

ACCOUNTABILITY IN RESTORATIVE JUSTICE



Declan Roche

Accountability In Restorative Justice Clarendon Studies In Criminology

**Edward Sellman, Hilary Cremin, Gillean
McCluskey**

Accountability In Restorative Justice Clarendon Studies In Criminology:

Accountability in Restorative Justice Declan Roche,2003 Addressing a key concern about restorative justice this book draws on fieldwork from 25 programmes in six countries to investigate what form checks and balances exist to prevent degeneration into a kangaroo court *Handbook of Restorative Justice* Gerry Johnstone, Daniel Van Ness,2013-01-11 This book provides a comprehensive and authoritative account and analysis of restorative justice one of the most rapidly growing phenomena in the field of criminology and justice studies This book aims to meet the need for a comprehensive reliable and accessible overview of the subject It draws together leading authorities on the subject from around the world in order to elucidate and discuss the key concepts and principles of restorative justice explain how the campaign for restorative justice arose and developed into the influential social movement it is today describe the variety of restorative justice practices explain how they have developed in various places and contexts and critically examine their rationales and effects identify and examine key tensions and issues within the restorative justice movement brings a variety of disciplinary and interdisciplinary perspectives to bear upon the understanding and assessment of restorative justice The Handbook of Restorative Justice is essential reading for students and practitioners in the field **Child Victims and Restorative Justice** Tali Gal, Tali Gal,2011-07-11 Children are the group most likely to be victimized yet least likely to report the crimes against them Because of their unique vulnerability an elaborate set of protections tries to secure their safety at home in school and in the community yet they often experience further trauma inside the very criminal justice system designed to punish those who harm them Such a system can leave child victims without emotional healing and a sense of justice because it does not consider the full scope of their wishes interests and rights This failure can be attributed to the system s tendency to view children as objects of protection instead of legitimate rights holders Here using a nuanced multi dimensional theory of children s interrelated rights and needs vis a vis victimization Tali Gal presents an innovative restorative justice model for repairing harms and rebuilding relationships in the wake of crimes against children It validates empirically documented children s needs such as telling their stories asking questions and a sense of autonomy and control over the proceedings and holds their associated and often overlooked rights such as rehabilitation and their overarching best interests paramount The rich theoretical underpinnings of the book are vividly illustrated by examples of successful restorative justice programs involving children including the highly controversial inclusion of child victims of sexual assault In addition a set of eight heuristics provides a convenient reference for restorative justice programs to ensure that they safeguard the full range of child victims needs and rights at all times With its unique human rights perspective on the study of childhood victimization and an innovative child inclusive restorative justice model this book promises to be a touchstone for practitioners policymakers and researchers concerned with children s well being in the aftermath of crime and violence **Restorative Approaches to Conflict in Schools** Edward Sellman, Hilary Cremin, Gilleen McCluskey,2013-09-05 Drawing on recent

international developments in criminal justice Restorative Approaches to Conflict in Schools highlights the long term ineffectiveness of punitive models of discipline in education contexts and examines an alternative approach underpinned by the principles of restorative justice This approach provides an opportunity for adults and young people to engage with a range of processes such as group conferencing and peer mediation whereby conflict and harm are confronted and repaired a future rather than past orientation is developed relationships are built upon the values and attitudes of respect inclusion and equality pupils learn inter personal and problem solving skills as well as social responsibility staff develop skills and confidence in working restoratively the risk of future repeat problems is minimised and a positive school ethos is developed These approaches have proven to be highly effective in criminal justice systems around the world and are beginning to be applied more widely in educational contexts This edited volume draws together for the first time contributions from an interdisciplinary field of international experts and practitioners on the subject and offers both critique and guidance in order that the implementation of restorative approaches in schools may be undertaken thoughtfully and sustainably This exciting new text will be a key reference book for locating contemporary international and inter disciplinary debate in the field

The Emotional Dynamics of Law and Legal Discourse Heather Conway, John Stannard, 2016-12-15 In his seminal work Emotional Intelligence Daniel Goleman suggests that the common view of human intelligence is far too narrow and that emotions play a much greater role in thought decision making and individual success than is commonly acknowledged The importance of emotion to human experience cannot be denied yet the relationship between law and emotion is one that has largely been ignored until recent years However the last two decades have seen a rapidly expanding interest among scholars of all disciplines into the way in which law and the emotions interact including the law s response to emotion and the extent to which emotions pervade the practice of the law In The Emotional Dynamics of Law and Legal Discourse a group of leading scholars from both sides of the Atlantic explore these issues across key areas of private law public law criminal justice and dispute resolution illustrating how emotion infuses all areas of legal thought The collection argues for a more positive view of the role of emotion in the context of legal discourse and demonstrates ways in which the law could in the words of Goleman become more emotionally intelligent

Handbook of Restorative Justice , Institutionalizing Restorative Justice Ivo Aertsen, Tom Daems, Luc Robert, 2013-06-17 Exploring the key issues and debates surrounding the question of the incorporation and institutionalization of restorative justice this book builds bridges between those concerned with the practical and the more theoretical aspects of penal development

Managing High Risk Sex Offenders in the Community Karen Harrison, 2010-03-01 Sex offenders and in particular paedophiles have been the subject of much political and media attention producing intensive debates about the best way of dealing with them This book explores these issues evaluating the measures in use or being considered including drug treatment MAPPA the use of the Sex Offender Register restorative justice techniques and treatment programmes It is concerned with high risk sex offenders both when they are sentenced to a

community order and also when they are released back into the community after a custodial sentence The introductory section opens with a discussion on how terms such as paedophilia are constructed and viewed and then looks at how government policy regarding sex offending has developed over recent years Section two looks at issues concerned with risk management questioning whether enough is being done to monitor the risk that high risk offenders pose when released into society whilst section three on risk reduction covers the main methods of treatment including sex offender treatment programmes pharmacotherapy chemical castration and restorative and reintegration techniques Section Four focuses on specific offender groups including female sexual offenders sexual harm by youth mentally disordered sexual offenders and intellectual disabled offenders These assess in what ways these offenders are different to the norm and look at how we should be dealing and treating these differences The final section looks at social and moral responsibilities including the patterns prevention and protection of cyber sex offences and media constructions of and reactions to paedophilia In the final chapter the concept of dignity is addressed and the balance between community protection and the rights of sex offenders involved is evaluated

Regime Consolidation and Transitional Justice Anja Mihr, 2018 Introduction research questions and spiral effect Methodology The concept of regime change and consolidation Transitional justice measures The case studies Germany Spain and Turkey Germany Regime consolidation through transitional justice

The Limits of Forgiveness Maria Mayo, 2021-05-06 Demystifying an unrealistic ideal Maria Mayo questions the contemporary idealization of unconditional forgiveness in three areas of contemporary life so called Victim Offender Mediation involving cases of criminal injury the work of the Truth and Reconciliation Commission in post apartheid South Africa and the pastoral care of victims of domestic violence She shows that an emphasis on unilateral and unconditional forgiveness puts disproportionate pressure on the victims of injustice or violence and misconstrues the very biblical passages especially in Jesus teaching and actions on which advocates of unconditional forgiveness rely

The Oxford Handbook of Sex Offences and Sex Offenders Teela Sanders, 2017 The Oxford Handbook on Sex Offenses and Sex Offenders provides comprehensive even handed analysis of the myriad of topics related to sex offenses including pornography sex trafficking criminal justice responses and the role of social media in sex crimes Extending beyond the existing scholarly research on the topic this volume teases out the key debates controversies and challenges involved in addressing sex crimes

Handbook on Restorative Justice Programmes Yvon Dandurand, Curt Taylor Griffiths, United Nations Office on Drugs and Crime, 2006 The present handbook offers in a quick reference format an overview of key considerations in the implementation of participatory responses to crime based on a restorative justice approach Its focus is on a range of measures and programmes inspired by restorative justice values that are flexible in their adaptation to criminal justice systems and that complement them while taking into account varying legal social and cultural circumstances It was prepared for the use of criminal justice officials non governmental organizations and community groups who are working together to improve current responses to

crime and conflict in their community **Reconceptualizing Critical Victimology** Dale Spencer, Sandra Walklate, 2016-04-13 Since the 1960s the field of victimology has developed into a variegated discipline with its own theoretical and methodological traditions In the early 1990s two texts were published Towards a Critical Victimology Fattah 1992 and Critical Victimology Mawby and Walklate 1994 that concretized critical victimology as a paradigm within victimology Since then the field has remained conceptually stale and with few a few exceptions there has not been a considerable lacuna of works from a critical perspective Reconceptualizing Critical Victimology Interventions and Possibilities provides a rejoinder to the two aforementioned texts and demonstrate how critical victimology can be reconceptualized where interventions can be made in this victimological paradigm and possibilities for future theorizing and research in this provocative field Reconceptualizing Critical Victimology includes eleven papers on the forms of victimization and issues pertinent to victims written by leading and emerging international scholars in the field of critical victimology It is interdisciplinary in scope and contains contributions from leading and emergent international scholars on victims and victimization Reconceptualizing Critical Victimology serves as a crucible to demonstrate the complexities of and the multitude of factors that interact to complicate victim status the vagaries of victim response and the phenomenology of violence and victimization **The Shaming of Sexual Offenders** Anne-Marie McAlinden, 2007-04-05 Winner of the 2008 British Society of Criminology Book Prize Sex offenders particularly those who offend against children feature prominently in contemporary law and order debates Child sexual abuse is a small component of the broader category of gendered and sexualised violence which causes significant trauma for victims yet continues to evade conventional approaches to justice This is evidenced not only by the low number of prosecutions due mostly to low levels of reporting and evidential difficulties at trial but also by the failure of the justice system to prevent re offending largely due to the limited availability and effectiveness of prison treatment programmes Following Braithwaite's dichotomy of reintegrative and disintegrative shaming this book argues that contemporary popular and state led responses to the risk posed by sex offenders are largely disintegrative in nature At best the offender may be labelled stigmatised and ostracised from the community while at worst he may be subjected to violence and vigilante action and ultimately return to offending behaviour The failure of these retributive responses means there is considerable scope for exploring alternative forms of justice and their potential for improving the outcome for victims offenders and communities affected by sexual offences This book examines the controversy of whether restorative justice can be applied to child sexual abuse as one of the most intractable of contemporary societal problems and if so what special considerations might apply Although restorative schemes with sex offenders are in short supply a few initiatives have developed in Canada and parts of the United States which have effected significant benefits in reintegrative shaming The book examines whether such ad hoc schemes may be of general application with child sexual abuse and whether they may be implemented on a more holistic basis Handbook of Restorative Justice

Dennis Sullivan, Larry Tifft, 2007-05-07 Handbook of Restorative Justice is a collection of original cutting edge essays that offer an insightful and critical assessment of the theory principles and practices of restorative justice around the globe This much awaited volume is a response to the cry of students scholars and practitioners of restorative justice for a comprehensive resource about a practice that is radically transforming the way the human community responds to loss trauma and harm Its diverse essays not only explore the various methods of responding nonviolently to harms done by persons groups global corporations and nation states but also examine the dimensions of restorative justice in relation to criminology victimology traumatology and feminist studies In addition They contain prescriptions for how communities might re structure their family school and workplace life according to restorative values This Handbook is an essential tool for every serious student of criminal social and restorative justice

Routledge International Handbook of Restorative Justice Theo Gavrielides, 2018-07-27 This up to date resource on restorative justice theory and practice is the literature s most comprehensive and authoritative review of original research in new and contested areas Bringing together contributors from across a range of jurisdictions disciplines and legal traditions this edited collection provides a concise but critical review of existing theory and practice in restorative justice Authors identify key developments theoretical arguments and new empirical evidence evaluating their merits and demerits before turning the reader s attention to further concerns informing and improving the future of restorative justice Divided into four parts the Handbook includes papers written by leading scholars on new theory empirical evidence of implementation critiques and the future of restorative justice This companion is essential reading for scholars of restorative justice criminology social theory psychology law human rights and criminal justice as well as researchers policymakers practitioners and campaigners from around the world

The Criminological Foundations of Penal Policy Lucia Zedner, Andrew Ashworth, 2003 This book brings together leading international criminologist to examine the link between the fruits of criminological research and the development of criminal justice policy This volume includes comparative discussions of the United States Germany Australia England and Wales It is divided into four parts Part 1 discusses the theoretical issues surrounding the relationship between public policy and the discipline of criminology Part 2 consists of three essays exploring historical aspects of that relationship Part 3 then examines three distinct areas of penal policy sentencing policing and parole Part 4 is devoted to international comparisons and considers the factors that distinguish research projects that influence criminal justice policy from those that appear not have any influence

Reimagining Restorative Justice David O'Mahony, Jonathan Doak, 2017-09-21 Restorative justice theory has largely failed to keep pace with the rapid expansion of restorative practices worldwide indeed it is remarkable how much support RJ has when so few advocates can even define what it is As such this insightful and comprehensive new contribution from two of the top scholars on the frontlines of restorative justice research is hugely welcome Professor Shadd Maruna Centre for Criminology and Criminal Justice University of Manchester Reimagining Restorative Justice is a reflective and

balanced reconsideration of restorative justice It deftly sweeps across the large literature on the subject putting it in perspective seeing anew through its wide angle lens Empowerment and accountability provide a fertile framework for this richly reimagined justice Professor John Braithwaite Australian National University David O Mahony and Jonathan Doak have made a significant contribution to the confusing and over complicated field of restorative justice theory They do so through their use of empowerment theory to bring conceptual and operational clarity to the concepts of agency and accountability in restorative processes and outcomes As a result they develop a convincing argument for face to face dialogue between victim and perpetrator within the core of the criminal justice system Their emphasis upon ethical and skilful practice is a welcome riposte to the rapid spread of restorative justice lite driven by managerialism and the need to cut costs Tim Chapman Lecturer at the University of Ulster O Mahony and Doak convincingly argue that rapid developments in the practice of restorative interventions have outstripped restorative justice theory They provide both an outstandingly helpful review of the literature and a fresh theoretical approach based on empowerment theory Everyone seriously interested in restorative justice will want to reflect carefully on the authors conclusions Anthony Bottoms Emeritus Wolfson Professor of Criminology at the University of Cambridge In recent years restorative based interventions have expanded rapidly and are increasingly viewed as a legitimate and even superior means of delivering justice The result of this swift but piecemeal development has been that restorative justice practice has outpaced the development of restorative justice theory This book takes up this challenge by reimagining a new framework for the operation of restorative justice within criminal justice In essence it is contended that the core empowering values of agency and accountability provide a lens for reimagining how restorative justice works and the normative goals it ought to encompass

Restorative Justice Gerry Johnstone, 2013-03-01 Restorative justice is one of the most talked about developments in the field of crime and justice Its advocates and practitioners argue that state punishment society s customary response to crime neither meets the needs of crime victims nor prevents reoffending In its place they suggest should be restorative justice in which families and communities of offenders encourage them to take responsibility for the consequences of their actions express repentance and repair the harm they have done First published in 2002 Restorative Justice Ideas Values Debates is renowned worldwide as an accessible balanced and invaluable analysis of the argument that restorative justice can provide an attractive alternative to traditional responses to crime The second edition includes a new chapter identifying and analyzing fundamental shifts and developments in restorative justice thinking over the last decade It suggests that the campaign for restorative justice has not only grown rapidly in the last decade but has also changed in its focus and character What started as a campaign to revolutionize criminal justice has evolved into a social movement that aspires to implant restorative values into the fabric of everyday life This new edition explores the implications of this development for restorative justice s claim to provide a feasible and desirable alternative to mainstream thinking on matters of crime and justice This book provides an essential introduction to the most fundamental and distinctive

ideas of restorative justice and will appeal to students of criminology law or related disciplines or researchers and professionals with an interest in crime and justice issues In addition it extends the debate about the meaning of restorative justice pros cons and wider significance hence it will also be of interest to those already familiar with the topic

Restorative Justice & Responsive Regulation John Braithwaite,2002 Braithwaite s argument against punitive justice systems and for restorative justice systems establishes that there are good theoretical and empirical grounds for anticipating that well designed restorative justice processes will restore victims offenders and communities better than existing criminal justice practices Counterintuitively he also shows that a restorative justice system may deter incapacitate and rehabilitate more effectively than a punitive system This is particularly true when the restorative justice system is embedded in a responsive regulatory framework that opts for deterrence only after restoration repeatedly fails and incapacitation only after escalated deterrence fails Braithwaite s empirical research demonstrates that active deterrence under the dynamic regulatory pyramid that is a hallmark of the restorative justice system he supports is far more effective than the passive deterrence that is notable in the stricter sentencing grid of current criminal justice systems

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