

The Role of Restorative Justice in Reducing Recidivism Rates

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Abstract - The retributive system has many flaws, one of which is its ineffective rehabilitation programs, which lead to high recidivism and poor reintegration rates. There has been discussion and the development of new models of the judicial system that provide guidance on how to enhance the existing system, despite the fact that the main system is retributive. This research explores the ways in which restorative justice has impacted these crucial aspects of the criminal justice system. It explores restorative justice's theory, practice, and guiding principles. The usefulness of the method is shown by real-world examples and empirical facts, which also highlights its limits and difficulties. Findings from this study stress the significance of community engagement, expanding access to restorative justice programs and educating qualified facilitators are also pressing issues. A more fair and equitable society is within reach with restorative justice's comprehensive approach.

Keywords: Restorative, justice, recidivism, social reintegration, criminal, community, involvement, skilled, facilitators

INTRODUCTION

Restorative justice is an approach that prioritizes including victims, having offenders admit wrongdoing and take responsibility, and coming to a mutually agreeable plan to fix the damage. Programs from throughout the globe place varied emphasis on these restorative justice concepts and ideals, and they base their process design on this prioritizing in addition to practical considerations.

Even though restorative justice has been around for a long time, The current criminal justice philosophy's failures have led to its resurgence in recent years. While there hasn't been much of an effort to chronicle the evolution of restorative justice in the contemporary period, there have been a few key shifts. Albert Eglash reportedly used the phrase in 1958 to describe criminal justice. According to McCold (2006), victim offender reconciliation programs (VORP) emerged in the 1990s as a social work-based movement, building on the 1970s wave of community-based mediation and the 1980s restorative victim offender reconciliations programs. In the 1970s, there was a first major interest in restorative justice in the US and Canada through mediation. Members of the Mennonite church who were active in different VORP projects formulated and articulated the concepts of restorative justice during this second wave, which is when the theory really started to take shape. Mediation between

victims and offenders as well as community mediation arrived in the UK in the mid-1980s. In 1984, the Navajo people in the United States implemented the first internationally recognized "circle processes" that are now often employed in restorative justice programs.



Figure 1: Restorative justice and the criminal justice system

LITERATURE REVIEW

Bouffard (2016) Restorative justice (RJ) programs have the potential to improve many outcomes, according to studies; yet, there is a dearth of information on the efficacy of individual RJ initiatives. Juvenile offenders were the focus of this research, which examined many RJ program variants. Direct mediation, community panels, little

engagement with RJ staff, and indirect victim/offender mediation that eschewed direct victim/offender contact were among these variants. Several different approaches to program implementation were shown to be beneficial, according to the results. Possible enhancements to the RJ model and their implications for forthcoming studies are addressed.

Ness (2014) *An Introduction to Restorative Justice*, Fifth Edition offers a captivating and accessible explanation of the idea, which is helping to fuel the restorative justice movement's global ascent. It provides a concise background on the evolution of this new perspective and delves into its widespread appeal. Following an examination of potential avenues for incorporating restorative justice principles into policy and practice, the text proceeds to address a number of important concerns voiced in relation to restorative justice, offering concise summaries of different points of view on each.

Tony Ward, (2014) Different from one another, the philosophies of desistance, rehabilitation, and restorative justice all aim to help rehabilitated offenders stop committing crimes. Recidivism reduction via the use of a restorative approach is the primary focus of this analysis. To do so, we will explain the theoretical distinctions between the restorative justice, rehabilitation, and desistance models, as well as the prudential and social normative models.

Dandurand, Yvon. (2016). When dealing with adolescent offenders, alternatives to criminal justice processes such as mediation and restorative justice are often lauded for their efficiency. But the ability of these programs to help ex-offenders reintegrate into society is its strongest quality, and it hasn't been well studied yet. This chapter aims to reimagine restorative justice and mediation programs as a means of community-offender reconciliation, which is often necessary for a young offender's successful reintegration into society.

Kuo (2010) According to their methodology, there are three main steps in the restorative justice process: talking things out, getting to know one other, and sharing moral principles. The results showed that offenders participated more in moral communication, relationship building, and dialogue as part of the restorative justice program than they did in the traditional judicial procedures. Out of the blue, the interview data revealed that violent offenders participating in the restorative justice program did not feel any more connected to the community than those participating in the judicial process. We provide several hypotheses that might explain the outlier. We also go over some policy implications and potential directions for future research that might stem from these results.

UNDERSTANDING RESTORATIVE JUSTICE

The criminal justice system's restorative justice paradigm provides a radically new way of dealing with criminal behavior and its effects. Restorative justice seeks to transcend the traditional punitive model of justice by prioritizing healing, accountability, and reconciliation. It lays forth a plan for how criminals and victims might work together to fix the problems that crime has created. It is necessary to investigate the guiding ideas of restorative justice in order to completely understand its relevance:

Victim-Centered Approach: The focus of restorative justice is on the victims. It acknowledges that criminal acts have a negative impact on communities as a whole. Consequently, it is centered on meeting the needs of victims by providing a space for them to talk about what happened to them, ask questions, and convey how they feel.

Accountability: It is important for those who have committed offenses to realize the pain they have caused and to make restitution. The rehabilitation process is considered to be incomplete without this responsibility.

Dialogue and Communication: Facilitated communication between victims and offenders is essential to restorative justice practices. By talking things out, everyone involved may learn how the crime has affected them and maybe find a way to put it behind them.

Community Involvement: Because of the far-reaching effects of crime on society as a whole, restorative justice initiatives often include the whole neighborhood. The community must take action to assist victims and offenders with rehabilitation and reintegration into society.

Restoration and Repair: In contrast to traditional criminal justice, restorative justice focuses on making amends for victims of wrongdoing rather than punishing them. Restitution, community work, and other measures to restore damaged or lost property are all examples of this.

Voluntary Participation: To make sure that everyone is on board, most restorative justice procedures are entirely voluntary. This fosters a feeling of agency and responsibility throughout the resolving process.

An alternate approach to dealing with criminal behavior may be found within the concept of restorative justice. Reciprocity is a common result of incarceration since punitive tactics do nothing to deal with the underlying issues that motivate criminal activity. The goal of restorative justice is to help formerly incarcerated individuals become productive members of society once

again by repairing harm, encouraging responsibility, and creating reconciliation.

THE ROLE OF SOCIAL REINTEGRATION IN REDUCING RECIDIVISM

The notion of social reintegration is complex and fundamental to the field of criminal justice. It has to do with how people who have been in prison or engaged in criminal activity manage to rejoin society as law-abiding, contributing members. Social, economic, and psychological aspects are all part of this all-encompassing reintegration process. Reestablishing relationships with one's family and other social networks is fundamental to the process of social reintegration. A strong support system, formed by mending broken connections, may ease a person's departure from illegal conduct. Achieving financial independence, securing a steady job, and having access to educational and occupational opportunities are all essential components of social reintegration. When people's incomes are stable, they are less likely to be pushed into illegal behavior. Individuals' mental health, including the treatment of mental illness, drug misuse, and the development of coping skills to avoid recurrence, is also very important. Apologizing for wrongdoing and accepting responsibility for one's acts via activities like community service or restitution are components of this process. Individuals are encouraged to become productive members of society, to obey the law, and to perform their civic duties as part of social reintegration programs. Participation in treatment or rehabilitation programs, following court orders, and maintaining parole or probation are common examples of what is required. In the end, the purpose of social reintegration is to help people overcome the stigma and other obstacles that stand in the way of their effective reintegration into society. In order to reduce recidivism rates and increase community safety, it is important to take a comprehensive strategy that addresses multiple aspects of reintegration.

The Link Between Successful Social Reintegration and Lower Recidivism

A major emphasis of the criminal justice system is the correlation between reduced recidivism and effective social reintegration. Both theoretical and practical considerations highlight the indispensability of the connection between these two components. There is a close relationship between recidivism rates and successful social reintegration, which is defined as the gradual transformation of ex-offenders into law-abiding, productive citizens.

Reestablishing good ties and relationships is a critical component that helps to form this connection. The most important factor in avoiding a return to criminal activity is re-establishing contact with one's community, which includes one's family and social networks. People feel more connected to their community and more responsible for its well-being

when they have strong connections that help them emotionally and practically.

The link between social reintegration and the decrease of recidivism also relies on economic stability. Getting a job, going to school, and getting a trade certificate all boost a person's financial stability and make it less likely that they would resort to criminal behavior. People are less likely to engage in criminal activity when they are able to satisfy their fundamental requirements, which is a direct result of economic stability.

Principles of responsibility and reparation are also fundamental to social reintegration. A person may begin the healing and closure process by accepting responsibility for their acts and making restitution to victims and society. A determination to refrain from illegal activity in the future is nurtured by this feeling of responsibility.

The correlation between social reintegration and reduced recidivism also includes conformity with the law and excellent citizenship. A person's dedication to leading a legal and productive life outside of prison is shown when they follow the terms of their parole or probation, attend treatment programs as ordered, and adhere to the judgments of the court. Adherence to the law lessens the possibility of future involvement with the penal system.

There is a mountain of data linking effective social reintegration with reduced recidivism. The significance of fostering these vital components is highlighted by the fact that the criminal justice system should adopt a more comprehensive approach. The system's ability to help people successfully reintegrate into society has several benefits, including a decrease in recidivism and the creation of safer, more welcoming neighborhoods in which ex-offenders may start again and make constructive contributions.

HOW RESTORATIVE JUSTICE SUPPORTS THE REINTEGRATION PROCESS

When it comes to helping people with criminal records reintegrate into society, it is vital to include restorative justice, an alternative method inside the criminal justice system. The objectives of effective social reintegration are very congruent with this framework's foundational values of healing, responsibility, and reconciliation.

Repairing broken connections is a cornerstone of restorative justice's approach to helping people reintegrate into society. Meetings or guided conversations between offenders and victims are commonplace in restorative justice programs. These interactions give a safe space for people to talk about what happened, what they've been through, and how they feel about the damage that was done. As criminals learn more about how their

acts affect victims and the society at large, they develop empathy via this conversation. Repairing social relationships destroyed by criminal conduct and contributing to a smoother transition back into the society are both facilitated by this procedure.

The tenets of mental health are consistent with restorative justice as well. These programs provide a psychological need by giving offenders a safe place to talk about how their illegal actions affected them and others. Recidivism prevention relies heavily on recognizing and resolving these emotional factors so that people may learn to deal with life's difficulties in a healthy way, away from criminal behavior.

Furthermore, restorative justice bolsters the function of lawfulness and civic engagement. As a condition or obligation of their sentence, offenders are often required to participate in restorative justice programs. Offenders who take part in these programs show that they are serious about changing their ways and following the rules. An integral part of reintegrating into society, this dedication is in line with the ideals of good citizenship.

The aims of social reintegration are very congruent with those of restorative justice, which prioritizes healing, accountability, and reconciliation. Restorative justice provides a positive and encouraging framework for ex-offenders to re integrate into society by mending broken relationships, placing an emphasis on responsibility, attending to mental health, and promoting legal compliance and citizenship. By taking this tack, we can help reduce recidivism and create communities that are safer and more welcoming for everyone, giving people a second chance at a better life.



Figure 2: Restorative Justice Supports the Reintegration Process

RESTORATIVE JUSTICE PROGRAMS AND THEIR EFFECTIVENESS

Beus and Rodriguez (2007), Bradshaw and Roseborough (2005), Daly et al. (2013), and Hayes and Daly (2004) are just a few of the many studies that back up the idea that victim, offender, and

community all benefit from restorative justice practices. In particular, research by Bradshaw and Roseborough (2005), Daly et al. (2013), Hayes and Daly (2004), Latimer, Dowden and Muise (2001), and Ward and Langlands (2009) shows that restorative justice programs decrease recidivism among nonviolent juvenile offenders. According to Bradshaw and Roseborough (2005), restorative justice concepts center on victim-offender mediation, also known as conferencing, which enables the healing of suffering experienced by all parties involved in a criminal incident. Victims, offenders, and community members all get together in a VOM meeting to work out a reparation plan (Bradshaw and Roseborough 2005:16). When compared to more conventional, punitive approaches to reduce juvenile delinquency, Bradshaw and Roseborough (2005) assert that VOM is almost three times more successful.

Furthermore, Jackson (2009) discovered that criminals developed feelings of shame, remorse, and empathy via the restorative justice program known as Victim Impact Training (VIT), which enables offenders to comprehend the suffering they had caused to the victim. On the other hand, those who are more prone to feelings of shame tend to avoid circumstances that can bring on such feelings and are less inclined to cultivate empathy (Jackson, 2009). Another author who looked at shame and guilt in RJ conferences was Rodogno (2008). According to Rodogno (2008), those who experience guilt and shame tend to benefit more from the restorative process. Nevertheless, he encouraged the mediators to take cultural factors into account while addressing feelings of guilt and shame, since these might hinder the therapeutic process (Rodogno 2008). By concentrating on emotional development, the investigations conducted by Jackson (2009) and Rodogno (2008) bring attention to the learning component within the differential association theory. This is further supported by the research of Hayes and Daly (2004), who discovered that conferences induced more regret and reduced recidivism rates when participants really agreed on the conference's conclusions. Reintegrating and repairing interpersonal relationships may be facilitated by shame, according to Braithwaite (2002). Shame stimulates forgiveness.

According to Braithwaite (2002), restorative justice programs have several benefits, including helping offenders form closer connections, altering their perspective on crime, and mending the wounds suffered by all parties involved.

CONCLUSION

A new approach called restorative justice is changing the way the criminal justice system works, providing a fresh approach to helping ex-offenders reintegrate into society and decrease their recidivism rate. Restorative justice programs

aid in reducing recidivism and increasing community safety by focusing on the tenets of healing, accountability, and reconciliation. Successful social reintegration may be achieved via the dynamic framework that restorative justice provides, which emphasizes healing, accountability, and reconciliation. Restorative justice, in spite of its ongoing changes and attempts to overcome these obstacles, is still an effective component of our criminal justice system; it gives offenders a second chance at a better life and allows them to help create communities that are safer and more welcoming for everyone.

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