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Environmental restorative justice in italy: a pilot study of lawyers' perceptions

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Abstract

In this paper, we investigate perceptions of restorative justice (RJ) and environmental restorative justice (ERJ) of lawyers in the Busto Arsizio Bar Association, which includes all registered lawyers working in the north-west area of the city of Milan, Italy.

Aim of the study: to establish whether lawyers in this area of Italy know about, and have engaged with, RJ in their work, and whether they entertain the possibility of engaging in ERJ in their future work.

Methodology: we started our research by drafting of a short, rigorously anonymous, questionnaire. Percentages were tested by binomial test while relationships between questions were assessed by Fisher's exact test or Chi-square, as appropriate. A significance level $\alpha<0.05$ was considered for each test. Exact p-values were computed by means of permutation methods to avoid any asymptotic approximation or distributional assumption.

Findings: although many lawyers in the Busto Arsizio Bar Association have worked on judicial cases involving environmental harm, not many of them seemed to know much about RJ or ERJ. The results also show that lawyers: did not see RJ applicable to the area of environmental protection; did not have a positive opinion of the effectiveness of RJ tools in general; and had mostly never heard of ERJ.

Conclusions: our study highlights the need for the establishment of a solid training in RJ processes and tools for Italian lawyers, which – in the longer term – could also lead to the more regular and effective application of RJ and ERJ.

Keywords: environmental restorative justice, green criminology, environmental victims, Italy, legal profession.

Credit author statement

Authors Caruso, P., Travaini, G., Cermenati, N., Ratti, E., curated the data collection for the article. All the other authors contributed to the development of the theoretical, analytical and discussion parts.

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1 Views and opinions expressed in this article are those of the author only and do not necessarily reflect those of the European Commission.

Environmental restorative justice in italy: a pilot study of lawyers' perceptions

Introduction

Since its outset in the 1990s, green criminology has represented a laboratory where scholars from all over the world have been able to address crimes, harms and injustices against the environment, human and non-human animals, plants, ecosystems and biospheres, among others (Beirne, Brisman and South 2013; Lynch and Stretesky, 2003; Natali, 2015, 2016; Natali and Cornelli, 2019; Natali and Hall 2022; Natali & White, 2019; White, 2008, 2013a, 2013b). Currently, green criminology focuses on three main ideas of justice, all summarized under the main heading of 'eco-justice' (White, 2013a, 2013b): 'environmental justice', which focuses on human struggles for justice at the intersection of various systems of oppression (including race, ethnicity, gender, class, etc.); 'ecological justice', which aims at protecting specific environments; and 'species justice', which considers the protection of nonhuman animals and plants in particular, avoiding to hierarchize them (Walters, Westerhuis & Wyatt, 2013; White, 2008, 2013a, 2013b). These three ideas of justice reflect grassroots struggles around the world, which have denounced structures of oppression that victimize people, nonhuman animals and Nature[2] in general, and which have forced criminology to develop new concepts and ideas to more comprehensively understand environmental harm and crime (Walters, Westerhuis, & Wyatt, 2013).

Central to green criminology (and its critical sub-area in particular), is the idea of 'harm' – a concept that goes well beyond that of criminal harm (or the harm which is protected by way of criminal law) and that encompasses all damages caused to human and nonhuman animals and the environment by human action or inaction, regardless of them being formally protected or not by the legal system.

Harms are also central to the idea and practices that go under the heading of Environmental Restorative Justice (henceforth: ERJ) (see e.g. Perini, 2022; Natali and Hall, 2022; Mazzucato, 2016; Pali and Aertsen, 2021; Pali et al., 2022; Mannozzi & Mancini 2022). As put it by Pali, Forsyth and Tepper (2022: xi) in their recently published *Handbook of Environmental Restorative Justice*, ERJ is an "ethos and set of values and practices that respond to environmental harm through focusing on healing the harm, repairing relationships, deep listening, participation of everyone involved, and ensuring accountability for harm caused in ways that prevent its re-occurrence". Grounding its roots in many Indigenous cultures and cosmologies (which often hold the belief that humans and Nature are fundamentally interconnected and interdependent), ERJ embraces an eco-centric perspective and promotes the establishment of safe spaces where broadly defined victims and offenders voluntarily come together and engage in meaningful dialogue and efforts directed at healing and repairing the caused harms. It is worth clarifying here that ERJ is mainly focused on repairing *past harms*, or harms that have already occurred, rather than on preventing the occurrence of future harms through e.g. extractivist megaprojects and policies (however, the application of ERJ has recently been suggested also for protest and civil disobedience, see e.g. Di Ronco and Chiaramonte, 2022; and Jolly, Gehman and Burford, 2022). But by addressing past harms, ERJ also seeks to avoid reoccurrence of harms in the future: indeed, it contributes to (re)constructing relations within the community – and between the community and Nature – enabling it to build capacity to prevent future harms (Forsyth et al., 2022). As Forsyth and colleagues (2022: 6) also suggested, the key idea is that ERJ "can support an agenda of reconnecting humans with the environment in ways that recognise our essential interdependence and seek to put limits on extractivist ideologies".

From a southern green criminological perspective (Goyes, 2019), however, we can identify some crucial epistemological issues regarding both the fields of (green) criminology and ERJ. First and foremost, there is the issue of the coloniality of Nature (Escobar, 2011). According to decolonial epistemology, the detachment between humans and Nature has been achieved through a process of differentiation which resembles that promoted between humans through the category of "race", in particular during the European expansion to the Americas in the 16th century (Quijano, 2005; Walsh, 2018). The perception of an external "environment" rich in "natural resources" worked as an ideological justification to promote capital accumulation through the plunder of the conquered territories and the murder and enslavement of the peoples that lived there – *the others* (Mignolo, 2018). Nowadays, we should address this epistemological issue – an endeavor which also helps us to critically approach the current, rampant, global capitalism and the serious environmental harms it has caused in its relentless search for profit, choosing its victims according to a hierarchization of knowledge, beings (humans and more-than-humans), and territories. Indeed, there is a racial-capitalocene (Vergès,

2 For 'Nature', we refer to a whole set of phenomena belonging to the physical world, which is made of plants, nonhuman animals, the landscape, rocks, various forces, features and products of our planet Earth. We drew for this definition on the Oxford and Cambridge language dictionaries.

2017; Pulido, 2018) going on, which risks to endanger many species because of the reproduction of the modern (profit-driven) rationality. This perspective suggests that we cannot safeguard Nature without overtaking epistemic racism, in the search for cognitive justice (Santos, 2016; Goyes & South, 2017). While a new perspective of justice is needed, it should move beyond the rationality rooted in modernity/coloniality that characterizes (among others) the criminal justice system. Should this not happen, the risk is to uncritically reproduce the structural injustices that underpin environmental harms and crimes (see also Rodríguez, 2022).

Over the past two decades, some countries have institutionalised ERJ and have introduced it into their legal and criminal justice systems, such as in the cases of Australia and New Zealand (Forsyth et al., 2021; Hamilton, 2021; Haluska, 2023). Even in the jurisdictions where it is regularly used, however, ERJ is not devoid of challenges (Forsyth et al., 2022; White, 2022). Among others, there are the issues of participation and representation in ERJ circles and conferences. While participation refers to the often scarce interest and willingness of multinational corporations to directly and meaningfully engage in ERJ to acknowledge and ultimately repair the harms they have caused, representation speaks to the challenges of having the voices of future generations and of the more-than-human heard within ERJ processes (see e.g. Mazzuccato, 2016; Mannozzi, Mancini, 2022). In practice, the challenge of representing Nature is often resolved through the involvement of human-'guardians', or custodians with local knowledge and a distinctive place attachment, such as Indigenous Peoples, local communities, and also environmental activists (Forsyth et al., 2021), who speak for the harmed more-than-human in ERJ circles and conferences.

Issues around representation also alert us to the fact that the concept of 'victim' has recently been challenged – and extended – specifically in the field of environmental regulation and justice (see Williams, 1996; Skinnider, 2011; Hall, 2013). Firstly, considering the issue of victim identification, it has been observed that often victims may not be aware of their status (Varona, 2019). Secondly, as mentioned above, in the case of environmental harms and crimes it is hard to ensure that the interests of all victims – including the more-than-human – are effectively represented in the courts of law. Thirdly, as discussed earlier, when it comes to environmental remediation, it is necessary to take into consideration also the interests of future generations (Perini, 2022), which have increasingly been recognized as legal subjects in constitutional texts (see e.g. the recent amendment to art. 9 of the Italian Constitution). Although scholars have envisaged ways through which to ensure that future generations are represented in court (Jenkins, 2018), at the moment they have done so only at the theoretical level because of some important practical issues (Natali & Hall, 2022).

When environmental harm or crime occurs, moreover, victims are often considered as passive subjects, made vulnerable and helpless by the harm they have endured. However, embracing a restorative justice (henceforth: RJ) paradigm urges practitioners to consider the victim as an agent – a knowledgeable person who regrettably gained a unique experience of an environmental issue. Practitioners should embrace victims' subjectivities, actively listening to the stories and experiences these people may wish to share. Paying attention to these often "disqualified" (Foucault, 1980, 81) knowledges may open up "new subjectivities" (Rosignoli, 2022, 2) and trigger *agency through knowledge* that becomes empowering and enfranchising (see also Natali, Berti Suman & de Nardin Budò, 2023; for the often disqualified knowledge produced by environmental movements, see also Di Ronco & Chiaramonte, 2022). Gathering and sharing environmental knowledge thus becomes an act of resistance (Berti Suman, 2022). Recognizing environmental victims as agents and experts in the judicial arena as well as in institutional fora may reduce the worrisome gap between victims and legal professionals, and promote a fair(er) judicial process.[3] Furthermore, valuing the knowledge of people affected by environmental harm can open a space for the victims' *imaginaries* (Berti Suman 2022), which can inform the work of practitioners in the field while designing just and participatory restorative processes.

In this paper, we investigate perceptions of RJ and ERJ of Italian lawyers in the Busto Arsizio Bar Association, which includes all registered lawyers working in the northwest area of the city of Milan, Italy. Ultimately, the aim of the study is to establish whether lawyers in this area of Italy know about, and have engaged with, RJ in their work, and whether they entertain the possibility of engaging in ERJ in their future work. The article starts with outlining the aims of the research and continues with its methodological background. As method for data collection, this study chose to rely on a questionnaire which was sent to the relevant Bar Association and – through it – was then disseminated among its members. Among the Bar's members, a total of 194 lawyers filled in the questionnaire. In the remainder of the article, we analyse the findings and discuss their implications for ERJ in Italy.

Methodology

The research: objectives of the study

In this project we wanted to investigate whether and to what extent lawyers in Italy are prepared to engage with (E)RJ after the recently enacted new regulations on RJ. New regulations on RJ have indeed been introduced in Italy through the so-called 'Cartabia reform' (law No

3 As results of the ongoing Sensing for Justice research project demonstrates, see https://sensingforjustice.webnode.it/. The project explores how ordinary people's knowledge on environmental harm can become a source of evidence in environmental justice litigation and a tool for environmental conflict mediation.

134/2021 of 23 September 2021), which borrows its name from the Minister of Justice during the Draghi Government (from 13 February 2021 to 22 October 2022), Marta Cartabia. The law introduced new guidelines to inform the implementation of the reform of the Italian criminal process. The goals of the reform arise from the needs to: speed up the criminal trial; strengthen the guarantees for defendants and the protections for victims of crime; and introduce innovations to guarantee a 'reasonable duration' of appeal proceedings[4]. Among the key principles of this new legislation there is the duty of several justice operators (including: police officers, magistrates, prosecutors and lawyers) to inform victims and offenders of their possibility to access RJ circles (see Maggio, 2023). The aim of this research is, therefore, to explore whether lawyers have knowledge of RJ, and whether they are prepared to support their clients through RJ pathways. In Italy, lawyers are the only professionals who are entitled to represent offenders and victims in the judicial process – this is why our research specifically focused on them (and not on e.g. legal scholars and judges).

Methods of data collection and analysis

We started our research with drafting of a short questionnaire (Annex A). This rigorously anonymous questionnaire is made up of eleven "closed-answer" (Yes/No or other multiple choices) questions and divided into three macro-brackets. The first three questions are aimed at collecting general data on the composition of the sample, identifying their age, gender, work experience in the fields of civil, criminal or administrative law. The next four questions (4-7) refer to the respondents' level of knowledge on RJ. Finally, the last four questions (8-12) focus on respondents' personal ideas and considerations on the possible applications of RJ in environmental matters.

The questionnaire was administered for a three-week administration period during the month of October 2022, where a general group made up of 1176 lawyers was targeted through the help of their Bar Association – the Busto Arsizio Bar Association[5]. Busto Arsizio is an Italian municipality of 82,951 inhabitants in the province of Varese, in the Lombardy Region. The Busto Arsizio Bar Association covers a geographical area that includes another 55 neighboring municipalities, for a total population of around 700,000 inhabitants. We chose this Bar Association for a number of factors, including: the relative high number of members in comparison with other Italian Bar Associations; the fact that it operates in a strongly industrial and highly polluted area; and the willingness of this specific Association to take part in the research. Once our questionnaire was ready, we sought the approval of the Board of Directors of the Busto Arsizio Bar Association. Once that was secured, the Bar Association helped to share the questionnaire to its members via their main channels of communication, including its regular newsletters. We received 194 responses, for a response rate of 16.49% (for a full account of the findings, see following section).

Percentages were tested by binomial test while relationships between questions were assessed by Fisher's exact test or Chi-square, as appropriate. A significance level <0.05 was considered for each test. All analyzes were performed in R environment ver. 4.2.2 (R Foundation for Statistical Computing, Vienna, Austria. www.r-project.org).

Findings

194 responses were received, for a response rate of 16.49%.

The questionnaire was completed by 135 women (69.6%), 58 men (29.9%) and 1 person who preferred not to specify their gender (0.5%). In terms of age: 80 respondents (41.2%) were between the ages of 40 and 50; 76 (39.2%) were over 50; and 38 (19.6%) were under 40. Among the 194 lawyers who filled in the questionnaire: 154 (79.4%) operated in the field of civil law; 31 (16%) in the field of criminal law; and 9 (4.6%) in that of administrative law.

149 participants (76.8%) declared that they have never dealt with environmental crimes, nor have they worked on environmental cases, while 23.2% (45 people) confirmed to have dealt with them, distributed as follows: 29/135 women, 16/58 men ($p=0.562$); 6/9 administrative law; 24/154 civil law; 15/31 criminal law ($p<0.0001$).

From the answers provided, it appears that the vast majority of lawyers (77.3%) do not know at all about RJ (150 vs 44; $p<0.0001$). Indeed, among the only 40 lawyers who knew what RJ is, 29 identified *victim-offender mediation* as the best-known RJ tool (72.5%), while *family group conferencing* (5%) and *restorative circles* (22.5%) seemed to be much less known. Question 7, which covered the application of RJ to the area of environmental protection, was answered only by 41 lawyers out of 194: answers here seemed to be almost equally divided between positive and negative views of ERJ (51.2% and 48.7%, respectively; $p=0.999$).

4 In Italy, restorative justice was introduced in 1988 (Presidential Decree 448/88) in the field of juvenile justice. In this field, a meeting between the victim and the perpetrator is essential to enable the extinction of the crime or the termination of the proceeding. Beyond this specific field, in 2000 the legislative decree No 274 introduced the possibility for criminal proceedings pending before the Justice of the Peace to access mediation in *ad hoc* (public or private) centres. In April 2014, the law No 67 established the possibility for adult-offenders to suspend the trial to carry out activities aimed at eliminating the consequences of their crime and/or compensating eventual damages to the victim(s). Finally, mediation can be accessed also in the execution phase of the sentence, and can lead to the granting of measures alternative to detention to the convicted offender.

5 he Authors would like to thank the Busto Arsizio Bar Association for the kind cooperation.

With respect to the role that RJ can play in relation to accomplishing justice, 42 lawyers preferred not to answer. Of the remaining 152 respondents: only 1 participant found RJ incompatible with justice; 90.1% of lawyers (137 individuals) defined it as complementary to formal criminal justice;[6] and 9,2% (14 individuals) defined it as an alternative to justice.

We now come to question 10, relating to the training of lawyers on RJ in Italy: 8 respondents preferred not to answer this question, and, of the remaining 186 participants, the majority declared that there is no adequate training on RJ (73.1%). Only 1.6% thought that training is adequate, while 25.2% did not know.

Question 11 investigated lawyers' opinions around the participation of non-human victims in RJ processes. Surprisingly given their prior answers, among the 176 individuals who answered, 68.1% expressed themselves in positive terms, while 31.2% believed that the participation of non-human victims to ERJ process is not possible.

Question 12 received answers from all 194 lawyers: it investigated the possibility that the respondents have heard of, or have personally experienced, concrete cases of ERJ. The majority, i.e. 82.4% (160 individuals), declared to have not heard nor had first-hand experiences of ERJ; only 3 people claimed to have had concrete experiences of ERJ, while 31 people (15.9%) have only heard of it.

By conducting some bivariate analyses, it is possible to obtain some further information on the collected data. For example, the responses to the questionnaire show that the majority of those who claim to have dealt with environmental crimes also claim not to know RJ (table 1).

Item			
Q.4	In your profession, have you ever dealt with environmental crimes or advocated for environmental causes?		
Q.5	Do you know the paradigm of restorative justice (RJ)?		
Item Q.4	**Item Q.5**		
	No	**Yes**	**Total (%)**
No			
N	122	27	149
Row (%)	81.88%	18.12%	76.80%
Column (%)	81.33%	61.36%	
Total (%)	62.89%	13.92%	
Yes			
N	28	17	45
Row (%)	62.22%	37.78%	23.20%
Column (%)	18.67%	38.64%	
Total (%)	14.43%	8.76%	
Total	150	44	194
(%)	77.32%	22.68%	100.00%

Table 1

By cross-referencing the sample described above and the question regarding the effectiveness of the RJ tools analyzed (family group conferencing, restorative circles, victim-offender mediation), the interesting fact emerges that the majority of those who have dealt with environmental crimes not only does not know about RJ (see above) but also does not believe that RJ can find an effective application in the field of environmental protection (table 2).

6 Legally, RJ is only accessible after a regular trial is opened and suspended, to allow for RJ processes to unfold. In this sense, RJ processes complement or integrate a formal criminal justice proceeding.

Item	
Q.4	In your profession, have you ever dealt with environmental crimes or advocated for environmental causes?
Q.7	If you answered Yes to question n. 5, do you think that some of these tools can be effectively applied in the field of legal protection of the environment

Item Q.4	**Item Q.7**		
	No	**Yes**	**Total (%)**
No			
N	9	14	23
Row (%)	39.13%	60.87%	56.10%
Column (%)	45.00%	66.67%	
Total (%)	21.95%	34.15%	
Yes			
N	11	7	18
Row (%)	61.11%	38.89%	43.90%
Column (%)	55.00%	33.33%	
Total (%)	26.83%	17.07%	
Total (%)	20 48.78%	21 51.22%	41 100.00%

Table 2

In addition, most of the lawyers who have dealt with environmental crimes has never heard about ERJ or had concrete experiences with it (table 3).

Item	
Q.4	In your profession, have you ever dealt with environmental crimes or advocated for environmental causes?
Q.12	Have you heard or personally experienced concrete experiences of restorative justice paths related to environmental matters?

Item Q.4	**Item Q.12**			
	I have not experienced it or heard of it	**Yes, I have experienced it**	**Yes, I've heard of it**	**Total (%)**
No				
N	125	1	23	149
Row (%)	83.89%	0.67%	15.44%	76.80%
Column (%)	78.12%	33.33%	74.19%	
Total (%)	64.43%	0.52%	11.86%	
Yes				
N	23	2	8	45
Row (%)	15.44%	4.44%	17.78%	23.20%
Column (%)	74.19%	66.67%	25.81%	
Total (%)	11.86%	1.03%	4.12%	
Total (%)	160 82.47%	3 1.55%	31 15.98%	194 100.00%

Table 3

As far as RJ training is concerned, the majority of lawyers who knew about RJ stated that there is not adequate training for lawyers who want to assist a client through RJ processes (table 4).

Item	
Q.5	Do you know the paradigm of restorative justice (RJ)?
Q.10	Do you think that in Italy there is adequate training for lawyers who want to accompany a client in a path of restorative justice?

Item Q.5	Item Q.10			
	No	I don't know	Yes	Total (%)
No				
N	99	42	2	143
Row (%)	69.23%	29.37%	1.40%	76.88%
Column (%)	72.79%	89.36%	66.67%	
Total (%)	53.23%	22.58%	1.08%	
Yes				
N	37	5	1	43
Row (%)	86.05%	11.63%	2.33%	23.12%
Column (%)	27.21%	10.64%	33.33%	
Total (%)	19.89%	2.69%	0.54%	
Total	136	47	3	186
(%)	73.12%	25.27%	1.61%	100.00%

Table 4

The same sample also claimed to have never heard of any RJ training or to have ever undertaken it concretely in the workplace (table 5).

Item	
Q.5	Do you know the paradigm of restorative justice (RJ)?
Q.12	Have you heard or personally experienced concrete experiences of restorative justice paths related to environmental matters?

Item Q.5	Item Q.12			
	I have not experienced or heard of it	Yes, I have experienced it	Yes, I've heard of it	Total (%)
No				
N	133	1	16	150
Row (%)	88.67%	0.67%	10.67%	77.32%
Column (%)	83.12%	33.33%	51.61%	
Total (%)	68.56%	0.52%	8.25%	
Yes				
N	27	2	15	44
Row (%)	61.36%	4.55%	34.09%	22.68%
Column (%)	16.88%	66.67%	48.39%	
Total (%)	13.92%	1.03%	7.73%	
Total	160	3	31	194
(%)	82.47%	1.55%	15.98%	100.00%

Table 5

The perception of a lack of RJ training in Italy is further confirmed by the majority of participants who viewed RJ as a complementary form of justice (table 6): indeed, those who saw RJ as a complementary form of justice also underlined the lack of adequate training on the subject, thus suggesting their possible hesitancy in engaging with RJ.

Item	
Q.9	According to you, restorative justice with respect to justice is as follows: Alternative, Complementary or Not Compatible
Q.10	Do you think that in Italy there is adequate training for lawyers who want to accompany a client in a path of restorative justice?

Item Q.9	Item Q.10			
	No	I don't know	Yes	Total (%)
Alternative				
N	8	5	1	14
Row (%)	57.14%	35.71%	7.14%	9.27%
Column (%)	7.14%	13.89%	33.33%	
Total (%)	5.30%	3.31%	0.66%	
Complementary				
N	103	31	2	136
Row (%)	75.74%	22.79%	1.47%	90.07%
Column (%)	91.96%	86.11%	66.67%	
Total (%)	68.21%	20.53%	1.32%	
Not Compatible				
N	1	0	0	1
Row (%)	100.00%	0.00%	0.00%	0.66%
Column (%)	0.89%	0.00%	0.00%	
Total (%)	0.66%	0.00%	0.00%	
Total	112	36	3	151
(%)	74.17%	23.84%	1.99%	100.00%

Table 6

Some concluding thoughts

In this article, we aimed to investigate whether Italian lawyers registered in the Busto Arsizio Bar Association had any awareness of RJ, and whether they had used it in their career – in general and in the area of environmental crime and harm in particular. We are aware that this is a pilot study specifically focused on one area in the north of Italy and that it will have to be extended to other geographical areas and Bar Associations to offer statistically significant and not merely indicative results. However, this is a good starting point to provide a glimpse into the understandings and uses of (E)RJ by lawyers in the Italian context – an area which is currently under-addressed.

In spite of the limitations of this study, there are some preliminary findings that we consider of interest. For example, not many lawyers in the Busto Arsizio Bar Association seemed to know much about RJ – a finding that probably explains why RJ may not be effectively implemented in practice, in the area of environmental crime and harm as well as in other areas. Among those who had little knowledge of RJ, there are also the lawyers who personally dealt with cases of environmental crimes and harms in court. Interestingly, the latter not only did know very little about RJ, but also: did not see RJ applicable to the area of environmental protection; did not have a positive opinion of the effectiveness of RJ tools; and had mostly never heard of ERJ. This may change should adequate RJ training be introduced, also addressing environmental crime and harm.

The results obtained in question 11 also deserve some reflection: despite not knowing much about RJ and ERJ, lawyers were generally open to the idea that non-human victims could participate in RJ circles and conferences. Future qualitative studies should expand on this point and further examine how – in lawyers' own view – such a participation could effectively be granted.

Finally, the analysis that compares the data relating to question 5 and question 12 is interesting: those who know about RJ choose not to use it. A possible interpretation of this finding could be related, once again, to the perceived lack of training received by the lawyers surveyed in this study. This finding could also be confirmed by the analysis of the answers to questions 9 and 10 of our questionnaire: those who consider RJ as complementary to traditional justice also think that there is no adequate training on RJ. This could be a further indication of lawyers' willingness to engage with (E)RJ should relevant training be provided.

In conclusion, our study highlights the need for the establishment of solid training in RJ processes and tools for Italian lawyers, which – in the longer term – could also lead to the more regular and effective application of RJ to the area of environmental crime and harm. At the moment, however, both RJ and ERJ seem to be far from being effectively used in Italy, at least in the perceptions of the surveyed lawyers.

Annex A (questionnaire)

1) Gender
   F / M / I prefer not to specify
2) Age
   <40 / between 40 and 55 / >55
3) Professional field
   civil / criminal / administrative
4) In your profession, have you ever dealt with environmental crimes or advocated for environmental causes? Yes / No
5) Do you know restorative justice?
   Yes / No
6) If you answered Yes to question n. 5, what tools of restorative justice do you know?
   Victim-offender mediation (VOM) / Family group conferencing (FGC) / Restorative circles
7) If you answered Yes to question n. 5, do you think that some of these tools can be effectively applied in the field of legal protection of the environment? Yes / No
8) If you answered Yes to the previous question, which tools do you consider effective for the accomplishment of restorative justice?
9) According to you, restorative justice with respect to justice is as follows:
   Alternative / complementary / not compatible
10) Do you think that in Italy there is adequate training for lawyers who want to accompany a client in a path of restorative justice? Yes / No / I don't know
11) Do you think it is possible that even non-human victims (e.g. animals, the environment in general) participate in restorative justice circles? Yes / No
12) Have you heard or personally experienced concrete experiences of restorative justice in environmental matters? No, I have not experienced it or heard of it / Yes, I have heard of it / Yes, I have experienced it

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