

ROUTLEDGE FRONTIERS OF CRIMINAL JUSTICE

Restorative Justice in Transition

Kerry Clamp



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Restorative Justice in Transition Kerry Clamp, 2013-09-05 This book explores how restorative justice is used and what its potential benefits are in situations where the state has been either explicitly or implicitly involved in human rights abuses Restorative justice is increasingly becoming a popular mechanism to respond to crime in democratic settings and while there is a burgeoning literature on these contexts there is less information that focuses explicitly on its use in nations that have experienced protracted periods of conflict and oppression This book interrogates both macro and micro utilisations of restorative justice including truth commissions criminal justice reform and the development of initiatives by communities and other non state actors The central premise is that the primary potential of restorative justice in responding to international crime should be viewed in terms of the lessons that it provides for problem solving rather than its traditional role as a mechanism or process to respond to conflict Four values are put forward that should frame any restorative approach engagement empowerment reintegration and transformation It is thought that these values provide enough space for local actors to devise their own culturally relevant processes to achieve longstanding peace This book will be of interest to those conducting research in the fields of restorative justice transitional justice as well as criminology in general Restorative Justice in Transitional Settings Kerry Clamp, 2016-02-12 Restorative justice is increasingly being applied to settings characterized by large scale violence and human rights abuses While many embrace this development as an important step in attempts to transform protracted conflict there are a number of conceptual challenges in transporting restorative justice from a democratic setting to one which has been affected by mass victimisation or civil war These include responding to the seriousness and scale of harms that have been caused the blurred boundaries between victims and offenders and the difficulties associated with holding someone to account and compelling reparative activities Despite reams of paper being devoted to defining restorative justice within democratic settings where the concept first emerged restorative scholars have been slow to comment on the integration of restorative justice into the transitional justice discourse *Restorative Justice in Transitional Settings* brings together a number of leading scholars from around the world to respond to this gap by developing and further articulating restorative justice for transitional settings These scholars push the boundaries of restorative justice to seek more effective approaches to addressing the causes and consequences of conflict and oppression in these diverse contexts Each chapter highlights a limitation with current conceptions of restorative justice in the transitional justice literature and then suggests a way in which the limitation might be overcome This book has strong interdisciplinary value and will be of interest to criminologists legal scholars and those engaged with international relations and peace treaties **Restorative Justice in Transition** Kerry Clamp, 2013-09-05 This book explores how restorative justice is used and what its potential benefits are in situations where the state has been either explicitly or implicitly involved in human rights abuses Restorative justice is increasingly becoming a popular mechanism to respond to crime in democratic

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Victims and Restorative Justice Inge Vanfraechem, Daniela Bolívar Fernández, Ivo Aertsen, 2015-05-15 Restorative justice aims to address the consequences of crime by encouraging victims and offenders to communicate and discuss the harm caused by the crime that has been committed In the majority of cases restorative justice is facilitated by direct and indirect dialogue between victims and offenders but it also includes support networks and sometimes involves professionals such as police lawyers social workers or prosecutors and judges In theory the victim is a core participant in restorative justice and the restoration of the harm is a first concern In practice questions arise as to whether the victim is actively involved in the process what restoration may entail whether there is a risk of secondary victimisation and whether the victim is truly at the heart of the restorative response or whether the offender remains the focal point of attention Using a combination of victimological literature and empirical data from a European research project this book considers the role and the position of the victim in restorative justice practices focusing on legislative organisational and institutional frameworks of victim offender mediation and conferencing programmes at a national and local level as well as the victims personal needs and experiences The findings are essential reading for academics and students engaged in the study of justice victimology and law The publication will also be valuable to policymakers and professionals such as social workers lawyers and mediators

Transforming Criminal Justice? Jane Donoghue, 2014-04-03 Why is punishment not more effective Why do we have such high re offending rates How can we deal with crime and criminals in a more cost effective way Over the last decade in particular the United Kingdom in common with other jurisdictions such as Canada the United States US and Australia has sought to develop more effective ways of responding to criminal behaviour through court reforms designed to address specific manifestations of crime Strongly influenced by developments in US court specialisation problem solving and specialist courts including domestic violence courts drugs courts community courts and mental health courts have proliferated in Britain over the last few years These courts operate at the intersection of criminal law and social policy and appear to challenge much of the traditional model of court practice In addition policy makers and practitioners have made

significant attempts to try to embed problem solving approaches into the criminal justice system more widely Through examination of original data gathered from detailed interviews with judges magistrates and other key criminal justice professionals in England and Wales as well as analysis of legislative and policy interventions this book discusses the impact of the creation and development of court specialisation and problem solving justice This book will be essential reading for students and academics in the fields of criminology criminal justice criminal law socio legal studies and sociology as well as for criminal justice practitioners and policy makers

The Role of Community in Restorative Justice Fernanda Rosenblatt, 2015-04-17 Although restorative justice is probably one of the most talked about topics in contemporary criminology little has been written about how community involvement in restorative justice translates into practice While advocates have presented the community as an essential pillar of restorative justice the rationale for why and how this is the case remains underdeveloped and largely unchallenged This book offers an empirical and theoretical explanation of what community involvement means and what work it does in restorative justice Drawing on an empirical case study and the wider sociological literature *The Role of Community in Restorative Justice* examines the involvement of the community in one selected practice of restorative justice and also considers the implications of the English and Welsh experience for development of a more coherent framework for operationalizing community involvement in restorative justice practices It is argued that restorative justice programmes need to start from a more concrete and up to date notion of community While operationalizing community involvement they need to acknowledge all at once the importance of place the importance of family links friendship and other social ties and the importance of similar social traits and identities This book is essential reading for students researchers and academics in the fields of criminology criminal justice sociology community studies policy studies social policy and socio legal studies This book will also be valuable reading for a variety of practitioners and policymakers particularly working with restorative justice and youth justice

Perceptions of Criminal Justice Vicky De Mesmaecker, 2014-03-05 In recent decades research into the legitimacy of criminal justice has convincingly demonstrated the importance of procedural justice to citizens sense of trust and confidence in legal authorities and their resulting willingness to conform to the law and cooperate with the legal authorities Reversing the age old question why do people break the law theories of procedural justice have provided insight into the factors that encourage people to abide by the law suggesting that experiences of procedural fairness are crucial to achieving compliance with the law and to enhancing the legitimacy of criminal justice While these studies are important in showing that legal authorities need to pay attention to the fairness judgements of the people involved in legal procedures the focus on showing the importance of procedural justice has had the ironic consequence of distracting researchers from studying the equally important question of what fairness means to the people involved in legal proceedings In one of the first studies on procedural justice to use a qualitative research design the author provides the reader with detailed and insightful descriptions of the elements that determine how victims and

defendants assess the fairness of their contact with the police and the courts Focusing on both the pre trial and the post trial phases this book will be of interest to academics and students engaged in the study of the psychology of law procedural justice and the legitimacy of criminal justice **The Theory of Collective Reconciliation** Vahagn Avedian,2024-09-09 What does reconciliation mean and entail Is collective reconciliation for entire societies or nations possible This book aims to present it as a highly achievable albeit difficult and complex goal requiring political and collective commitment resources and most importantly the will to change Reconciliation is the synthesis and an overarching process consisting of a trinity of recognition responsibility and reparation Through comparative case studies where these different aspects have been implemented in a variety of degrees and combinations the book illustrates how these constituent parts relate to each other and how they can enhance and complement one another It also investigates whether there are scenarios where the omission of a certain part can in fact have a positive impact on the reconciliatory process in the short and long terms the extent to which the order in which different measures are implemented matters and how national cases differ from international ones This volume is aimed at postgraduates researchers and academics of peace and conflict studies as well as history social sciences political sciences and legal studies **Experiencing Imprisonment** Carla Reeves,2016-01-08 The growing body of work on imprisonment desistance and rehabilitation has mainly focused on policies and treatment programmes and how they are delivered Experiencing Imprisonment reflects recent developments in research that focus on the active role of the offender in the process of justice Bringing together experts from around the world and presenting a range of comparative critical research relating to key themes of the pains of imprisonment stigma power and vulnerability this book explores the various ways in which offenders relate to the justice systems and how these relationships impact the nature and effectiveness of their efforts to reduce offending Experiencing Imprisonment showcases cutting edge international and comparative critical research on how imprisonment is experienced by those people living and working within imprisonment institutions in North America and Northern Central and Eastern Europe as well as Scandinavia The research explores the subjective experience of imprisonment from the perspective of a variety of staff and prisoner groups including juveniles adult female and male prisoners older prisoners sex offenders wrongfully convicted offenders and newly released prisoners Offering a unique view of what it is like to be a prisoner or a prison officer the chapters in this book argue for a prioritisation of understanding the subjective experiences of imprisonment as essential to developing effective and humane systems of punishment This is essential reading for academics and students involved in the study of criminology penology and the sociology of imprisonment It will also be of interest to Criminal Justice practitioners and policymakers around the globe International Developments and Practices in Investigative Interviewing and Interrogation David Walsh,Gavin Oxburgh,Allison Redlich,Trond Myklebust,2017-09-19 Techniques in the investigative interviewing and interrogation of victims witnesses and suspects of crime vary around the world according to a country s individual legal system religion and culture Whereas some

countries have developed certain interview protocols for witnesses such as the ABE Guidelines and the NICHD protocol when interviewing children and the PEACE model of interviewing suspects other countries continue to use physical coercion and other questionable tactics to elicit information Until now there has been very little empirical information about the overall interview and interrogation practices in non western countries especially the Middle and Far East This book addresses this gap bringing together international experts from over 25 countries and providing in depth coverage of the various interview and interrogation techniques used across the globe Volume 2 focuses on the interviewing of crime suspects aiming to provide the necessary information for an understanding of how law enforcement agencies around the world gain valuable information from suspects in criminal cases Together the chapters that make up this volume and the accompanying volume on interviewing witnesses and victims draw on specific national case studies and practices examine contemporary challenges and identify best practice to enable readers to develop an international as well as a comparative perspective of developments worldwide in this important area of criminal investigation This book will be an essential resource for academics and students engaged in the study of policing criminal investigation forensic psychology and criminal law It will also be of great interest to practitioners legal professionals and policymakers around the world

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Table of Contents Restorative Justice In Transition Routledge Frontiers Of Criminal Justice

1. Understanding the eBook Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - The Rise of Digital Reading Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Advantages of eBooks Over Traditional Books
2. Identifying Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - User-Friendly Interface
4. Exploring eBook Recommendations from Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Personalized Recommendations
 - Restorative Justice In Transition Routledge Frontiers Of Criminal Justice User Reviews and Ratings
 - Restorative Justice In Transition Routledge Frontiers Of Criminal Justice and Bestseller Lists
5. Accessing Restorative Justice In Transition Routledge Frontiers Of Criminal Justice Free and Paid eBooks
 - Restorative Justice In Transition Routledge Frontiers Of Criminal Justice Public Domain eBooks
 - Restorative Justice In Transition Routledge Frontiers Of Criminal Justice eBook Subscription Services
 - Restorative Justice In Transition Routledge Frontiers Of Criminal Justice Budget-Friendly Options

6. Navigating Restorative Justice In Transition Routledge Frontiers Of Criminal Justice eBook Formats
 - ePub, PDF, MOBI, and More
 - Restorative Justice In Transition Routledge Frontiers Of Criminal Justice Compatibility with Devices
 - Restorative Justice In Transition Routledge Frontiers Of Criminal Justice Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Highlighting and Note-Taking Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Interactive Elements Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
8. Staying Engaged with Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
9. Balancing eBooks and Physical Books Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Setting Reading Goals Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Fact-Checking eBook Content of Restorative Justice In Transition Routledge Frontiers Of Criminal Justice
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

-
- Interactive and Gamified eBooks

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