

To what extent can restorative justice provide a satisfactory outcome for victims and offenders?

Original version

Restorative justice is a rather unique humanistic approach which is used to manage the outcomes of a crimes. It has been defined by Marshall as the ‘parties themselves and the community generally, in an active relationship with statutory agencies’. Compared to the traditional justice system where the law and the judge’s decision in a case determined the outcome for the offender and the punishment, restorative justice centres on the idea of using mediation techniques. Both the victim and the offender is much more active in order to work out the problem together in an informal way through direct or indirect mediation with the help of a well trained mediator who is ensuring a comfortable environment for both parties so that things go smoothly. Despite that the democratic nature of the system the satisfactory outcome itself varies for a variety of reasons and certain issues that arise during the process. This essay will evaluate it from the point of view both the victim and offenders’ satisfaction.

Beginning with the victim’s satisfaction, this is accomplished through the Restorative Justice system attempts to prioritise the victim’s need first as part of its main goal. This is not just in terms of money settlement for any damage caused but also emotional support which is may be more important. It can be achieved through the mediation process the offender and victim meet face-to-face and discuss the prior event that happened leading to the occurrence of the crime. It is a more therapeutic experience for the victim getting to know the reasons why the crime did actually occur in the first place and that this knowledge may help reduces the traumatic fear and also anger associated with it. The victims are also able to discuss from their point of view how it affects their lives, the damage they have incurred and the trauma they have gone through from the event. In certain cases still, victims do end up being in an unsatisfied position still in the outcome, especially those who opted for indirect mediation.