

The victim and the community in restorative justice

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no. The Victim and the Community in Restorative Justice Restorative justice involves the integration of a victim of crime back into the community as a way of repairing the harm caused by an offender to the victim. This approach emphasizes more on the victim's well being in the society through conflict resolution, as opposed to punishing the offender. The offender in this case acknowledges the harm they have caused victim and seeks to make amends for their actions. Generally, restorative justice seeks to promote the welfare of the injured party, the community, and the wrongdoer and ensuring that no future offences are committed (Liebmann, pp. 25). The most emphasized aspect of restorative justice is the well-being of the victim. Victims need to be restored to their former selves, have their specific needs catered for, and have their rights vindicated. One of the processes used in achieving this is through dialogue between the aggrieved and the offender. Liebmann (pp. 26) states that most victims prefer having emotional closure as opposed to the punishment of the offender. Victims have numerous questions on why the offender did what they did and why to them. An encounter with the offender is deemed necessary for all these questions to be answered. Since these types of questions cannot be answered in a court of law, restorative justice seeks to have a forum for the offender and the victim to have a dialogue. Mostly, there is an impartial third party involved as a mediator. McLaughlin (pp. 42) is of the opinion that the victim should be allowed to set the conditions for the dialogue. Through this direct or indirect dialogue, the victim gets to express their feelings, get answers to their questions and to put the crime behind them. The ultimate result of such dialogues is reconciliation and emotional closure especially for the victim. According to

McLaughlin (pp. 41) the community has a greater role in ensuring the well-being of the victim, through meeting their needs and promoting peace within the community. Sometimes, the crime committed may have spill effects on the larger communal life. Community order may be threatened, the community may be worried about their safety, and their confidence may be shaken. The community is, therefore, required to shun victimization and embrace collaboration. In essence, the community is required to be willing to act in ways that will see crime reduction in their area, through the promotion of peace initiatives. For example, the community could form " Neighborhood Watch" programs to ensure that crime is reduced. According to Strickland (pp. 6) community policing involves identifying the source of conflicts within the community, thus creating avenues for peace and cohesion. As the community seeks to enhance peace, it collaborates with government agencies in restoring order to the community. This way, everyone in the community bears the responsibility of ensuring peace and the well-being of the entire community. Basically, restorative justice involves all the stakeholders in a criminal act trying to come together to repair harm and foster peace and reconciliation. These stakeholders include the victim, the offender, and the community and government agencies, all being actively involved in criminal justice. This is a shift from older models of criminal justice that lay more emphasis on punishing the offender as opposed to making things right for the victim. For earlier models, an offender is taken to court, the lawyers do all the negotiations and the judge delivers a ruling. The ruling may favor the victim or the offender, but neither of them gets their specific needs addressed. The offender is punished, mostly by being

excluded from the community, thus ridding the community of a criminal. The victim is sometimes reimbursed materially and the case is closed. However, the victim does not heal psychologically, neither does the community. The reintegration of the victim back to the community is not facilitated and the victim is left helpless. This is where restorative justice comes in. Through mediated dialogue; both the victim and the offender find closure. The offender realizes their mistake and pays for it, while the victim gets peace of mind and reimbursement. The community is usually there to support the victim and prevent future criminal acts. The community looks at the root causes of criminal behavior and provides avenues for its reduction and the restoration of peace. Community policing, coupled with governmental reinforcement of law and order ensures that the community lives in peace and harmony. In conclusion, restorative justice involves all stakeholders collectively resolving and dealing with the repercussions of the crime, thus promoting healing and curbing future harm. Primary, secondary and third victims of criminal acts all have a role to play in ensuring that justice is served and bringing about reconciliation, healing and reparation. Works Cited Liebmann Marian. Restorative Justice: How It Works. London: Jessica Kingsley Publishers, 2007. Print. McLaughlin, Eugene. Restorative Justice: Critical Issues. London: Sage Publications, 2003. Print. Strickland, Ruth. Restorative Justice. New York: Peter Lang Publishing Inc, 2004. Print.