practices should be integrated into the judicial process and based on the offender's participation, have their impact on consecutive sentencing. Ultimately, this study advocates that the justice system should carefully consider each case and its circumstances when applying restorative justice procedures.

The results of this study showed that both justice approaches, including a restorative procedure and a retributive sentencing process, are generally favoured by the public. Along with this public preference for either approach including VOM as a restorative justice practice, previous research emphasises numerous benefits (Abrams et al., 2006; Hansen & Umbreit, 2018; Lauwaert & Aertsen, 2017; Umbreit, 2002). While the introduction of

restorative justice practices in some developed countries continued to rise, most European countries still lack implementation within the justice system (D'Souza & L'Hoiry, 2019; Marshall, 2020; Safer Communities Directorate, 2019). The current study's design aimed to assess participants' perception of restorative justice resembling real conditions of legal proceedings by its case vignettes and respective justice choices. As public perception of justice approaches is crucial for establishing balance and trust in the criminal justice system, legal proceedings should be adapted accordingly (Karstedt & Endtricht, 2022; Warner et al., 2010). Therefore, policies should focus on informing the public about the purposes and effects of restorative justice efforts. In line with this, future research should address how to implement these in justice settings based on legal foundations and establish assessment tools for real-world procedures.

This study highlights that public perception of justice procedures, considering justice choice preferences and appropriateness ratings of justice options, is bound to multiple factors which should be considered for real-world implications. These consider case-related aspects, such as perceived seriousness, but also individual characteristics. While the current study found that the perceived seriousness of a crime affects individuals' justice choice preferences and appropriateness ratings of justice options, it could not establish worldview as a mediator of the relationship between moral foundations and either outcome construct. Previous research suggested a link between individuals' worldviews, moral foundations and constructs of punishment perceptions, but the characteristics underlying their justice choice preferences and appropriateness ratings of the justice options remain widely unexplored.

Future research should therefore aim to clarify and understand these characteristics for evidence-based justice practices. Addressing constructs such as individuals' political orientation instead of their broader worldview, may provide more specific insights. Nilsson et al. (2020) suggest that broader worldviews, but also political and personal values even

constitute underlying mechanisms for political orientation. In line with this, the literature considered for the current study highlights individuals with high levels of normativism and binding moral foundations, for example, to be particularly concerned with maintaining order by rewarding good and punishing bad behaviour and supporting respective parties with right-wing political ideologies (Nilsson, 2014; Nilsson & Jost, 2020). Thus, assessing the effect of individuals' political orientation on their justice choice preferences and appropriateness ratings of the justice options with different measurement approaches would provide further insight into these outcome constructs of punishment perceptions.

The influence of individuals' political orientations on constructs of punishment preferences remains a controversial research issue. While earlier studies argue that support for rehabilitative justice efforts is independent of political orientations (Mascini & Houtman, 2006), more recent studies suggest a link between punishment preferences and political orientation which has even coined the term *new political culture* (Aarten et al., 2014; De Koster et al., 2008). This trend may be further intensified by public perception across several countries considering offenders' punishments as too lenient (De Keijser & Elffers, 2009; Hough & Roberts, 2005; Kornhauser, 2015). Among others, this issue of law and order is especially addressed by programmes of right-wing parties for which current political trends present increasing support in many European countries (Achterberg, 2006; Poier et al., 2017). Thus, understanding how individuals' political orientation shapes different outcome constructs of punishment perception is crucial, especially in light of increasing political polarisation.

Conclusion

As the public increasingly favours restorative justice as part of responses to crime, it is crucial to understand when and why these are preferred over traditional retributive punishment. This study emphasises that, as crime seriousness increases, public support for

restorative justice decreases when VOM is part of the justice with an impact on sentencing, while it increases for VOM as a parallel procedure without an impact on sentencing. Moral foundations and worldviews do not affect individuals' justice preferences, emphasising the complexity of capturing punishment perception constructs and their mechanisms. To advance an evidence-based justice system, future research should address how restorative justice can be implemented as part of responses to crime in line with public perception and how political orientation in light of the current political polarisation affects justice perceptions.

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Appendix

Appendix A: AI Statement

During the preparation of this bachelor thesis, the author used ChatGPT for brainstorming and ideation as well as including minor revisions of conciseness and clarity of writing. After using this tool, the author reviewed and edited the content as needed and takes full responsibility for the content of the work.

Appendix B: Questionnaires & Procedure

Informed Consent

"Beyond Retributive Justice: When and Why do People Favour Restorative Justice over Traditional Punishment"

Purpose

This study aims to explore perceptions of restorative and retributive justice practices and the impact of moral foundations and worldviews on these perceptions.

Procedure

As a participant in this study, you will be asked to complete in two scales: one assessing moral foundations (32 questions) and another examining worldview (30 questions). You will then read six crime case vignettes and select one of three judicial consequences for each offender. After each case vignette, you will answer questions concerning the perceived harmfulness of the crime. The study ends when you completed the evaluation on final case vignette. Your participation will take approximately 30 minutes, and if applicable, you will receive SONA credits for your participation.

Confidentiality

Your responses will remain fully anonymous. No personally identifiable information will be collected to ensure that your data cannot be traced back to you. The anonymous raw data may be published for research purposes only. In accordance with the university guidelines on research, all collected data will be securely stored for up to 10 years before it is deleted.

Risks or Discomforts

There are no foreseeable risks associated with participating in this study. However, please be aware that this study involves reading and responding to crime case vignettes that include descriptions of sensitive topics, such as assault, sexual assault and attempted murder. Each case addressing a sensitive topic will be

marked by a trigger warning. If you feel any discomfort or distress, you may choose to skip any questions or discontinue your participation without any consequences.

Participant Rights

Participation in this study is entirely voluntary. You may decline your participation or withdraw at any time, for any reason, without any consequences. If you choose to withdraw, you will still receive full compensation. If you decide to withdraw after completing the questionnaire, please inform the researcher via email (n.s.kolde@student.utwente.nl) within 10 days of participation.

If you have questions about your rights as a research participant, wish to discuss concerns with someone other than the researcher, please contact the Secretary of the Ethics Committee at the University of Twente (ethicscommittee-bms@utwente.nl).

For further information about this study, please contact the principal researcher:

Nele Sophie Kolde

Email: n.s.kolde@student.utwente.nl

Consent and Authorisation Provisions

By agreeing to participate in this study, I confirm that:

- I understand that my responses will be anonymised and may be used in reports, articles, publications or presentations by the researcher.
- I understand that anonymised data will be securely stored for up to 10 years after the end of the study according to university guidelines on research.
- I agree to participate in this study and understand that my participation is entirely voluntary and that I may withdraw at any time without providing an explanation, up to 10 days after participation.

Do you consent to participating in this study?

- Yes
- No

Instructions before Questionnaires

Please read the following questions carefully and try not to overthink your answer. If you cannot decide between two options, choose the one that fits best.

Moral Foundations & Worldviews Questionnaires

1. Moral Foundations Questionnaire (Graham et al., 2009)

When you decide whether something is right or wrong, to what extent are the following considerations relevant to your thinking? Please rate each statement using this scale:

[0] = not at all relevant (This consideration has nothing to do with my judgments of right and wrong)

[1] = not very relevant

[2] = slightly relevant

[3] = somewhat relevant

[4] = very relevant

[5] = extremely relevant (This is one of the most important factors when I judge right and wrong)

1. Whether or not someone suffered emotionally
2. Whether or not some people were treated differently than others
3. Whether or not someone's action showed love for his or her country
4. Whether or not someone showed a lack of respect for authority
5. Whether or not someone violated standards of purity and decency
6. Whether or not someone was good at math
7. Whether or not someone cared for someone weak or vulnerable
8. Whether or not someone acted unfairly
9. Whether or not someone did something to betray his or her group

10. Whether or not someone conformed to the traditions of society
11. Whether or not someone did something disgusting
12. Whether or not someone was cruel
13. Whether or not someone was denied his or her rights
14. Whether or not someone showed a lack of loyalty
15. Whether or not an action caused chaos or disorder
16. Whether or not someone acted in a way that God would approve of

Part 2. Please read the following sentences and indicate your agreement or disagreement:

[0] = Strongly Disagree

[1] = Moderately Disagree

[2] = Slightly Disagree

[3] = Moderately Agree

[4] = Slightly Agree

[5] = Strongly Agree

17. Compassion for those who are suffering is the most crucial virtue.
18. When the government makes laws, the number one principle should be ensuring that everyone is treated fairly.
19. I am proud of my country's history.
20. Respect for authority is something all children need to learn.
21. People should not do things that are disgusting, even if no one is harmed.
22. It is better to do good than to do bad.
23. One of the worst things a person could do is hurt a defenseless animal.

24. Justice is the most important requirement for a society.
25. People should be loyal to their family members, even when they have done something wrong.
26. Men and women each have different roles to play in society.
27. I would call some acts wrong on the grounds that they are unnatural.
28. It can never be right to kill a human being.
29. I think it's morally wrong that rich children inherit a lot of money while poor children inherit nothing.
30. It is more important to be a team player than to express oneself.
31. If I were a soldier and disagreed with my commanding officer's orders, I would obey anyway because that is my duty.
32. Chastity (= the practice of avoiding extramarital, or especially all sexual activity) is an important and valuable virtue.

➔ Whether or not someone was good at math & It is better to do good than to do bad (These items are not scored; they are included both to force people to use the bottom end of the scale, and to catch and cut participants who respond with last three response options.)

2. Worldviews Questionnaire: Modified Polarity Scale (Nilsson, 2015)

Please read the following sentences and indicate your agreement or disagreement:

Seven-point Likert scale:

[1] = Strongly Disagree

[2] = Disagree

[3] = Somewhat Disagree

[4] = Neutral / No Opinion

[5] = Somewhat Agree

[6] = Agree

[7] = Strongly Agree

Humanism Short Scale

1. All persons are in themselves valuable
2. Feelings are the most important aspect of being human, because they give our lives meaning
3. The most important purpose of society is to protect people's rights, freedoms, and dignity
4. People are basically kind and helpful
5. Human beings should be loved at all times, because they want and need to be loved
6. It is necessary to break the laws and rules of society when these lead to unfair treatment of some people
7. The main purpose of education should be to enable the young to discover and create novelty
8. You must always leave yourself open to your own feelings – alien (= strange) as they may sometimes seem
9. Human beings should be treated with respect at all times
10. You need to be open to your feelings to learn from them and understand who you are

11. Creativity and curiosity are the most important tools in the search for knowledge
12. Human beings are basically good
13. The most important goal for a society is to make sure that its members have a chance to lead a good life
14. When people are in trouble, they need help and should be helped
15. A scientist must rely on creativity and intuition

Normativism Short Scale

1. Reason has to be continually disciplined and corrected by reality and hard facts
2. People don't really care what happens to the next person
3. Human beings would be lost without reason, because feelings cannot be trusted
4. Human beings should be treated with respect only when they deserve respect
5. People who commit crimes must be punished severely so that they are deterred from repeating the crime
6. Feelings must be controlled by reason, because they can make you do stupid things
7. When people do good deeds, it is almost always out of an expectation to receive something in return
8. When people are in trouble, they should help themselves and not depend on others
9. The bad people in the world outnumber the good people
10. The maintenance of law and order is the most important duty of any government
11. To observe objectively and describe in a neutral language is crucial to the pursuit of knowledge
12. A society must enforce its laws and rules strictly in order not to deteriorate
13. Feelings are often an obstacle to seeing how things really are

14. Human beings should be loved only when they have acted so that they deserve to be loved
15. Imagination leads people into self-deception and delusions

Before Instructions

Please read the following instructions carefully, as they contain important information for completing your task in this study.

Instructions for Crime Case Vignettes

Instructions

In the following, you will read six short crime case descriptions, and for each case, you will choose one of three options for how the offender should be treated. Two of these options include elements of restorative justice.

What is Restorative Justice?

Restorative justice is a way of dealing with crime that brings together offenders, victims and the community to find solutions that foster agreement on how to repair the damages caused by the crime. Instead of just punishing the offender, this approach focuses on the victim's needs while supporting offenders to take responsibility and apologise for their actions.

To be considered successful, the following three components of restorative justice must be fulfilled:

1. A Meeting Between Those Affected by the Crime

- A neutral third-party (a mediator) helps the victim and offender talk about the crime, how it affected them, and how to move on.
- The goal is to address the psychological and material harm caused by the crime.

2. A Change in Perspective

- The offender must recognise and understand the damages they caused by the crime, take responsibility, and commit to follow the law with their behaviour in the future.

3. Making Things Right

- The offender must make an effort to make things right again by engaging in an apology, community service, or financial compensation.
- This step aims to reintegrate the offender into society.

Restorative justice can be included in the justice system, meaning that if the offender participates and fulfills these requirements, they may receive a reduced, different or no sanction at all. Failing to meet the restorative justice requirements may cause negative court-related consequences for the offender. However, if restorative justice practices are conducted in addition to the justice system, it does not affect the offender's sentence.

What is Victim-Offender-Mediation?

This study uses victim-offender-mediation as a restorative procedure. This approach is the preferred program of restorative justice in Europe. Victim-offender-mediation is voluntary, which means that the victim can always refuse to participate. A mediation process involves multiple stages for offenders and victims, and in some cases, victims' families, which aim for resolution and agreement among both parties. At first, there is an assessment of whether the cases and parties are suitable for this approach. This is followed by three guided conversations, including a separate introductory conversation, an actual mediation session, and a follow-up meeting. For the mediation, victims and offenders meet in a safe environment where victims get the chance to address how the crime has affected them and receive answers to potential questions. In this interaction, the offender is required to understand and account for their wrongdoing followed by an agreement for restoring these damages. The follow-up meeting serves as a check-in for how both parties are doing and if the commitments have been kept.

Victim-offender-mediation benefits and gives a sense of closure to victims and offenders by helping them to process the experiences. Both indicate high levels of satisfaction with the mediation process, its outcome and fairness compared to traditional court proceedings.

Your Task

Try to imagine that you are an impartial judge and the described scenarios are real. In each case, the offender has been arrested and admitted guilt, and the victim is either willing to participate in victim-offender-mediation or can refuse the option. You will choose one of three justice approaches to which you will send the case to:

1. A Purely Retributive Sentencing Process:

The offender goes through a traditional court process, where a judge determines an appropriate sentence based on legal grounds.

2. A Restorative Procedure With Impact on Sentencing:

As part of the legal process, the offender and victim participate in a victim-offender-mediation process. When victim and offender come to an agreement and the offender fulfills all restorative justice requirements, this agreement is taken into account by the judge in further sanctioning. This means that after a successful victim-offender-mediation, the offender might receive a lower, different, or no sanction at all. With other words, the outcome of the restorative procedure (might) impact the offender's punishment.

3. A Parallel Restorative Procedure Without Impact on Sentencing:

In addition to the legal process, the offender and victim participate in a victim-offender-mediation process, without any effect on the offender's sentencing

process. This means that even if the victim and offender come to an agreement and the offender fulfills all restorative requirements, this does not impact sanctioning.

There are no right or wrong answers, I am interested in your perspective on the cases. Whenever you are ready, please continue.

Crime Case Vignettes:

TRIGGER WARNING: Vandalising behaviour

Case 1: Vandalism

After a club party, Peter and his two friends, all students in their mid-twenties, are making their way home. Under the influence of alcohol, they come across a covered bike shelter outside a residential building. They begin kicking and pushing over the bikes and scooters. Multiple bikes and electric scooters present severe damages, such as bent wheels, broken lights and scratches on their frames. In the next morning, many residents find these damages and report the incident to the police. Camera surveillance footage captures Peter and his friends leading to their identification and arrest. They were charged with property damage and vandalism.

Reminder of the Justice Approaches

If you need the information on the available justice approaches, here is a brief summary:

1. A Purely Retributive Sentencing Process: The offender goes through a traditional court process, where a judge determines an appropriate sentence based on legal grounds.

2. A Restorative Procedure With Impact on Sentencing: As part of the legal process, the offender and victim participate in a victim-offender-mediation process. When victim and offender come to an agreement and the offender fulfills all restorative justice requirements, this agreement is taken into account by the judge in further sanctioning. This means that after a successful victim-offender-mediation, the offender might receive a lower, different, or no sanction at all. With other words, the outcome of the restorative procedure (might) impact the offender's punishment.

3. A Parallel Restorative Procedure Without Impact on Sentencing: In addition to the legal process, the offender and victim participate in a victim-offender-mediation process, without any effect on the offender's sentencing process. This means that even if the victim and offender come to an agreement and the offender fulfills all restorative requirements, this does not impact sanctioning.

Justice Choice 1

Which of the following justice approaches would you choose for this case?

- (1) A purely retributive sentencing process
- (2) A restorative procedure with impact on sentencing
- (3) A parallel restorative procedure without impact on sentencing

Appropriateness 1

How appropriate do you consider each of the following procedures is for this case? (scale from 0 = Not appropriate at all, 100 = Extremely appropriate)

- (1) A purely retributive sentencing process
- (2) A restorative procedure with impact on sentencing
- (3) A parallel restorative procedure without impact on sentencing

Seriousness 1

Please indicate to what extent you agree with the following statements for this case:

Seven-point Likert scale:

- 1 - Strongly Disagree
- 2 - Disagree
- 3 - Somewhat Disagree
- 4 - Neutral
- 5 - Somewhat Agree
- 6 - Agree
- 7 - Strongly Agree

- 1. This crime has caused significant harm to individuals, society, the government and private entities.
- 2. Committing this crime is morally wrong or bad.
- 3. The offence is serious considering both the severity of harm and its wrongfulness.
- 4. The offender meant to or intended to commit this offence.
- 5. The offender has a high risk of reoffending and cannot be rehabilitated.

TRIGGER WARNING: Physically violent behaviour.

Case 2: Attempted Murder

Alexander, a 43-year-old man, had been in a fight with his 39-year-old neighbour Paul for several years now. What started as a minor property dispute heated up over the years with both men provoking each other. Although Paul and Alexander kept expressing their hostility, their conflicts had never turned physical until now. During another heated argument, Paul allegedly threatened Alexander's family and deliberately damaged his fence. Full of rage, Alexander grabbed his axe from his shed and attacked Paul, swinging directly at his head. Paul managed to react quickly, dodging the initial swing and screaming for help. But Alexander kept pursuing Paul, attempting multiple strikes at him. Bystanding neighbours called the police and tried to intervene, but Alexander continued fighting. Only when the police arrived and enforced his restraint, the attack ended. Paul suffered life-threatening injuries but survived. Alexander was arrested and charged with attempted murder.

Reminder of the Justice Approaches

If you need the information on the available justice approaches, here is a brief summary:

- 1. A Purely Retributive Sentencing Process:** The offender goes through a traditional court process, where a judge determines an appropriate sentence based on legal grounds.
- 2. A Restorative Procedure With Impact on Sentencing:** As part of the legal process, the offender and victim participate in a victim-offender-mediation process. When victim and offender come to an agreement and the offender fulfills all restorative justice requirements, this agreement is taken into account by the judge in further sanctioning. This means that after a successful victim-offender-mediation, the offender might receive a lower, different, or no sanction at all. With other words, the outcome of the restorative procedure (might) impact the offender's punishment.
- 3. A Parallel Restorative Procedure Without Impact on Sentencing:** In addition to the legal process, the offender and victim participate in a victim-offender-mediation process, without any effect on the offender's sentencing process. This means that even if the victim and offender come to an agreement and the offender fulfills all restorative requirements, this does not impact sanctioning.

Justice Choice 2

Which of the following justice approaches would you choose for this case?

- (4) A purely retributive sentencing process
- (5) A restorative procedure with impact on sentencing
- (6) A parallel restorative procedure without impact on sentencing

Appropriateness 2

How appropriate do you consider each of the following procedures is for this case? (scale from 0 = Not appropriate at all, 100 = Extremely appropriate)

- (4) A purely retributive sentencing process
- (5) A restorative procedure with impact on sentencing
- (6) A parallel restorative procedure without impact on sentencing

Seriousness 2

Please indicate to what extent you agree with the following statements for this case:

Seven-point Likert scale:

- 1 - Strongly Disagree
- 2 - Disagree
- 3 - Somewhat Disagree
- 4 - Neutral
- 5 - Somewhat Agree
- 6 - Agree
- 7 - Strongly Agree

- 1. This crime has caused significant harm to individuals, society, the government and private entities.
- 2. Committing this crime is morally wrong or bad.
- 3. The offence is serious considering both the severity of harm and its wrongfulness.
- 4. The offender meant to or intended to commit this offence.
- 5. The offender has a high risk of reoffending and cannot be rehabilitated.

TRIGGER WARNING: Burglary

Case 3: Domestic Burglary

Monica, a woman in her mid-twenties had been struggling financially for several months now. Desperate for a way out, she began scouting wealthy neighborhoods at night, looking for a potential target. She recognised a house that had remained dark for a few days, indicating that its owners, Maribel and Steffen, a couple in their fifties, may be gone. Tempted by the imagination of solving her problems, Monica entered through an unlocked garage door and got into the house through a connected backdoor. As she started looking for valuables, she did not recognise that she had triggered a silent alarm. Within minutes, the police arrived and caught her carrying several pieces of jewelry. Monica was charged with domestic burglary.

Reminder of the Justice Approaches

If you need the information on the available justice approaches, here is a brief summary:

1. A Purely Retributive Sentencing Process: The offender goes through a traditional court process, where a judge determines an appropriate sentence based on legal grounds.

2. A Restorative Procedure With Impact on Sentencing: As part of the legal process, the offender and victim participate in a victim-offender-mediation process. When victim and offender come to an agreement and the offender fulfills all restorative justice requirements, this agreement is taken into account by the judge in further sanctioning. This means that after a successful victim-offender-mediation, the offender might receive a lower, different, or no sanction at all. With other words, the outcome of the restorative procedure (might) impact the offender's punishment.

3. A Parallel Restorative Procedure Without Impact on Sentencing: In addition to the legal process, the offender and victim participate in a victim-offender-mediation process, without any effect on the offender's sentencing process. This means that even if the victim and offender come to an agreement and the offender fulfills all restorative requirements, this does not impact sanctioning.

Justice Choice 3

Which of the following justice approaches would you choose for this case?

- (7) A purely retributive sentencing process
- (8) A restorative procedure with impact on sentencing
- (9) A parallel restorative procedure without impact on sentencing

Appropriateness 3

How appropriate do you consider each of the following procedures is for this case? (scale from 0 = Not appropriate at all, 100 = Extremely appropriate)

- (7) A purely retributive sentencing process
- (8) A restorative procedure with impact on sentencing
- (9) A parallel restorative procedure without impact on sentencing

Seriousness 3

Please indicate to what extent you agree with the following statements for this case:

Seven-point Likert scale:

- 1 - Strongly Disagree
- 2 - Disagree
- 3 - Somewhat Disagree
- 4 - Neutral
- 5 - Somewhat Agree
- 6 - Agree
- 7 - Strongly Agree

- 1. This crime has caused significant harm to individuals, society, the government and private entities.
- 2. Committing this crime is morally wrong or bad.
- 3. The offence is serious considering both the severity of harm and its wrongfulness.
- 4. The offender meant to or intended to commit this offence.
- 5. The offender has a high risk of reoffending and cannot be rehabilitated.

TRIGGER WARNING: Sexual assault.

Case 4: Sexual assault

Nicole and Mike had been in a relationship for four years and living together for two years. Over time, Nicole realised that her feelings for Mike were fading. She initiated a conversation and ended her relationship with him. Mike reacted with anger and disbelief but tried to convince her to stay with him. To give herself time, Nicole spent the night at her sister's house.

A few hours later, Mike showed up at her sister's house and insisted on talking to Nicole. Nicole agreed and they discussed the breakup again. However, throughout their conversation Mike refused to understand Nicole's decision. As their discussion became more heated, Mike attempted to kiss Nicole, even though she clearly verbally refused. Nicole pushed him away, telling him to stop, but Mike persisted by touching her chest putting his arms around her waist trying to pull her closer. Nicole managed to get him off and left the room. She called the police who arrested Mike and charged him with sexual assault.

Reminder of the Justice Approaches

If you need the information on the available justice approaches, here is a brief summary:

- 1. A Purely Retributive Sentencing Process:** The offender goes through a traditional court process, where a judge determines an appropriate sentence based on legal grounds.
- 2. A Restorative Procedure With Impact on Sentencing:** As part of the legal process, the offender and victim participate in a victim-offender-mediation process. When victim and offender come to an agreement and the offender fulfills all restorative justice requirements, this agreement is taken into account by the judge in further sanctioning. This means that after a successful victim-offender-mediation, the offender might receive a lower, different, or no sanction at all. With other words, the outcome of the restorative procedure (might) impact the offender's punishment.
- 3. A Parallel Restorative Procedure Without Impact on Sentencing:** In addition to the legal process, the offender and victim participate in a victim-offender-mediation process, without any effect on the offender's sentencing process. This means that even if the victim and offender come to an agreement and the offender fulfills all restorative requirements, this does not impact sanctioning.

Justice Choice 4

Which of the following justice approaches would you choose for this case?

- (10) A purely retributive sentencing process
- (11) A restorative procedure with impact on sentencing
- (12) A parallel restorative procedure without impact on sentencing

Appropriateness 4

How appropriate do you consider each of the following procedures is for this case? (scale from 0 = Not appropriate at all, 100 = Extremely appropriate)

- (10) A purely retributive sentencing process
- (11) A restorative procedure with impact on sentencing
- (12) A parallel restorative procedure without impact on sentencing

Seriousness 4

Please indicate to what extent you agree with the following statements for this case:

Seven-point Likert scale:

- 1 - Strongly Disagree
- 2 - Disagree
- 3 - Somewhat Disagree
- 4 - Neutral
- 5 - Somewhat Agree
- 6 - Agree
- 7 - Strongly Agree

1. This crime has caused significant harm to individuals, society, the government and private entities.
2. Committing this crime is morally wrong or bad.
3. The offence is serious considering both the severity of harm and its wrongfulness.
4. The offender meant to or intended to commit this offence.
5. The offender has a high risk of reoffending and cannot be rehabilitated.

TRIGGER WARNING: Physically violent behaviour.

Case 5: Assault

Nicolas, along with his two friends, all in their early twenties, attended a derby soccer match at the local stadium to support their team. During the game, tensions arose between their fanbase and that of the opposing team. When it became clear that the local team was about to lose, loud insults and provocations were exchanged.

After the match, as Nicolas and his friends were leaving the stadium, a 30-year-old drunk man named Martin, who is fan of the opposing team, made fun of their team and them for supporting it. Nicolas pushed Martin, who stumbled and laughed. As Nicolas and his friends walked past him, Martin yelled 'Are you guys as scared as your team to face me or what's up with you, dumbasses?'. Nicolas turned around and punched Martin twice in the face. The security personnel quickly intervened, and the police was called. Nicolas was arrested and charged with assault.

Reminder of the Justice Approaches

If you need the information on the available justice approaches, here is a brief summary:

- 1. A Purely Retributive Sentencing Process:** The offender goes through a traditional court process, where a judge determines an appropriate sentence based on legal grounds.
- 2. A Restorative Procedure With Impact on Sentencing:** As part of the legal process, the offender and victim participate in a victim-offender-mediation process. When victim and offender come to an agreement and the offender fulfills all restorative justice requirements, this agreement is taken into account by the judge in further sanctioning. This means that after a successful victim-offender-meditation, the offender might receive a lower, different, or no sanction at all. With other words, the outcome of the restorative procedure (might) impact the offender's punishment.
- 3. A Parallel Restorative Procedure Without Impact on Sentencing:** In addition to the legal process, the offender and victim participate in a victim-offender-mediation process, without any effect on the offender's sentencing process. This means that even if the victim and offender come to an agreement and the offender fulfills all restorative requirements, this does not impact sanctioning.

Justice Choice 5

Which of the following justice approaches would you choose for this case?

- (13) A purely retributive sentencing process
- (14) A restorative procedure with impact on sentencing
- (15) A parallel restorative procedure without impact on sentencing

Appropriateness 5

How appropriate do you consider each of the following procedures is for this case? (scale from 0 = Not appropriate at all, 100 = Extremely appropriate)

- (13) A purely retributive sentencing process
- (14) A restorative procedure with impact on sentencing
- (15) A parallel restorative procedure without impact on sentencing

Seriousness 5

Please indicate to what extent you agree with the following statements for this case:

Seven-point Likert scale:

- 1 - Strongly Disagree
- 2 - Disagree
- 3 - Somewhat Disagree
- 4 - Neutral
- 5 - Somewhat Agree
- 6 - Agree
- 7 - Strongly Agree

1. This crime has caused significant harm to individuals, society, the government and private entities.
2. Committing this crime is morally wrong or bad.
3. The offence is serious considering both the severity of harm and its wrongfulness.
4. The offender meant to or intended to commit this offence.
5. The offender has a high risk of reoffending and cannot be rehabilitated.

TRIGGER WARNING: Theft and fraudulent behaviour

Case 6: Identity Theft & Fraud

Amina, a 35-year-old woman, recognised unfamiliar expenditures on the last two statements of her credit card account. She initially believed that it was a mistake, but as she checked again, she discovered charges for unfamiliar subscriptions and internet purchases. Even after getting in touch with her bank, Amina's credit card statements showed many more expenditures that she did not make. Amina contacted the police. After months of investigation, the police discovered that Amina's personal information, including her credit card details, have been acquired and used by Sina to create an online shopping account with her identity. Sina is a 24-year-old hacker who got access to her personal information through a data breach issue at an online shopping platform where Amina had an account. Her purchases on Amina's name caused her immense financial damage. Sina was arrested and charged with identity theft and fraud.

Reminder of the Justice Approaches

If you need the information on the available justice approaches, here is a brief summary:

1. A Purely Retributive Sentencing Process: The offender goes through a traditional court process, where a judge determines an appropriate sentence based on legal grounds.

2. A Restorative Procedure With Impact on Sentencing: As part of the legal process, the offender and victim participate in a victim-offender-mediation process. When victim and offender come to an agreement and the offender fulfills all restorative justice requirements, this agreement is taken into account by the judge in further sanctioning. This means that after a successful victim-offender-mediation, the offender might receive a lower, different, or no sanction at all. With other words, the outcome of the restorative procedure (might) impact the offender's punishment.

3. A Parallel Restorative Procedure Without Impact on Sentencing: In addition to the legal process, the offender and victim participate in a victim-offender-mediation process, without any effect on the offender's sentencing process. This means that even if the victim and offender come to an agreement and the offender fulfills all restorative requirements, this does not impact sanctioning.

Justice Choice 6

Which of the following justice approaches would you choose for this case?

- (16) A purely retributive sentencing process
- (17) A restorative procedure with impact on sentencing
- (18) A parallel restorative procedure without impact on sentencing

Appropriateness 6

How appropriate do you consider each of the following procedures is for this case? (scale from 0 = Not appropriate at all, 100 = Extremely appropriate)

- (16) A purely retributive sentencing process
- (17) A restorative procedure with impact on sentencing
- (18) A parallel restorative procedure without impact on sentencing

Seriousness 6

Please indicate to what extent you agree with the following statements for this case:

Seven-point Likert scale:

- 1 - Strongly Disagree
- 2 - Disagree
- 3 - Somewhat Disagree
- 4 - Neutral
- 5 - Somewhat Agree
- 6 - Agree
- 7 - Strongly Agree

- 1. This crime has caused significant harm to individuals, society, the government and private entities.
- 2. Committing this crime is morally wrong or bad.
- 3. The offence is serious considering both the severity of harm and its wrongfulness.
- 4. The offender meant to or intended to commit this offence.
- 5. The offender has a high risk of reoffending and cannot be rehabilitated.

Demographics Questions

Before proceeding with the study, please answer a few questions about yourself.
Respond as honestly and accurately as you can.

How old are you? [blank space]

What is your occupation?

1. Student
2. Full-time/Part-time Worker
3. Apprentice
4. Other
5. Prefer not to say

What is the highest level of education you have completed?

1. Secondary Education (e.g. high school)
2. Apprenticeship
3. Bachelor's degree
4. Master's degree
5. Doctoral degree (PhD)
6. Other

What is your nationality? [blank space]

What is your gender?

1. Male
2. Female
3. Non-binary / third gender
4. Prefer not to say

Were you familiar with the concepts of restorative justice or victim-offender-mediation before participating in this study?

1. Yes, I was familiar with both concepts
2. Yes, I was familiar with the concept of restorative justice but not victim-offender-mediation

3. Yes, I was familiar with the concept of victim-offender mediation but not restorative justice
4. No, I was not familiar with either concept

Debrief

Study objective

This study aimed to explore public perception of restorative and retributive justice practices and the impact of moral foundations and worldviews on these perceptions. By evaluating responses to multiple crime case vignettes, this study investigated participants' justice choice preferences for different crime cases of varying severity. Furthermore, it examined how worldviews affect the relationship between moral foundations and justice preferences.

How did it work?

As a participant of this study, you completed two self-report questionnaires evaluating your moral foundations (individualised vs. binding) and your worldview (humanistic vs. normativistic). Consequently, you were asked to imagine yourself as an impartial judge reading six crime case vignettes of varying severity. For each crime, you chose between three options of consequences: (1) a purely retributive sentencing process, (2) restorative justice (Victim-Offender Mediation) with mitigating impact on retributive sentencing process (3) restorative justice (Victim-Offender Mediation) parallel to an independent retributive sentencing process. After each crime case vignette, you reported the perceived harmfulness of the crime.

Why is this important?

By participating in this study, you contributed to research on the public perception of justice preferences and its underlying factors. Your response adds to the understanding of the relationship between individuals' moral foundations, worldviews and punishment preferences. The findings may inform future legal policies on the public perception of justice, which is relevant for the integration of restorative justice practices into criminal justice processes.

Withdrawing Policy

If you decide that you want to withdraw from this research, please contact the researcher (n.s.kolde@student.utwente.nl) within 10 days and state your participation number to allow locating your data and withdraw it.

If you have questions about your rights as a research participant or wish to discuss any concerns about this study with someone other than the researcher, please contact the Secretary of the Ethics Committee at the University of Twente (ethicscommittee-bms@utwente.nl).

For further information about this study, contact the researcher:
Nele Sophie Kolde, n.s.kolde@student.utwente.nl

Many thanks for taking the time to participate in my research!

Here is your participation number: [random number]