



Restorative Justice and the Law

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Restorative justice has developed rapidly from being a barely known term to occupying a central role in debates on the future of criminal justice. But as it has become part of the mainstream of debate, so new tensions and issues have emerged. One of the most crucial issues is to find an appropriate combination of restorative justice, based essentially on informal deliberation, and the law. The purpose of this book is to analyse the several dimensions to this issue. It explores the social and ethical foundations of restorative justice, seeks to position it in relation to both rehabilitation and punishment, and examines the possibility of developing and incorporating restorative justice as the mainstream response to crime in terms of the principles of constitutional democracy. Amongst the questions it addresses are the following: How are informal processes to be juxtaposed with formal procedures? What is the appropriate relationship between voluntarism and coercion? How can the procedures and practices of restorative justice be combined with legal standards, safeguards and precepts? How can one balance restorative responses with legally sanctioned punishment? In this book a distinguished team of contributors consider this crucial set of relationships between restorative justice and the law, building upon papers and discussions at the fifth international restorative justice conference in Leuven, Belgium, in September 2001. restorative justice has grown rapidly throughout the worldthis book addresses the central issue of relationship of restorative justice to existing law and legal systemschapters from world leading authorities

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