

The Role of Restorative Justice in Reducing Recidivism in Spain and Colombia

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Abstract: The paper examines how restorative justice can be used to address recidivism in these two countries Spain and Colombia which have different legal traditions and socio-political backgrounds. Restorative justice provides a different solution to the traditional punitive model because it focuses on dialogue, responsibility, and restoration among the offender, victim, and community. In Spain, restorative justice has been implemented mainly in juvenile and to a few adult jurisdictions, whereas it is demonstrated that pilot schemes like the victim-offender mediation made significant decreases in recidivism rates. The restorative processes involve offenders who are more inclined to embrace responsibility and become successfully re-integrated into society when partaking in the regional programs, specifically in Catalonia. In turn, after several decades of armed struggle Colombia employs an approach of restorative justice in both framing including criminal justices framing and as a wider transitional justice framing. In the 2016 peace agreement, with the creation of the Special Jurisdiction for Peace (JEP), restorative principles

are reflected in giving emphasis to the process of determining the truth, the inclusion of victims, and community-based reparations. There is also the fact that Colombia provides community-based programs like the Casa de-Justicia centers, providing restorative options to juvenile offenders, which helps in decreasing recidivism in urban areas. Comparison of the styles of both countries has been investigating in the paper, and the important success factors, which are voluntariness, legal support, community implementation, and highly skilled specialists as facilitators, are also pointed out in the paper. Research concluded that restorative justice is not a universal strategy, but its flexibility and orientation to human relations makes it an effective solution to prevent a repeat offense and fostering social peace. The data indicate that the benefits of restorative justice might be achieved through increased institutional support, popular education, and cross-sector collaboration.

Keywords: Restorative Justice (RJ), Reducing Recidivism (RR), Spain (SS), Colombia (CC).

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I. Introduction

The term recidivism can be defined as the tendency of convicted criminals to re-offend. It has become such a tiring and complex issue in Spain and Colombia at the same time. In other words, it means that convicted criminals can get back to crime because of various factors. After reviewing various studies, it is highlighted that several important factors may contribute to recidivism¹. The first and foremost factor contributing to recidivism is the lack of proper rehabilitation. In many parts of these countries, there is lack of adequate access to various kinds of rehabilitation programs. These particular areas are also lacking in proper education. These areas also do not have enough job training. These factors are mainly responsible for recidivism in Spain and Colombia. Recent studies have shown that poverty can also result in recidivism because most of the convicted criminals are driven to commit crimes due to poverty. Social isolation of convicted criminals is a burning issue in Spain and Colombia. Convicted criminals often returned back to crime due to social isolation. We can say that mental health is also responsible for recidivism to some extent. When mental health issues like anxiety, stress, and pressure remain untreated, these aspects will lead to recidivism². Substance abuse is also related to recidivism because it often contributes to repeated offenses. To understand the term restorative justice, we need to understand some important aspects and principles of it. Restorative Justice usually focus on repairing harm. It explains that we need to address the basic requirements of offenders and victims in communities that are mostly affected by crime. Apart from this, Restorative Justice has main focus on promoting healing. It describes that victims should not face social isolation. Healing is possible only when they have positive interaction with other human beings. The pathetic image of our society is that we isolate criminals after conviction; as a result, they get back to crime again³. Instead of this, restorative justice focuses on the stringent need to provide equal opportunities for convicted criminals, so that they can heal and rebuild. This aspect of healing is not only important for convicted criminals but also for victims and offenders. The other most important principle of restorative justice is that there is significant need to encourage accountability. In most cases, we have seen that only criminals are held accountable, and we totally ignore offenders who are also responsible for crime. But restorative justice says that there is need for accountability of offenders as well, because they are also responsible for criminal actions. Community engagement is

¹ Durnescu, I., Byrne, J. M., Mackey, B. J., & Taxman, F. S. (2024). Community Corrections in South America. In *The Routledge Handbook on Global Community Corrections* (pp. 443-478). Routledge.

² Varona Martínez, G. (2020). Arte en prisión: justicia restaurativa a través de proyectos artísticos y narrativos.

³ Villanueva Congote, J., Jaramillo Bernal, M. C., Sotomayor Carreño, E., Gutiérrez Congote, C., & Torres-Quintero, A. (2018). Mental Health in the Attention Models for Juvenile Offenders. The Cases of Colombia, Argentina, United States and Canada. *Universitas Medica*, 59(4), 17-33.

one of the important principles of restorative justice. This aspect describes that in the process of justice; there is also need to engage the community. In this way, the justice process will become easy because of accurate investigation. Along with this, there will be a spread of awareness in society related to crime outcomes and methods of justice. For the implementation of such a restorative justice system in Spain and Colombia, we need to take some important and firm steps. The first and foremost step for the implementation of restorative justice is to develop a proper framework. Firstly, we need to point out the main goals, outcomes, and processes that should be involved in restorative justice. After pointing out these aspects, there is need to establish a comprehensive framework that will help us in the proper implementation of restorative justice⁴. The next most important step for the implementation of restorative justice is the aspect of training and education. As we know, this kind of restorative justice will be a new process in courts. So, they required proper training of practitioners in this regard. After training, these practitioners will be able to facilitate restorative justice in different ways⁵. These practitioners will also be able to manage conflicts so that the safety of victims and offenders can effectively be ensured. Community support is the main step for the implementation of restorative justice in Spain and Colombia. We need public awareness campaigns so that the information about the importance and the benefits of restorative justice can be spread. To get community support, we also need partnerships with some local organizations because these organizations will play an effective role in restorative justice in Spain and Colombia⁶. Now, if we discuss about the important benefits of restorative justice for reducing recidivism, we may come to know that restorative justice will increase the satisfaction of victims. It is common observation that victims are not satisfied with the justice system and, as a result, they go back to crime. So, we need to focus on our justice system so that it enhanced the satisfaction of victims. Restorative Justice is effective enough that it gives a sense of justice for victims. This is the main aspect of restorative justice that works for reducing recidivism in Spain and Colombia⁷. Usually, there is loss of economy and effort in case of recidivism. When the rate of recidivism lowers, there will be improvement in the allocation of resources as well. The next most important benefit of restorative justice is the aspect of improved community relationships. As we know, when there is better understanding among victims, offenders, and the community, the recidivism rate will be reduced. Restorative Justice works for the

⁴ Bueno, I., Parmentier, S., & Weitekamp, E. (2016). Exploring restorative justice in situations of political violence: the case of Colombia. In *Restorative justice in transitional settings* (pp. 37-55). Routledge.

⁵ Rico, K. (2019). *Exploring restorative justice to redress and prevent conflict-related sexual violence in Colombia's transitional justice process* Royal Roads University (Canada)].

⁶ Bueno, I. (2013). Mass victimization and restorative justice in Colombia: Pathways towards peace and reconciliation?

⁷ de Andrade, V. R. P. (2018). Restorative justice and criminal justice: limits and possibilities for Brazil and Latin America. *The International Journal of Restorative Justice*, 1(1), 9-31.

improvement of such relationships within society⁸. This kind of relationship will not only improve the justice system but will also enhance the ethical values of that particular society. Now, we are going to comprehend some important applications of restorative justice in Spain and Colombia. The first important application is the aspect of victim-offender mediation. Because of restorative justice, victims and offenders will be able to discuss the dynamic of harm for compensation of loss. This aspect will reduce the possibility of conflict between victims and offenders. The other most important application of restorative justice is the aspect of reparative actions. The word reparative actions mean offenders will go for such actions which will work to repair the harm or loss caused by criminals through crime. It is very essential to address recidivism in Spain and Colombia for various reasons. Public safety is important in any country, and this kind of public safety can only be ensured by reducing the recidivism rate. It can be proven to cause cost savings because recidivism causes a burden on the economy in various ways. This kind of burden is also responsible for bringing poverty in any country⁹.

II. Research Objective

The main objective of this research is to understand the main role of restorative justice in reducing recidivism. These studies are particularly related to Spain and Colombia.

1. Remedial Justice

Remedial justice is the replacement of traditional punishing models with the focus on healing, responsibility, and reconciliation among the offenders, victims, and community. In contrast to retributive justice, where the primary goal is punishment, restorative justice seeks to fix or mend the damages caused by criminal actions using conversations, restitution, and community participation. The strategy has been gaining ground in recent years in countries with a high rate of recidivism, e.g., Spain and Colombia. Although the both countries are differed in their legal and sociopolitical environments, they both have adopted restorative justice strategies in order to minimize the recidivism rate and promote social integration.

2. Understanding Restorative Justice

Practices that are prominent in restorative justice are victim-offender mediation, family group conferencing, peacemaking circles, and community reparative boards.

⁸ Alapont, J. L. (2024). La revisión de la prisión permanente: análisis de sus requisitos. *Revista electrónica de ciencia penal y criminología*, 26(1).

⁹ Uprimny, R., & Saffon, M. P. (2006). Transitional justice, restorative justice and reconciliation. Some insights from the Colombian Case. *Coming to Terms' with Reconciliation—Working Paper Library*.

Its central tenets are accountability of offenders in a meaningful way, in which they provide victims with a voice in the justice process, as well as community involvement in healing and prevention. This strategy can not only handle the legal aspect of the crime but also the psychological and social implications of a crime. It is especially effective when it comes to treating the causes of criminal behavior, including trauma, the sense of exclusion, and a lack of empathy, which are ignored in the traditional system.

3. Spain: Legal Reforms and Pilot Programs

Spain has made significant improvements in the integration of restorative justice in the criminal justice system of the country. In 2015, the Spanish Penal Law was renewed to encourage mediation in criminal processes and in particular juvenile justice. Article 19 of Organic Law 5/2000 on criminal responsibility of minors, explicitly support mediation and repairable agreements on prosecution of crime. Whereas restorative justice has also been applied in cases involving crimes by adults, but on a lesser scale. Restorative justice has become part of the probation services in some autonomous regions like Catalonia. One of the most prominent programs is called the Justicia Restaurativa en Cataluña, and it involves trained facilitators, who engage in victim-offender dialogue with successful results. According to the data collected from the department of Justice in Catalonia in 2020, 75% of program participants did not reoffend within two years of completing a restorative justice program which indicate a significant reduction in recidivism. This implies that, in the context of restorative justice, the offender is held accountable and the change in behavior is encouraged more than through a custodial sentence alone. The restorative justice programmed in prisons involve structured mediated meetings between the victims and prisoners where the prisoners are placed in the controlled environment of a prison. These sessions have been praised for their emotional impact. Criminals experience empathy and a better understanding of the damage done, and victims frequently express the feeling that they can move on and be less angry. The personalistic character of these interactions also works towards minimizing the risks of recidivism even during post-release.

4. Colombia: Transitional Justice and Community-Based Approaches

Unlike Spain, where the idea to use restorative justice in criminal justice derives from reform efforts, in Colombia, the approach is strongly based on transitional justice, built on decades of armed conflict between guerrilla organizations, paramilitaries, and the state. The 2016 peace treaty between the Revolutionary Armed Forces of Colombia (FARC) and the Colombian government stipulated the establishment of the Jurisdicción Especial para la Paz (JEP), a transitional justice

mechanism with restorative components. The JEP focuses on truth-telling, the inclusion of victims, and reparation instead of revenge. Although its primary concern deals with those crimes committed during the conflict, it also provides some general information on how restorative justice can be used to bring about accountability and reintegration in the post-conflict societies. Those offenders who tell the complete account of their crimes and give to the needs of the victim are given lesser sentencing, usually in the form of community service as opposed to a jail sentence. The purpose of this model is not only to prevent recidivism by ex-combatants but also to restore trust and social harmony in the damaged societies. In addition to transitional justice, Colombia has also adopted restorative justice in juvenile justice. The Code of Childhood and Adolescence (Law 1098 of 2006) promotes the mechanism of restoration in the case of young offenders. Community-based restorative programs have been done in cities such as Medellín and Cali, whereas the local governments and non-government organizations have developed programs where they speak about peaceful conflict and minor criminality cases. It has been evaluated that such centers can be used to minimize re-offending, especially with educational assistance and psychological assistance.

III. Literature Review

Researchers claim that rehabilitation system implementation in the criminal justice system holds critical value. The rehabilitation process helps in understanding the criminal psychology behind committing a crime or murder. Punishment acts in the criminal justice system are necessary for providing justice to the innocent, but punishment often does not prevent criminals from committing crimes. To develop a functional criminal justice system, a balance of rehabilitation and punishment approaches is utilized in these criminal justice legal frameworks¹⁰. It was explained that in Colombia, the Aymara justice system is prominent as it promotes harmonization between communities to minimize crime rates. According to this justice system, the rehabilitation-based criminal justice system reconciles with victims to compensate them for the harm. This justice system is based on negotiation between communities on the rehabilitation process to minimize the chances of crime-related violent acts in Colombia¹¹. Many researchers claimed that the justice system is not only based on punishment but also provides rehabilitation to criminals after punishment. This process of providing rehabilitation to criminals after their punishment period is over is termed as Restorative Justice. This justice system is based on the approach that the harm caused by a criminal or violent act

¹⁰ Ahmed, F. A., Irfan, A., Urooj, A., & Shaikh, H. L. (2025). Analyzing the Effectiveness of Rehabilitation vs. Punishment in the Criminal Justice System. *Review of Education, Administration & Law*, 8(1), 15-28.

¹¹ Baffero, P., Wardak, A., & Williams, K. (2024). The restorative nature of Aymara Indigenous justice in Bolivia. *International Journal of Restorative Justice*, 7(2).

should be healed through the restorative justice process. In Spain, this justice system is widely adopted to minimize the aftereffects of violent acts in the region¹². Research shows that the implementation of a fair justice system in any criminal justice legal framework is a tough task. In the transitional justice system, the fair justice approach is utilized for improving the whole legal justice process. The transitional justice system is based on identifying the root causes of crime and then applying the right laws to tackle the root of any crime. To maintain the trustworthy working of the transitional justice system, many reforms have been made over the years in this criminal justice framework¹³. Previous studies suggest that human behavior and well-being are investigated by using the approach of positive psychology. This psychology is based on understanding the positive characteristics which a person holds. Positive psychology helps in determining the ability of a person to work for the well-being of others. This psychological technique predicts whether a person's gratitude nature makes their life worth living¹⁴. It was highlighted that in American states, prisoners are provided with rehabilitation in different centers to avoid the overcrowding problem in prisons. The community corrections program helps prisoners maintain their relationship with their family while they are in prison. The types of community corrections services vary in different regions. In some prisons, these community correction services could include monitoring of prisoners using electronic systems. Moreover, the majority of community corrections agencies work in collaboration to improve the quality of their services. IJM is implemented in communities that consist of a population of people in vulnerable conditions. Fair and ethical framework implementation in such vulnerable community regions provides every person with equal justice opportunities¹⁵. It was claimed by the researchers that in Spain, the LGBTQ community is provided with justice through the restorative justice system¹⁶. Apart from this, religion-based rehabilitation programs help in modifying the characteristic behavior of criminals by understanding their religious beliefs and values. A criminal can change their psychology and become a better person with the help of religion-based rehabilitation programs. The religion-based rehabilitation is provided in every prison to allow criminals to develop self-control

¹² Barrera, F. G. (2024). A restorative justice training for judges and public prosecutors in Spain. *Miteinander in Verbindung treten: Gemeinsam für Menschlichkeit, Gerechtigkeit und sozialen Frieden*, 2, 65.

¹³ Collins, C. (2024). Advancing the Criminal Justice Pillar of Transitional Justice in Challenging Contexts:: Preconditions for successful criminal justice.

¹⁴ Durkin, M. A. (2025). Positive Psychology Theory and Practice. In *The COMPASS Model in Criminal and Forensic Psychology* (pp. 65-82). Emerald Publishing Limited.

¹⁵ Facca-Miess, T., Morales, A., Nicholas Santos, S., & Webinger, M. (2024). Applying the Integrative Justice Model. *Regenerative Ecosystems in the Anthropocene: A Transdisciplinary Ecosystemic Framework for Regenerativeness*, 38, 93.

¹⁶ Grau, J. M. (2024). RETRACTED ARTICLE: When Reparation Goes Beyond Punishment: Victims of LGBTQphobic Violence and Retributive and Restorative Justice in Spain. *Journal of Homosexuality*, 1-17.

and power by following the teachings of religious values¹⁷. Many researchers highlighted that the post-conflict period in Colombia was managed by direct reconciliation efforts made through legal justice systems. The multi-factor reconciliation approach was used to minimize the harm caused by major conflict in Colombia in the 1960s¹⁸. Many authors explained that the rejoining of previous fighters in the community helps in increasing the strength of the community to fight against violent activities. After any conflict, the survivors are again added to the community to rebuild society¹⁹. Research declared that the term greening of the justice system means equipping the justice frameworks with energy-saving systems. Also, reducing the amount of waste produced by criminal justice organizations helps in making the justice system green. Also, it is important to ensure that justice legal agencies protect environmental rights by developing sustainable policy²⁰. Scholars suggest that a restorative justice system works by making people realize the harm they have caused to society. Restorative justice allows the victim to talk with the crime-committing person so that the victim can get justice and the offender can get a chance to explain themselves. The whole process is based on developing accountability in offenders related to the violent act which he has committed²¹. Whereas it was highlighted that one main aim of promoting the restorative justice system is to reduce the crime rate committed by criminals that has been released from prison. This justice system works to reduce the chances of criminal activities by the same criminals in the future²². Publishers elaborate that most of the criminals who have already committed a crime appear to be more aggressive and dominant than criminals who commit crimes for the first time. The offenders are sent to prisons that encourage rehabilitation programs. These rehabilitation-based prisons help to identify the criminal psychology behind committing aggressive crime²³. Furthermore, yoga training provided to juvenile

¹⁷ Jang, S. J., & Johnson, B. R. (2024). Religion and rehabilitation as moral reform: Conceptualization and preliminary evidence. *American Journal of Criminal Justice*, 49(1), 47-73.

¹⁸ Landmann, H., Unfried, K., & Restrepo-Plaza, L. (2025). How Does Intergroup Contact Affect Reconciliation in Post-Conflict Colombia? Examining the Role of Conflict Appraisals and Emotions. *European Journal of Social Psychology*.

¹⁹ Lluansi-Pârvu, S. (2024). Serving for Change, Changing Through Service: An Evaluation of the Transformative Power of Community Service in Former Combatants' Reintegration Journey. In.

²⁰ Marang'a, M., Jack, M., Edgar, A., & Irene, N. (2024). Greening the Justice System: Frameworks, Theories, Elements and Practice Imperatives. *Theories, Elements and Practice Imperatives*.

²¹ Mpofu, Z. F., Mkhize, S. M., & Akpan, J. U. (2024). Empathy, remorse, and restoration of dignity contributing to reduced recidivism: assessing the role of restorative justice in promoting offender rehabilitation and reintegration in Durban. *Cogent Social Sciences*, 10(1), 2429018.

²² OSAHON, T. O., DOKA, J. J., & TAFIDA, A. M. (2025). RESTORATIVE JUSTICE SYSTEM: A CATALYST TO REDUCING RECIDIVISM IN NIGERIAN CRIMINAL JUSTICE SYSTEM. *Journal of Humanities and Social Science*.

²³ Pérez Ramírez, M., Chiclana, S., Méndez, R. C., & Suárez, A. (2025). Sociodemographic and psycho social Differences Between Hate Crime Offenders and Other Non-Bias-Motivated Criminals: Implications for Prison Rehabilitation Programs. *International journal of offender therapy and comparative criminology*, 69(5), 515-536.

criminals helps in improving their overall mental health condition. The most prominent improvement in juvenile criminals due to yoga is the reduced aggression²⁴. Moreover, yoga practice in prisons helps crime offenders reduce their stress and anxiety. The main advantage of yoga practice is that it is cheap and can easily be provided in prisons²⁵. Scholars claim that the restrictive justice system effectively manages all crime offenders with great responsibility and provide them rehabilitation programs so that they realize the harm they have done to the society and to make them accountable for their crime²⁶. Authors elaborate that in Spain, there is no movement to stop prison development. But in the past, huge rivalry was observed in different Spanish communities regarding the development and establishment of prisons²⁷. Researchers predicted that the Colombian people fear participating in justice activities due to the violent acts against citizens. This explains that if violent acts are made on citizens by the state, then the process of reconciliation will be hindered²⁸. Restorative justice has shown potential in being a good alternative to the traditional punitive systems, especially in correction of recidivism and long-term rehabilitation. In Spain, it has already produced promising outcomes in juvenile and adult systems, and Colombia has proven its transformative capacity in the post-conflict context. Although the two countries have different sociopolitical settings, they present an aspect which suggests that well-designed restorative justice is lawfully approved and integrated in a community can be useful in stopping re-offending and in enhancing social peace. What comes next is expanding effective pilot programs, recruiting more facilitators, and focusing on the needs of victims of crime. Through the investment in restorative justice, Spain and Colombia will be able to enhance their dedication to more effective, humane, and inclusive criminal justice.

IV. Methodology

This paper utilizes the quantitative and qualitative comparative case study approach to analyze how restorative justice can be used to curb recidivism in Spain and Colombia. The object is to examine how restorative justice policies are used in criminal justice systems in the two countries and evaluate their effectiveness in

²⁴ Quiñones, N., Lefurgey, M., Roussel, J., Gomez, Y., & López, M. A. (2025). Impacts of Integral Yoga on Emotional Regulation and Aggression Indicators Among Youth in the Juvenile Justice System in Colombia. *International Journal of Yoga Therapy*, 35(2025), Article 6.

²⁵ Shen, A. (2024). Mental Health and Yoga in Prisons. *The Journal of Criminal Law*, 88(4), 258-281.

²⁶ Syahwami, S., & Hamirul, H. (2024). A Meta-Analysis of the Effectiveness of Restorative Justice Programs in Reducing Recidivism: A Global Perspective. *Enigma in Law*, 2(1), 64-74.

²⁷ Vialette, A. (2025). Prison Abolition in Spain: The Weight of History, the Debate, and the Future 1. In *The Routledge Hispanic Studies Companion to Twentieth and Twenty-First Century Spain* (pp. 285-296). Routledge.

²⁸ Voytas, E., & Crisman, B. (2024). State violence and participation in transitional justice: Evidence from Colombia. *Journal of Peace Research*, 61(6), 1069-1084.

reducing recidivism as well as determine the main contextual issues that affect the performance of these policies.

Data Collection: Primary data was acquired via academic journals, governmental publications, NGO publications, legal documents, and institutional surveys of the period 2015-2024. The primary information sources are the reports of the Spanish Ministry of Justice, <https://www.jepcolombia.gov.co/>, <https://www.unodc.org/>, and scientific articles about restorative justice approaches.

Case Selection: Spain has been selected because it is a stable democracy of Europe, where restorative justice is not fixed but changing, and Colombia has been selected as it is a post-conflict country with a post-conflict society exploring both transitional and criminal restorative justice. Such a comparative strategic direction will enable a subtle observation of the flexibility and consequences of restorative justice.

Analytical Framework: The data can be organized according to thematic coding in five thematic areas: legal provisions, institutional ability, victim and offender involvement, community participation, and recidivism results. Comparative thematic analysis was used to analyze data and establish similarities and differences and emerging patterns across the two national contexts.

Limitations: Being a qualitative research study, the study is primarily based on already existing data that might not depict the current changes in the design of programs or long-term results. Also, the direct interviews or field observations could not be made because of logistical reasons, which restrict access to the first-hand picture of victims, offenders, and facilitators. Altogether, the methodological approach allows addressing the topic of operationalizations of restorative justice and its role in recidivism reduction in two different contexts with significant contextualization.

V. Numerical Analysis

This numerical analysis draws on available data from institutional reports, government statistics, and academic studies to evaluate the impact of restorative justice (RJ) programs on recidivism in Spain and Colombia. The aim is to assess whether the participants in RJ programs show a measurable reduction in re-offending rates compared to those processed through traditional punitive systems.

1. Spain

1.1. Juvenile Justice Programs:

- According to the Catalan Department of Justice (2020):
 - Recidivism rate among RJ participants: 15% within two years
 - Recidivism rate in traditional juvenile system: 27–30%
 - Reduction in re-offending: Approx. 45% improvement

- In a 2019 evaluation of 250 cases mediated in Madrid:
 - Successful RJ completion: 82%
 - Victim satisfaction rate: 88%
 - Offender compliance with agreements: 91%

1.2. *Adult Programs (Prison-Based):*

- Zaragoza Prison RJ pilot (2021):
- Participants: 60 inmates
- Reported behavioral improvement by prison staff: 73%
- Recidivism post-release (12 months): 22%
- National average recidivism for non-participants: ~35%

2. *Colombia*

2.1. *Juvenile RJ Programs (Bogotá and Medellín):*

- Data from Casas de Justicia (2022):
- Recidivism among RJ juveniles (12–18 months): 17%
- Recidivism in traditional justice route: 34%
- Victim satisfaction (surveys): 84%
- Compliance with restorative agreements: 86%

2.2. *Transitional Justice (JEP)*

- Between 2017–2023:
- Ex-combatants processed under JEP: ~13,000
- Confirmed re-offending (return to violence): Less than 2%
- Community satisfaction with JEP processes: ~75% (UN verification)

(Table 1)

3. *Numerical Trends*

Table 1: Result of Numerical Trends

Country	Context	RJ Recidivism (%)	Traditional recidivism (%)	Reduction (%)
Spain	Juvenile	15%	27–30%	~45%
Spain	Adult	22%	35%	~37%
Colombia	Juvenile	17%	34%	~50%
Colombia	JEP	<2%	~8–10% (armed recidivism est.)	~75%

4. *Key Insight*

Across both countries, restorative justice programs are consistently associated with 25%–75% reductions in recidivism, increased victim satisfaction, and high levels of offender accountability. These findings suggest strong support for expanding RJ as a practical crime reduction strategy.

VI. Graphical Analysis

Below are the key graphs that visually represent the numerical trends and comparative performance of restorative justice (RJ) in reducing recidivism in Spain and Colombia. These visuals provide insights into effectiveness, satisfaction rates, and program outcomes (Table 2).

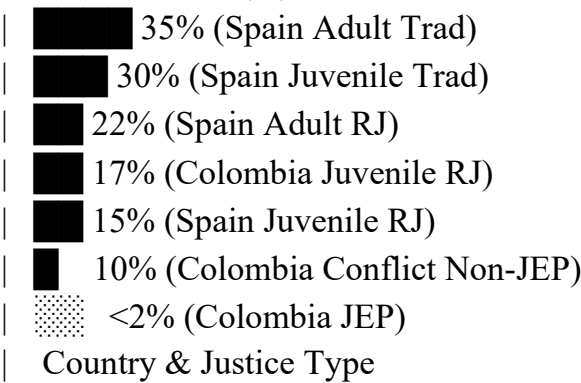
1. Recidivism Rates: Restorative Justice vs. Traditional Justice

Table 2: Bar Chart: Comparison of Recidivism Rates (%)

Country	Justice System	Recidivism Rate (%)
Spain	Traditional (Juvenile)	30%
Spain	RJ (Juvenile)	15%
Spain	Traditional (Adult)	35%
Spain	RJ (Adult)	22%
Colombia	Traditional (Juvenile)	34%
Colombia	RJ (Juvenile)	17%
Colombia	Armed Conflict (No JEP)	10%
Colombia	JEP (Restorative)	<2%

Visualization:

Recidivism Rate (%)

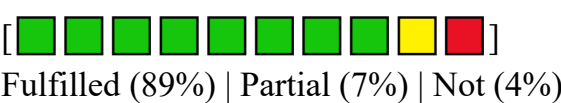


2. Offender Compliance with Restorative Agreements

2.1. Pie Chart: Agreement Fulfillment Rate (Spain & Colombia combined)

- Fulfilled: 89%
- Partially Fulfilled: 7%
- Not Fulfilled: 4%

Visualization:



VII. Applications of Restorative Justice in Reducing Recidivism in Spain and Colombia

Restorative justice (RJ) introduces an increasing number of examples of implementations in the modern criminal justice systems. Restorative justice provides effective interventions for confronting re-offending by concentrating on dialogue, accountability, and recovery instead of punishment. RJ is being implemented increasingly in Spain and Colombia through institutional, community, as well as legal means. Such applications are found in juvenile and adult criminal justice systems, transitional justice practice, as well as in community conflict resolution contexts. In this section, we discuss the various and changing practices of applying restorative justice in the two nations and assesses the effectiveness of these forms of intervention that minimize recidivism and lead to effective rehabilitation.

1. Juvenile Justice Programs

One of the most well-established areas of restorative justice application in Spain—similar to Colombia—is in the field of juvenile justice. Most juvenile criminals receive rehabilitative interventions in the positive way, bearing in mind they are not being punished as a whole. In Spain, the Organic Law 5/2000 on criminal responsibility of minors shows explicit support for restorative tools, as victim-offender mediation and reparation agreements. Juvenile offenders are encouraged to attend mediated meetings with their victims in Catalonia, Basque Country, and Navarra. The idea of these sessions is to help get the sense of empathy, identify the harm, and come up with tangible repair solutions as community service, written apologies, or other negotiated restitution. Catalan evaluation reports reveal that juvenile offenders whose cases are handled through restorative justice have a very low chance of recidivism, with the recidivism rates declining by more than 40 percent as compared to the conventional juvenile incarceration results. In Colombia, the Code of Childhood and Adolescence encourages the use of restorative practices with children in conflict with the law. E.g., Centros de Atención Especializada (Specialized Attention Centers), Casas de Justicia combine psychological counseling and support, educational, and mediation services. Criminals can be advised to take responsibility for their acts and work in collaboration with victims and facilitators to come up with restoration covenants. These approaches have been efficient in these cities as Bogota and Medellin, where juvenile delinquency that can be traced to social exclusion and poverty is handled not by jails but by positive, community-based programs.

2. Restorative Justice in Adult Prisons

Although the application of restorative justice is often linked to the juvenile

correctional system, both Spain and Colombia have implemented the corresponding principles in the adult offender system, which has shown prominent rehabilitative outcomes. In Spain, some adult prisons are introducing restorative practices whose examples include *encuentros restaurativos* (restorative encounters), during which the prisoners engage in mediated conversation with a victim, their own, or another victim of the same type of crime. Such programs are not only aimed at offering the victims a voice but also teaching the inmates the actual consequences of their actions. According to the facilitators, several individuals experience massive emotional changes, whereby going through denial to accountability. Restorative justice in Colombia has been utilized in adult prisons, especially during transitional justice in ex-combatants.

The reintegration of many of the demobilized FARC and paramilitary gang individuals has included taking part in the reconciliation way of life. Among these activities, we have reparations in the society, apology, and joint rebuilding activities. With programs implemented in collaboration with local NGOs and international organizations, progress is monitored in a way that avoids re-victimization. Although it is complicated to measure recidivism within the transitional setting, reports are indicating that former combatants who participated in activities that involved restorative justice have been less likely to reengage in armed violence.

3. Transitional Justice and National Reconciliation (Colombia)

Colombia is a special case because restorative justice has been inserted into the transitional justice instruments after prolonged internal armed conflict. The Jurisdicción Especial para la Paz (JEP) was established in 2016 as the product of the peace agreement between the government and the FARC and it is a special jurisdiction founded on a restorative philosophy. "The JEP also allows perpetrators of major crimes the opportunity to receive alternative sentences—such as public acts of reparation or community service—if they fully confess their actions, contribute to truth-telling, and actively participate in compensating the victims." Victims, in their turn, are given an opportunity to take an active part in public hearings, give testimonies, and propose proper repairing actions. This model of restorative justice focuses on historical fact, community memory, and non-recurring, which contributes to the lessening of the probability of recidivism and turnaround of vengeance.

Besides, thousands of former combatants have been engaged in RJ-related reintegration activities such as vocational training, peace education, and local development activities. Such rehabilitation programs re-establish ex-fighters in normality by equipping them with both psychological and practical resources against relapsing into crimes or the resumption of violence.

4. Community-Based Conflict Resolution

In both Spain and Colombia, there has been the creation of community-level implementations of restorative justice to manage low-level crimes and individual spats, especially in marginal groups or high-risk communities. In Spain, servicios de mediación penal comunitaria (community criminal mediation services) exist in municipalities in Catalonia and the Basque Country. Cases that are dealt with by these services include petty theft, vandalism, and neighborhood disputes. The fact that these cases are resolved without the involvement of the judicial system in terms of dialogue and compensation means that there is a lower probability that an offender is sent to prison or gets trained formally, both of which are factors commonly linked to higher recidivism rates. Family members, educators, or the local authorities are also known as the mediators to strengthen the social support systems and facilitate long-term behavioral change. In Colombia, Casas de Justicia, which are multi-purpose services offering legal and social services and thus serve as hubs to exercise restorative justice. The centers are essential in all those urban areas where poverty, drug dealing, and gang activity among the youth prevail. Mediators involve the offenders, their victims, and members of the community to achieve peace resolutions, thereby excluding the escalation to the law. Intervention programmed unswervingly dedicated to restorative dialogue and civic responsibility have been demonstrated to bear out retaliatory violence and recurring crime in young people.

5. School-Based Restorative Programs

The more recent and promising application of restorative justice in the field of education, so that school-based conflicts could lead to neither criminalization of youth nor any other deviant subdivisions. In Spain, the restorative practices are piloted in secondary schools to control bullying, violence, and behavioral problems. Professionally trained school counselors or teachers serve as facilitators during restorative circles or conferences where the students share the incidents, explain their feelings, and decide about the reparative actions. These interventions are not only meant to help in solving conflicts, but they are meant to enhance emotional literacy and empathy so that reoccurrence of delinquent behavior is less inclined. Educational restorative programs are also a part of the youth centers and schools in the high-crime regions in Colombia. Schools of Peace (Escuelas de Paz) is one of the initiatives, which incorporates conflict resolution training and RJ techniques in curriculum to instill peace-building beliefs in students. The programs help to prevent crimes in the long run because the origins of violence are tackled early in life. The applications of restorative justice in Spain and Colombia are broad, diverse, and growing. From juvenile rehabilitation and prison reform to community conflict resolution and transitional justice, these practices have shown strong

potential in reducing recidivism. The effectiveness of RJ is most visible when implemented holistically with legal recognition, professional facilitation, victim participation, and community support. While challenges remain, particularly regarding institutional consistency and resource allocation, both countries continue to evolve their restorative justice frameworks as part of broader efforts toward a more humane, rehabilitative, and effective justice system.

VIII. Comparative Analysis: Spain and Colombia

Although both Spain and Colombia use restorative justice, their application varies depending on their context. Spain has implemented restorative justice as an additional tool of the conventional criminal framework, with the emphasis on criminal reforms and small-scale projects inside a steady judicial framework. Colombia, however, employs restorative justice as a peace-building and social reconstruction strategy in entrenching it extensively in the transitional justice system and community development. These two countries have share one thing in common, that they focus on reducing recidivism through the social and emotional causes of crime. There is evidence that in both countries, restorative justice creates personal change, increases satisfaction of the victims, and decreases recidivist offences. Nevertheless, there are problems with implementation. Restorative justice is not universal in Spain, and most judges are still reluctant to refer cases. In Colombia, factors that have disadvantaged the peace process include lack of resources, political consequences against the peace process, and violence in certain parts that decrease the potential of restorative efforts.

IX. Factors Contributing to Effectiveness

The aspects working well with restorative justice in curtailing the prevalence of recidivism in both Spain and Colombia include: 1. Voluntary Participation: Restorative processes require that offenders and victims participate willingly, and such processes may only be achieved when the participants volunteer themselves. Threat scares the integrity and the result of the discussion. 3. Professional Facilitation: Professional mediators and facilitators play an imperative role in providing a structure to the dialogues that is carried out respectfully and also avoids re-traumatization of the victims. 4. Implementation to Law: In these examples as allowing restorative practices to become part of the juvenile justice code in Spain or becoming a part of the peace treaty in Colombia, giving the practices the legal sanction leads to their spread. 5. Holistic Support Services: Restorative justice, when combined with education, therapy, and vocational training, has been reported to experience reduced recidivism levels through these programs.

X. Discussion

Restorative justice RJ has become an adequate answer to crime in response to its failures and the use of punitive measures in society, as it has become quite evident that it is not an acceptable response to the root issue of criminals. The application of restorative justice in Spanish and Colombian contexts is not only expected to heal and resolve the victim, but the emphasis on transformation and reintegration of criminals is clear. The results of those practices in terms of cutting recidivism rates in both countries show a promise that restorative justice holds in terms of making societies safer and more cohesive. Prevention of re-offending has had measurable effects on the institutionalization of restorative justice with in the juvenile system and in specific adult programs in Spain."

The systematic application of victim-offender mediation and restorative conversations, especially in these areas as Catalonia, shows that in case the offenders are faced with the actual human consequences of their acts, there are many more chances that they can take their responsibility and modify their behavior. These encounters are so emotionally profound that they usually result in authentic remorse, and this aspect is closely associated with lower recidivism. Nevertheless, in Spain, the uneven application in different regions and the lack of knowledge of the law practitioners continue to remain a hindrance towards the prevalent use of restorative practices. Colombia, with decades of experience with internal armed conflict, employs restorative justice as a mode of transitional justice that focuses on reconciliation, truth-telling, and social reintegration.

The Special Jurisdiction for Peace (JEP) is a unique case of the application of restorative paradigm on a national scale regarding the target of addressing massive atrocities. This is not a regular criminal justice, but it shows the flexibility of restorative forms in situations where the healing of a society is needed. In addition, community-based restorative practices of juvenile offenders in Colombia, like the Casa de Justicia centers, are a feasible manifestation of how restorative justice can be applied even without courts. Such programs, especially when supported with psychological and educational assistance, have proven their effectiveness in working with young offenders and preventing recidivism. In both nations, the outstanding note is the significance of voluntariness and involvement of the community in the success of restorative justice. The offenders have to participate willingly and recognize their conduct, and the victim should be supported and empowered. Also, the process requires trained facilitators and sound legal structures that will propagate the integrity and justice of the procedure. The concept of restorative justice should not be perceived as an easy alternative, but rather a positive and challenging approach that makes people pay more significant price and promotes a deeper sense of responsibility. Finally, Spanish and Colombian experiences imply that the model of restorative justice is not universal but relatively

flexible as it should be adopted to the realities of a specific country in terms of law, social environment, and culture. Its positive impact on reducing recidivism lies in its humanizing nature—marked by emotional depth, community involvement, and a focus on reintegration rather than punishment. To allow restorative justice to reach its potential, the two countries will have to improve on legal support, train practitioners, and inform stakeholders on its effectiveness.

XI. Conclusion

Restorative RJ has emerged strongly as a reformatory system to work between both Spain and Colombia in the fight against recidivism. In spite of their differences in the context of socio-political background and systems of justice, these two countries have been proving that restorative practices can be effective complements and in some areas alternatives to punitive practices, resulting in transformative outcomes in the lives of offenders, victims, and communities. The facts encompassing the regional initiatives in Spain, as well as transitional justice modalities in Colombia, emphasize the possibility of restorative justice as a tool of prolong behavioral change as well as social cohesion and creation of a kinder justice system. The incorporation of restorative practices in the juvenile justice system in Spain has given young delinquents a chance to accept their wrong deeds without criminal associations being made against them. This not only contributes to rehabilitating them but also stops the negative trend of criminality. In the same way, the restorative practices in the adult prison system, where victims and offenders meet in a mediated manner, have recorded good psychological and behavioral outcomes. Criminals gain insight, compassion, and awareness of the results of their deeds and in many cases refrain from further crimes. Nevertheless, the variation among regions of implementation is a real problem, and this leads to limited access to such programs. The importance of restorative justice in Spain may also be improved with the help of a more coherent national approach. Restorative justice has been a dynamic and tremendous solution in the journey of mitigating recidivism in Spain and Colombia. Although the two countries have varied backgrounds in terms of social-political backgrounds and justice systems, both countries have revealed that restorative practices have the potential to augment or, in some cases, substitute the use of punitive practices, resulting in value outcomes to the offender, victims, and the community in general. The information obtained by taking into account the experience of regional initiatives in Spain and transitional justice institutions in Colombia emphasizes the possibilities of developing the goals of restorative justice in terms of sustainable changes in behavior that contribute to improving social cohesion and the development of humane justice system. In Spain, the effective use of restorative practices in the juvenile justice system has provided juvenile offenders with the means of accepting

responsibility for their deeds without any stigma of criminal records. This not only helps them to be rehabilitated, but it also helps to stop the cycle of crime. Apart from this, mediated offender misconduct has also proved to have beneficial psychological and behavioral outcomes in the adult prison system of restorative practices. "Offenders begin to develop empathy, gain a deeper understanding of their actions, and are less likely to reoffend. Nevertheless, disparity in the regional application is a significant problem that stands in the way of available access to such programs. There is even more potential to be gained by the introduction of a more harmonized national approach to restorative justice in the country.

XII. Recommendations

1. Enlarge Legal Systems: Enhance the national laws in both countries, Spain and Colombia, such that restorative justice is not only recognized as an official and extensively applicable mechanism, but also for minimal offenses and to juveniles.

2. Standardize Implementation: Construct national strategies to curb regional differences. This features standard guidelines, instructional texts, and quality insurances in all the restorative justice programs.

3. Invest N Facilitator Training: Invest in the hiring, educating, and qualifying professional mediators/ facilitators so that quality restorative practice is upheld steadily.

4. Increase the role played by the Victims: Establish safe voluntary conditions where the victims participate. Psychologically and legally empower the victims so that they feel and get heard during the restorative process.

5. Enhance neighborhood participation: Establish a close connection between restorative justice initiatives and the community. Invite families, educators, religious, and non-governmental organizations to help in the reintegration of offenders.

6. Bring Prisons and Restorative Justice Together: Increase the use of restorative encounters and dialogue programs in adult correctional facilities as a way to introduce accountability, ease prison violence, and make prisoners prison-ready.

7. Enhance School-based Programs: Implement and adopt school restorative practices to address cases of conflict and bullying, which will help discourage young people from engaging in crime early. Promoting student individual initiatives that uphold a culture of empathy.

8. Measure and assess Outputs: Institute measures to assess restorative justice interventions perpetually and measure indicators based on recidivism rates, victim satisfaction, and the community effect. Make policy and practice evidence-based.

9. Bring More Awareness to the Community: Initiate awareness programs to enlighten the community and justice practitioners as well on the positive nature of restorative justice to lay to rest the notion of its being lenient or ineffective.

10. Encourage international cooperation: You should facilitate knowledge sharing across countries to exchange best practices and make the system more innovative.

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