Overview of Restorative Justice: Basic Principles


**Definitions:**

- Restorative Justice is a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible. (Source: Zehr, 2002, p. 37)

- Restorative justice is not simply a way of reforming the criminal justice system, it is a way of transforming the entire legal system, our family lives, our conduct in the workplace, our practice of politics. It is a vision of holistic change in the way we do justice in the world. (Source: Braithwaite, 2002 as quoted by Umbreit and Armour, 2010, p. 9)

**Goals:**

- Restorative justice practices aim to:
  - Put decisions into the hands of those most affected by crime;
  - Make justice more healing, and ideally more transformative; and,
  - Reduce the likelihood of future offenses.

**Requirements:**

- Achieving these goals requires that:
  - Victims are involved in the process and come out of it satisfied with a sense of healing;
  - Offenders understand how their actions have affected other people and take responsibility for those actions;
  - Outcomes help to repair the harms done and address the reasons for the offense (specific plans are tailored to the specific needs of both victims and offenders);
  - Victims and offenders both gain a sense of "closure" and both are reintegrated into the community.

**Guiding Questions:**

- Who has been hurt?
- What are their needs?
- Whose obligations are these?
- Who has a stake in this situation?
- What is the appropriate process to involve stakeholders in an effort to put things right?
What is needed to repair the harms and address underlying needs of victim?
What is needed to address the needs of offenders to prevent future offending?
What is the role of the larger community in repairing harms and addressing needs which promote safer communities?

**Principles:**

- Victim-centered (not offender-centered) processes;
- Focus on the harms of crime rather than the rules or laws that have been broken;
- Show equal concern and commitment to victims and offenders, involving both in the process of justice;
- Work toward the restoration of victims, empowering them, and responding to their needs as they see them;
- Support offenders, while encouraging them to understand, accept and carry out their obligations to right the wrongs they have caused;
- Recognize that while obligations for repair may be difficult for offenders, those obligations should not be used as harms (i.e., punishments), and their obligations must be achievable;
- Provide opportunities for dialogue, direct or indirect, between victim and offender as appropriate;
- Find meaningful ways to involve the community and respond to the community bases of crime;
- Encourage collaboration and reintegration of both victims and offenders, rather than coercion and isolation;
- Show respect for all parties - victims, offenders, justice officials and other stakeholders;
- Give attention to the unintended consequences of the restorative practices used.