



Juvenile Justice Panel website: additional information

More about restorative justice¹

- The ultimate aim of restorative justice is healing. It emphasises the active participation of the offender, victim and community in listening to the facts and feelings of those involved, and identifying and implementing solutions which balance the best interests of all sides involved. The offender takes responsibility for their crime and makes amends to the victim and to the community. It allows for repentance, forgiveness and reintegration. Restorative justice emphasises the need for a 'proportionate response' and is a much more sustainable and effective response to crime which is much more likely to reduce re-offending.
- The following table demonstrates the benefits of restorative justice in comparison with approaches used in the formal justice system.²

	Retributive	Rehabilitative	Restorative
Focus	Offence	Offender	Relationships
Reaction	Punishment	Treatment	Reparation
Objective	Deterrence	Conformism	Restoration
Victim's position	Secondary	Secondary	Central
Social context	Authoritarian	Welfare	Democratic
Child's reaction	Anger	Dependency	Responsibility

- Restorative justice recognizes that not all offenders will choose to be cooperative. Therefore there is a need for an outside authority to make decisions for the offender who is not cooperative.³
- Restorative justice prefers that offenders who pose significant safety risks and are not yet cooperative be placed in settings where the emphasis is on safety, values, ethics, responsibility, accountability and civility. They should be exposed to the impact of their crime/s on victims, invited to learn empathy, and offered learning opportunities to become better equipped with skills to become productive members of society. They should continually be invited (not coerced) to become cooperative with the community and be given the opportunity to demonstrate this in an appropriate setting as soon as possible.⁴
- Restorative justice requires follow-up and accountability structures utilising the natural community as much as possible, since keeping agreements is the key to building a trusting community.⁵
- Restorative justice is about balancing the rights of offenders, rights of victims and concern for public safety and crime prevention. Police officers have a key role to play in this important process. Their actions can make the difference between a good outcome and a bad outcome for all those involved.

¹ This document, and the text on restorative justice on the IJJP webpage is taken from Wernham, M., Police Training on Child Rights & Child Protection: Lessons Learned and Manual, Consortium for Street Children, 2005, pp.102-103.

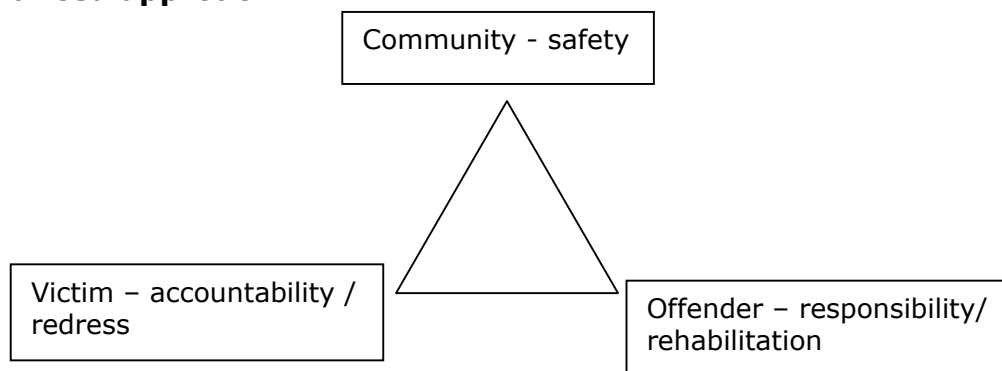
² Table taken from Mukonda, R., *Juvenile Justice Project in Namibia*, Legal Assistance Centre, Namibia, paper presented at a seminar on Juvenile Justice held in Lilongwe, Malawi, 23 - 25 November 1999.

³ Restorative Justice, Fundamental Principles, by Ron Claasen, Co-Director for Peacemaking and Conflict Studies, Fresno Pacific College, revised 1996, reproduced in Philippine manual pp.144-145.

⁴ Ibid.

⁵ Ibid.

- **The balanced approach⁶:**



⁶ Diagram adapted from Bazemore and Washington, 1995, cited in Philippine manual p.147.
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