RE-JUSTICE

Judicial Training in
Restorative Justice

This project is co-funded by the Justice Programme of the European Union (2014–2020)
Judicial training in restorative justice
Annex 9
Handout 9:
Stakeholders of restorative justice – victims
Overview – Stakeholders of RJ

- Victims
- Barriers to justice
- Community
Process of victimisation
Exercise

Image 1

Image 2
Victim characteristics

Ideal victim

A person or category of individuals who, when hit by crime, are most readily given the complete and legitimate status of being a victim’

(Christie, 1986)

Non-ideal victim
Hierarchy of victimisation

- Ideal victims
  - Less likely to:
    - achieve ‘legitimate victim’ status
    - be taken seriously when they report
    - secure court conviction (Carrabine et al., 2004)
    - see themselves as a victim
    - Increased secondary victimization
    - Reduced trust in justice system

- Other victims
Victims – justice interests

- Legitimacy / integrity of justice procedure and outcome
  (Daly 2014)

- Participation
- Voice
- Validation
- Vindication
- Perpetrator accountability
Thank you for your attention

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Stakeholders of restorative justice – barriers to justice

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Overview – Stakeholders of RJ

• Victims
• Barriers to justice
• Community
Importance

• Sustainable Development Goal 16: Peace, justice & strong institutions

Fair, equal access to justice
Types of barriers

Individual

• Communication challenges
• Lack of knowledge of / trust in the system
• Mental / physical health challenges / learning needs
• Previous negative experiences with justice systems
Types of barriers

Structural / operational
• Statute of limitations
• Rigidity of legal services and practices
• Biases towards focus on certain types of crime
• Availability and accessibility of services
• Lack of ‘special measures’
• Lack of communication between departments
• Professionals’ lack of knowledge, skill, awareness
Questions for consideration

- How might RJ help to overcome some of the barriers to accessing justice?
- In what ways is RJ at risk of reinforcing or replicating existing barriers, or indeed creating new barriers?
Thank you for your attention

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Stakeholders of restorative justice – community

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Overview – Stakeholders of RJ

- Victims
- Barriers to justice
- Community
Communities and society

- Geography
- Interdependency
- Identity
- Relationship
Communities and society

Contribution of citizens to justice

• Participating in democracy
• Lay judges, jury trials, volunteer police officers
• “where the justice of the people bubbles up to reshape the justice of the law and where the justice of the law percolates down to the world of citizens ...” (Braithwaite and Parker, 1999)
Community support of RJ

Direct participation in RJ
- Community of care
- Volunteers, board members, ...
- Cooperation with civil society organizations (referrals, training, support)

Passive support
- Public acceptance
- Policy / political decision
Questions for consideration

- In which ways can involving the community in RJ help to reduce the barriers to accessing justice?
- Should RJ be thought of as an intervention in the community or an intervention by the community, or both?
- How should unequal powers and influences in the community be addressed?
- How should selective participation be addressed?
- Should the RJ process impose, challenge or clarify social norms (such as social norms to be punitive)?
- What other potential risks are associated with involving the community in RJ?
Thank you for your attention

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