

# Restorative justice canada

Law



Restorative justice Canada The principle of restorative justice in Canada focuses on the needs of the offenders and those of the victims. This is achieved through the establishment of a reparation system that seeks to establish reconciliation and healing; instead of purely satisfying the legal needs of the criminal justice system<sup>1</sup>. The restorative justice system in Canada is an alternative to the criminal justice system, which focuses more on punishing the offender, as opposed to establishing a truce between the victim and the offender<sup>2</sup>. Under the system of restorative justice, both the victim and the offenders are actively involved in seeking for solutions to the problem of crime, with the offender being actively involved in seeking for forgiveness, by returning the stolen goods, repairing any property damaged or by conducting community service<sup>3</sup>. On the other hand, the victim is actively involved in creating forgiveness and then supporting the offender in the reform process.

The principle of restorative justice is established on the basis that any crime that is committed by an offender does not only affect the victim, but the society at large<sup>4</sup>. In this respect, by merely fulfilling the legal needs of the criminal justice system which provides for nothing more than the punishment of the criminals, the society would still be left hurting, because both the offender and the victim have not benefited in the process. However, through the application of the restorative justice principle, the society is the main beneficiary, since both the offender and the victim are reconciled, and the community therefore establishes a platform for all people to live together in harmony, despite the mistakes previously committed<sup>5</sup>.

The restorative justice system in Canada is based on a practical theory of justice, which focuses on crimes as offences against the victim and against

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the community, as opposed to the focusing on crimes as offences against the state<sup>6</sup>. The concept of victim-offender encounter was experimented in the 1970s in different Canadian communities, and it proved to be a worth course for establishing peace within the community, thus serving as a productive alternative to the criminal justice system<sup>7</sup>. Thus, the restorative justice system in Canada is based on three fundamental pillars. First, it is pitched on the aboriginal thought that defines crimes as an offence against the victim and the community, and not the state. This simply requires that a truce should be established between the offender and the victim, because they are components of the society<sup>8</sup>.

Secondly, the principle of restorative justice Canada is based on the Christian theology and values. These values are primarily build upon the principle of forgiveness as the major source of peace and restoration in the society, since it helps in assisting the offender from committing future crimes, while ensuring that there is no bad blood between the offender and the victim<sup>9</sup>.

Finally, the concept of feminism forms the other pillar, which provides for the recognition of the plight of the victim, and the provision of justice to the victim, through the acknowledgement of the offence by the offender and seeking truce with the victim<sup>10</sup>. Through these three pillars, the restorative justice system in Canada becomes an alternative justice system that restores peace in the society, and satisfies the needs of both the offender and the victim.

#### Bibliography

1. Zehr, Howard. *The Little Book of Restorative Justice* (Intercourse, PA: Good Books, 2002)