

Free research paper on restorative justice

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Restorative justice processes are where offenders and victims are brought together, so that those involved in a crime or conflict can be involved in communication with each other, to contribute towards repairing the damage caused and to move forward in a positive way. The processes can be used not just in the field of criminal justice, but also in connection with conflicts between young people - including within schools - and in other areas too, such as neighbor disputes, complaints against the police, etc. The principle behind the concept of restorative justice is that by holding offenders directly and personally to account for their misdemeanors, they get an insight into the consequences of their misdeeds and can make amends to the victim(s). It also helps those offended against, by having an opportunity to interface directly with the offender, to perhaps get answers to their questions, and ultimately to put the events behind them and get on with the rest of their lives.

How Effective Is It?

According to “ Restorative Justice Works” an article on the website of the Restorative Justice Council, a UK-based organization, a UK government-funded research programme found that criminal offenders who experienced the restorative justice process were less likely to re-offend. Reports showed a reduction in re-offending of between 14% and 27%, which in turn meant a saving of £9 for each £1 spent on restorative justice. Additionally, of those victims who accepted the opportunity to meet with the offenders face-to-face, 85% expressed satisfaction with the process.

But it isn't just the United Kingdom that utilizes restorative justice techniques as a part of the criminal justice system. According to “ Enhancing

Criminal Justice Reform, Including Restorative Justice” (22 April 2005), restorative justice has become a worldwide technique in criminal justice reform. The paper claims that over 80 countries already use it, perhaps as many as 100. My view is that if so many countries have decided to use restorative justice as part of their policy to not only deal with crime but to attempt to reduce future crime (re-offending), then it must have merit and is worth using both now and in the future, although it may not be suitable for every crime and every criminal.

The Future of Restorative Justice

Clearly, then, restorative justice as a tool in the criminal justice system “toolbox” should be continued in the future. However, as in many other fields of human activity, lessons need to be learned from experience gained, and techniques and policies continually refined to improve the methods and the results.

Lord McNally (July 2012) described his vision of the future of restorative justice in a speech to the (UK) All-Party Parliamentary Penal Affairs Group. He reported that the government is committed to widening the scope of the use of restorative justice, has trained in excess of 18, 000 police officers in restorative practices and is developing Neighbourhood Justice Panels to bring together all parties involved at local level. He also reported that the “ Legal Aid Sentencing and Punishment of Offenders Act which received Royal Assent on 1 May will also allow courts to make wider use of Youth Referral Orders which are focused upon restorative and reparative outcomes.” He commented that all these activities are designed to help local areas develop the ability to provide effective and victim focused restorative justice

processes.

Of course there are and will be challenges or obstacles to overcome in developing and implementing restorative justice. Dhimi, and Joy (2003) in their paper: "Challenges to establishing community based restorative justice programs: The Victoria experience" identified four distinct areas:

How to define the requirements and to educate the community at large;

The need to set up partnerships with the police, the state and the schools;

The recruitment and training of volunteers in the community;

Obtaining funding to support the restorative justice initiatives.

Conclusions

It is my belief that restorative justice (RJ) is not only a valuable tool in the fight against crime, but is here to stay. The experts seem to be in agreement that it most definitely works - not only in helping to reduce crime (especially re-offending) - but also in saving the taxpayers money by reducing expenditure as a result of less offenders, fewer court appearances, and so on. I believe that RJ will continue to widen its scope, being more generally applied in community areas such as schools, resolving neighborhood disputes, etc.

There is no doubt in my mind that RJ will gain in influence and popularity over the next two decades. As its scope increases and it becomes more commonly utilized in the different areas of our society, I think that there will be a "snowball" effect. Those offenders who have experienced and benefited from the process are likely to become a positive influence on their peers.

References

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