

A Guide to  
Victim Offender Mediation  
An Alternative to the Criminal Offender Justice System?

2019-2020

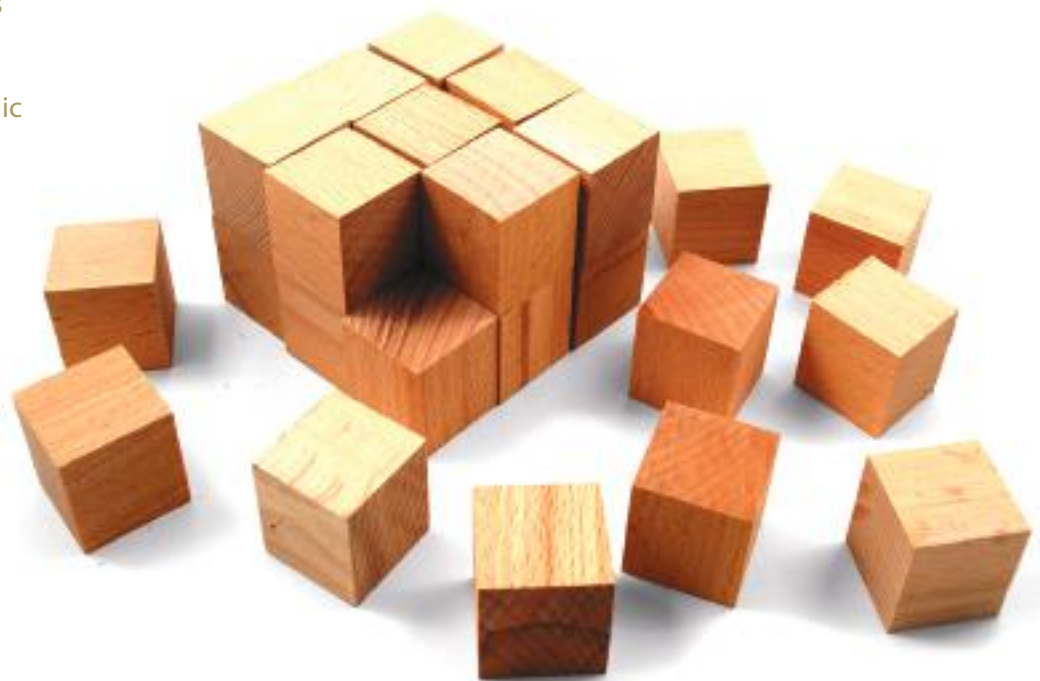
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# VICTIM-OFFENDER MEDIATION

## AN ALTERNATIVE TO THE CRIMINAL JUSTICE SYSTEM?

### Abstract

**V**ictims feel progressively baffled and estranged by our current frameworks for justice. Despite the fact that the criminal justice framework exists accurately, victims abused by criminal conduct have no legitimate remaining during the time spent getting justice. Traditionally, mediation is seldom used as a method of dispute resolution. Does restorative justice bring justice to the victim for the crimes of the criminal offender? The idea of mediation is to create an opportunity for both sides to voice themselves; to give the victim the opportunity to articulate the effect the crime has had on them while simultaneously allowing the offender to show repentance for his offence, owning up to his actions that have profoundly affected the victim while atoning for it. Committee. There are certain decisions of the Disciplinary Committee that are final and are not subject to appeal; except for such decisions to which an appeal is not allowed, the Appeal Committee may decide upon the merits of the case whether an appeal to a decision must be granted or not.

### 1. Introduction

Therapeutic victim-offender mediation is a relatively niche area within the traditional criminal justice process. This method of mediation has a high potential for rehabilitation of the criminal offender giving him the opportunity to redress whilst righting his wrongs under the alternate dispute resolution philosophy. Ideally, any judiciary's opinion about restorative justice depends on their belief of how much potential a criminal offender to rehabilitate himself, and whether the level of seriousness of his crime even gives him access to this method of mediation. In simple words, if the court believes there is very little scope for the rehabilitation of the criminal offender, they would not allow a victim-offender mediation program.

It is debatable whether the justice system concentrates on the wounded or even the wrongdoers, however, the justice system is concerned about reprisal and finding suitable types of discipline and punishments. Victim-offender mediation usually handles crimes of not the most severe nature but ones like minor property related matters, juvenile crimes, etc.

It is again debatable whether an adequate opportunity is provided to either the victim or the criminal offender in the justice process. If provided a measured environment with enough supervision, having the criminal offender and victim face each other and express themselves may give positive outcomes in the long run. The victim is able to completely realise the gravity of the situation and how it has affected them, whilst voicing it directly to the criminal offender, who is made to realise the negative and deep impact it has on the life of a person, in the hope that rehabilitation is an option, and that restorative justice could be an essential tool to humanizing the criminal justice process. It may not match up to the turmoil that the victim has faced, but it may provide a level to satisfaction that the victim was given an opportunity to face the offender and say things to relieve them of the trauma mildly, if not substantially, instead of having to hold their peace about not being given the chance to do the same.



Victim-offender mediation may prove to be an excellent alternative to the current criminal justice procedure around the world. It is pertinent to note that it is voluntary, which means if only the victim wants to pursue this method of alternative dispute resolution, should they be allowed this option. Alternately, there is always the traditional criminal proceeding mechanism available.

### 2. What is Restorative Justice Practice?

Tony Marshall of the Restorative Justice Consortium (United Kingdom) proposed a valuable working meaning of Restorative Justice:



*“Restorative justice is a process whereby all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future.”*

While Tony Marshall’s definition feels incomplete, it provides a gist of the concept behind restorative justice, which is two-fold:

- I. Victims and their wrongdoers in the case are in an up-close and personal space, and
- II. The aim of this congregation is to arrive at a conclusion.

According to Marshall, each subdivision of mediation developed freely and have impacted and complemented one another. The branches are mainly: community mediation, victim-offender mediation and victim-offender reconciliation programs.

Therapeutic restorative justice depends on qualities that stress the significance of giving open doors for the increasingly dynamic association through dialogues in the procedures of offering backing and help to the aggrieved party. It is important that the victim is actively involved in the criminal justice procedure.

The focus of restorative justice is to repair the harm. It focuses on giving the offender the chance and opportunity to hold himself accountable for his actions, to realise the gravity of his actions, and if permissible, be granted a way to right his wrongs. Restorative justice promotes addressing of all the issues in person and to mutually reach an understanding of what the next step should be towards the justice of the victim.

Conferencing, which is branch of victim-offender mediation, refers to the procedure where the victim, the offender and their supports (moral supporters or otherwise) along with certain community members work towards reparation in the presence of a neutral and unbiased third party.

### **3. How Does Victim-Offender Mediation Work?**

An unbiased third party intercedes an exchange among victim and the guilty party who:

- I. Talk about how the wrongdoing influenced them;

*“In middle of difficulty lies the opportunity.”*  
– Albert Einstein

II. Express their side of the story;

III. Build up a commonly acceptable composed compensation assertion;

IV. Build up a subsequent arrangement, in this way empowering the aggrieved and the offender to conclude the remedial procedure.

### **4. Need for Restorative Program in the Criminal Justice**

In the traditional retributive justice system, crime is demarcated by the violations of the prevalent criminal legislation of a country. Restorative justice, on the other hand, takes into the account that the crime against the victim is defined by the harm caused. Restorative justice humanises the criminal justice process.

In a victim-offender mediation, the victim and the offender directly involved in the case are the primary parties. They have direct involvement at each stage of the mediation process which evolves with the changing needs of the parties.

While retributive justice focuses on the offender being punished for the crime committed, restorative justice, on the other hand, demands that if the case allows, the offender be allowed to make his wrongs right. It demands that the victim direct in deciding how he wants justice to be served, and what action needs to be taken. It is essential that the victim is satisfied at the end of any proceeding or path he chooses. When victims have the open door for direct association with the offender, such cooperation can be transformative- from enduring in silence to shared mending, from detachment to network support, from frailty to strengthening, from melancholy to reengagement.

Restorative justice additionally takes into account ‘society’ as an interested party in criminal cases. The crime committed by the offender not only affects the victim directly or abuses the legislative system of a country, but also affects the general public at large.

### **5. Advantages of Victim-Offender Mediation**

#### **5.1 The Victim**

It is essential that at apposite stages of a case, inputs of the victim should be inculcated while arriving at an outcome



***"An ounce of mediation is pound of arbitration and ton of litigation."***

**– Joseph Grynbaum**

suitable. The fact that the restorative justice system adds the human factor while delivering justice, is the main reason that it benefits the victim. This form of mediation and justice process gives a chance to the victim to recuperate from the deep, traumatising effects of the crime, mentally and emotionally, by allowing them to sit face-to-face with their offenders and talking to them at intervals convenient to them. This has a liberating advantage for the victim since it relieves them of the questions about the crime that daunts them, as they can directly get answers from the offender.

An important benefit of this system to justice is that victim-offender mediation allows the victim, who is directly affected by the crime, to devise a personal restitution agreement. It is important to note that the intention is not to let the victim individually decide what the punishment for the offender should be, but to allow the victim to have a say in an outcome favourable to him, or to his satisfaction. The idea of justice differs from person to person and it is important in a case where the victim is affected, that he has a say in what would bring him justice.

The involvement of victims in criminal cases is unique to that followed traditionally by criminal courts. The courts ordinarily are worried about reformatory compensation fundamentally through fines or detainment; victim-offender mediation uses individual restitution that is fittingly custom to the victim and the offender. Mediations are tailored for each case.

In an article by Howard Zehr titled 'Justice paradigm shift? Values and visions in the reform process', six questions were stated that goes through the mind of the victim which he/she seeks answers to. The questions are as follows:

- i. "What happened?"*
- ii. Why did it happen to me?*
- iii. Why did I act as I did at the time?*
- iv. Why have I acted as I have since that time?*
- v. What if it happens again?*
- vi. What does this mean for me and for my outlook, my faith, my vision of the world, my future?"*



The benefit of victim-offender mediation for the victim is that the victim can personally get the answers to these questions directly from their criminal offender. Once the victim has the responses to these questions when they are given an opportunity to reflect on them, they also have the chance to be heard, and more importantly, it allows them to directly say it to the offender.

In line with Zehr's opinion on what victims demand, Heather Strang in an article titled 'Repair or Revenge: Victims and Restorative Justice' also concluded in her own way what the victim needed; in her opinion, she felt the following was needed by victim in a criminal justice system:

- i. Involvement in the process as well as the end result.*
- ii. To be dealt with consciously and reasonably.*
- iii. An expression of remorse for emotional rebuilding.*
- iv. Being allowed to take part in their case.*
- v. Monetary compensation.*
- vi. A semi-formal procedure where they are valued.*

#### **5.1.1 Victim Satisfaction**

When the victim is involved in every stage of the justice procedure they elect to go forward with, they will be satisfied that they did what they could in their power. Victim-offender mediation fundamentally respects the need of the victim to be involved at every stage of the mediation for maximum satisfaction. It is only fair that the person aggrieved should be given priority for his needs. When the case is handled how the victim wants it, it is likely that they are also satisfied with the outcome of the mediation.

#### **5.1.2 View of Reasonableness**

In the event the criminal court excludes the victim from directly participating in the criminal proceedings, the victim may find it unfair and unreasonable. The fact that victim-offender mediation supports the view of victims being directly involved, they find the procedure more reasonable to themselves.

#### **5.1.3 Fear of Revictimisation**

All things considered, when a crime is committed against a victim, he fears that a similar will transpire once more. It is



more plausible, that through victim-offender mediation, the victim is less scared about revictimization, by the same offender or another person in the future.

#### 5.1.4 Resulting Outcome

It is believed that the victim will be more satisfied with the outcome of a victim-offender mediation as the victim's active participation in the mediation gives direction to what outcome they expect and what the end result of the mediation should be. In the case of criminal court proceedings, even though it is conceded that the victim may exhibit a sigh of relief that justice is served, it is far more likely that the victim is more satisfied when the end result of the proceeding was fundamentally based on what the victim wanted along with keeping in mind the repercussions it has on the society as a whole.

#### 5.1.5 Regret

Even though it may seem trivial, an apology from the offender coupled with appropriate action can have a long-lasting positive impact on the victim. While an apology cannot and should not be an individual outcome of a crime committed, it is one of the factors that gives, if nothing else, some mental peace to the victim.

#### 5.2 Benefits to Offenders

This alternate method of dispute resolution is not solely meant for the victim only. It is essential to understand some key points about why it benefits everyone party to it. This method gives the offender a chance to appreciate the legal system. It is plausible that his outlook to the whole restoration system would be more positive and it would be open-minded and mentally prepared to actually rehabilitate himself.

Retrospectively, if the victim watches the offender repent what he has done and regret his actions, it helps in the psychological healing of the victim.

#### 5.3 Advantages to the Community

It is a common notion that a crime against another human being consequently affects society as a whole. While retributive justice keeps the criminals locked away to maintain general security and peace, victim-offender

*"The mediation of internal conflicts can be resolved by linkages with other problems."*

*- Howard Raiffa*

mediation aims at rehabilitating the offender so that he does not make the same mistake again. Offenders who refer to restoration justice tend to have a low probability of engaging in such criminal acts again, and the result of that is the same retributive justice, only better.

#### 6. Drawbacks of Victim-Offender Mediations

It is not always that the outcome of victim-offender is fruitful. There were times when reviews of the experience of victims who chose victim-offender mediation were traumatising. The main concern of those unsatisfied with victim-offender mediation was the 'lack of authority' and impression of insufficient discipline, paired with an inadequate level of punishment.

There have also been negative feedbacks about the mediators in such proceedings, where it was felt that the mediator was not as professional or equipped to mediate criminal proceedings. It was felt that the mediators did not have substantial experience in mediating criminal cases and being able to justice to the process for outcomes for the satisfaction of victim, offender and the society as a whole.

Some also felt revictimized by the process of victim-offender mediation. In other cases, victims displayed dissatisfaction with the procedure because they were given hopes arrangements suitable to them which could not be met.

As reported by Maxwell and Morris in their 'Re-forming juvenile justice: The New Zealand experiment', some victims were not content with victim-offender mediation because the follow-up mechanism to let the victims know of the outcome was underdeveloped.

Twenty-five studies about the victim's experience with victim-offender mediation was reviewed by Jo-Anne Wemmers in her research on 'Restorative justice for victims of crime: A victim-oriented approach to restorative justice' in which it was found that some of the mediators did not give ample opportunity to the victims to express their emotions and participate; at the same time, the compensation that the victims were either

***"Fifa cannot sit by and see greed rule the football world.  
Nor shall we."***

***- Sepp Blatter***



promised or expected was not met. In her study of the reviews, she also highlighted that some victims felt additional victimisation, and that heightened the psychological trauma of the victims, elevated the level of fear they had against the offender too.

Endeavours were made to depict a hole that regularly existed between restorative justice hypothesis and actual practice in light of their perception on the approaches, especially in juvenile justice.

Inadequate preparation is of utmost importance in the case of victim-offender mediation. Proper planning is essential that should encompass precise information to be given to the victim about the mediation, setting sensible expectations of results, educate them on potential dangers and fallouts of the mediation as well as advantages and disadvantages of the same.

Victim-offender mediation is still being developed. It is evolving and needs refining. Extensive research in this niche area is needed to have a more concrete and uniform method of mediation. It is important that there be consistency in the positive experience of the victims, that the probabilities of contrary outcomes be minimised.

It is plausible that the deterrent nature of crime would be lessened, because, through victim-offender mediation, the victims in the course of action would settle for lesser than the ideal injunction and penalty. The idea behind harsh penalties and punishments under the criminal code of the country is to ensure that its deterrent nature and know-how of consequences of criminal conduct would keep others from engaging in such violations of rights of others. While a court gives its judgement, it not only keeps in the mind the aggrieved party and party at fault, but it takes into the account the welfare of the society as a whole, so people feel safe. If such criminals are imprisoned and kept off the streets, the people will feel safer. If these criminals are allowed to get away with marginal punishment, there would remain that doubt where they still pose threat to the public at large

or they would continue to engage in illegal activities, affecting the peace and sanctum of the society as a whole. It is understandable that due to victim-offender mediation's tailored nature, it is more oriented to the result as desired by the victim. The victim is likely to only take into account his individual interest instead of trying to look at the crime with the view of the public at large. What may seem like an ideal settlement for a victim at the point may not coincide with what is best for the society.

Another drawback that is more consequential to certain cases is that there can be situations where compensation is granted to the victim he deems fit, but maybe the offender's financial background does not provide enough to comply to such mediation; this calls for alternatives to be viewed.

Another potential drawback of victim-offender mediation is to be able to decisively decide where to draw the line for sanctions that can be drawn for mediators. What are the limitations on mediators to grant certain sanctions? What if the nature of the crime and the sanction is not proportionate? Is it compensated by the fact the only the victim's needs are to be considered, and not the turmoil in the natural justice system?

## **6. Comparative Analysis**

### **6.1 United States**

In a generic sense, school and churches set up programs for victim-offender mediation which were isolated from the traditional criminal mechanisms. Offenders are asked to refer to victim-offender programs in lieu of criminal proceedings.

It is important to note that the sanctions granted during the mediation are not irrefutable; the judges still hold the power to execute supplementary punishments, even imprisonment. This indicates that while the option of victim-offender mediation is granted by the judge, he also has strings attached which he may pull anytime to stir the restorative process into the direction of retributive justice or both.



*"One of the best ways to persuade others is with your ears — by listening to them."*

*- Dean Rusk*

Victim-offender mediation is voluntary, and offenders are not generally obligated to be referred to the same. This is because of the view that if the offender is involuntarily forced into this type of alternative dispute resolution, the fact that he is in close vicinity of the victim and others, he may act aggressively towards everyone.

It is pertinent to note, that irrespective of the decision and sanction by the mediator in criminal cases in the United States, the sanction so granted must be approved by a representative of the government. This makes it clear that victim-offender mediation may be an option but fairly controlled by the government keeping in mind the welfare of the people.

The case of **People v Moulton** [182 Cal. Rptr 766 (1982)(-California Court of Appeal Decisions)], made an exemption to the general standard that victims ought not to have an expansive say in setting discipline levels (punishments).

For example, according to the revised **Criminal Code § 13-3981** (Arizona, United States of America), "If the party injured appears before the court in which the action is pending at any time before trial, and acknowledges that he has received satisfaction for the injury, the court may, on payment of the costs incurred, order the prosecution dismissed, and the defendant discharged." The question is whether a provision like this protecting the safety of the society or [not, contrary to the belief of the court. In the case of **State v Dummond** [530 P.2d 32 (1974) (Oregon Supreme Court)], held that compromise resolution gave the preliminary court circumspection to expel charges if there is hard copy (evidence) corroborating victim satisfaction, regardless of whether that party or the state agrees to the expulsion.

It is of the belief that currently, the victim-offender mediation programs are deprived of procedural uniformity which consequently renders the restorative justice process futile.

## 6.2 Poland

To first conclusively summarise Poland's stand: Mediation does not establish a focused foundation towards the customary legal framework (traditional criminal court regime) which still remains the purveyor of cases for intercession in criminal issues in Poland.

**Directive 2012/29/EU** presents the guidelines on the rights, protections and support of the victims' rights under restorative services. It was also implemented in the **Polish Code of Criminal Procedure**, 1997. As indicated by this guideline, it incorporates all systems by which the victim and culprit are permitted to take a functioning part in settling the issues by restorative means with the assistance of a neutral party. Evidently the scope of restorative justice was wider than that of mediation in Poland.

Poland has efficiently incorporated the importance of the need of the victim as granted through restorative measures through their recital in the Preamble which states that the advantage must be given in any case to the victim's interests and needs, to fix the harm caused to him and to forestall further harm.

As far as restorative measures within the criminal procedure in Poland is concerned, mediation fulfils the prerequisites of this program. Then again, victim intercession in Polish arrangement of criminal law is a widespread measure, as it tends to be connected at all phases of the criminal procedures: both in preliminary, court and executive procedures against adults just as minors/juveniles. Unlike the United States, there is no limitation in the legislature that restricts any type of punishment related to the mediation.

Regardless of refined mediation uniformity, the process of mediation is fairly unpopular in Poland. The reasons for the same being:

I. Mediation is relatively underdeveloped at the preliminary stage and procedural restrictions prevent the same;





*"You can't shake hands with a clenched fist."*

*- Indira Gandhi*

II. Deficiency of standard procedure for referral of cases to mediation;

III. Inadequate proficiency of exercise of judiciary body and prosecutors.

IV. Instead of qualitative, there is an arithmetical/quantitative focus on prosecutors.

Poland is in the hope that mediation may become fairly popular in the coming years with the evolving laws surrounding it, regulating it and maintaining a standard of uniformity in procedures.

The Criminal Code has a new provision (**Article 59(a)**) very similar to the United States which states that in accordance with the wish of the victim, criminal procedures will be ceased for an offence deserving of a punishment not surpassing three years detainment, just as for offence against property rebuffed with a punishment not surpassing five years detainment, if before the beginning of the suit at preliminary stage, the offender fixes the harm or gave penance for the criminal offence, except if there is an exceptional case where stopping such proceeding would be contrary to accomplish the principle of discipline.

### 6.3 Canada

Following the meeting at the Commission on Crime Prevention And Criminal Justice, the apex authorities in Canada and Italy inculcated in their legal regime a proposal for the development of restorative justice.

The first-ever victim-offender reconciliation programme was initiated as an experiment in Ontario in the 1970s. It was after this initiation that these programs were promoted through church donations and grants by authority.

Currently, the victims in Canada have the following rights as mentioned by the *Office of the Federal Ombudsman for Victims of Crime*:

I. According to the **Canadian Victims Bill of Rights**, every victim has the right to information about the program and the services it provides. It essential to note that the

authorities are not obligated to provide such information on their own. The same needs to be requested by the victim. At any stage, the victim cannot hold the authority responsible for not imparting such knowledge on its own. The victim may only be permitted to do that if the victim has requested information but it has not been duly provided to him.

II. The same right has also been vested with the victim under the **Corrections and Conditional Release Act**.

III. Under the Criminal Code of Canada, alternative measure (which is one of the blanket terms used for restorative justice) has been provided which may be referred to. In the case of **R v Gladue** [(CanIII 679 SCC) (Supreme Court of Canada) (1999)], collectively stated that restorative justice principles apply to all the offenders.

### 6.4 Czech Republic

The Probation and Mediation Service may be used at a preliminary stage with the view of the outcome being pro-social when it comes to certain crime-related matters. It is essential that both parties give their consent to be referred to mediation.

### 6.5 Thailand

The concept of mediation in Thailand has been fairly archaic. Mediation has been followed in Thailand from the time when distinction could not be made between different branches of law.

Decades ago, Thailand has a person appointed as the community leader, who to his best knowledge and understanding resolved the disputes that people brought before him. Mediation was one of the most commonly used modes of justice.

Needless to say, his power was passed onto the government. Eventually, in 1914, district chief was vested with the authority to mediation in an attempt to bridge the hole in the dispute resolution mechanism then. It was in 2007 that the civil mediation was highlighted through an amendment to **Local Administration Act 1914** and

*"We are all inclined to judge ourselves by our ideals;  
others, by their acts."*

*- Harold Nicolson*

more importantly, the incorporation of criminal mediation into the Act was introduced.

The Civil Procedure court has had a number of amendments and mediation may be referred to at any stage of the proceeding, from the preliminary to the right before the decision it to be given. Even though the mediation is referred to mainly for civil cases, mild criminal cases, like any other jurisdiction may be referred to arbitration.

At an earlier stage, if the victim demanded compensation, it could be done by filing a civil suit in court. And the stand of Thailand nationally on the same for criminal law was underdeveloped. After amendments in 2004, the Criminal Procedure Court allowed for compensation as well to the victims expressly. This was a crucial step taken, hence, working towards promoting victim-offender mediation for criminal cases where the limitations of remedies that the victim could seek were not so limited anymore.

Hence it is pointed out that the law regarding victim-offender mediation has developed more so in the last decade and to adapt to the evolving needs of the nation in the global sphere.

### 6.6 Sweden

The Swedish government on its part has tried to allocate a number of resources into the implementation of victim-offender mediation mechanism. It is not just the courts that have tried to prevent committing of crime by adults and juveniles, but also an array of social service authorities. The provisions in the Swedish legislature is of very positive nature.

In its **Social Services Act** and the **Care of Young Person Special Provisions Act**, it has been highlighted that the importance of having the best interest for the child and for his future development. The idea was to prevent adolescents and adults from committing a crime, and in case they have, to prevent them from doing it further. It



was in the 1980s that mediation started to get recognised in Sweden.

In Sweden, a government commission delved deep into the matter to mediation to highlight that mediation is an excellent alternative dispute resolution mechanism and that there needed to be a standard, uniform and developed legal framework for the same. The commission was of the view that intensive research needed to be conducted to stabilise the regulation of mediation. The commission suggested that this tool be used by social services agencies. The government was of the belief that the needs of social services, their budgeting were different though mediation needed further development.

A new act on Mediation in Penal Matters was incorporated which was based on the proposal of the above commission. The government came to a realisation that this mode of alternative dispute resolution needed to be independent and self-sufficient to encompass individually all the aspects of mediation. This act laid down the framework for mediation. It included how the mediation was to take place, what its principal objectives are and what the future of mediation in Sweden would look like.

It put emphasis on the fact that mediation was supposed to be carried out in a fast-track manner upon request. In simple words, upon referral to mediation, there should not have been any delay in starting the process. In cases where a proceeding was already underway for the matter and of the parties should willingness to refer themselves to mediation, it could do so at any stage, and if it was preliminary, then the mediator and investigator of the case had to work together initially. At any other stage, the mediator was to contact the prosecutor to convey the intention of the parties to refer to mediation instead of the legal proceeding so that there is no clash between the two.



**"Conflict is inevitable, but combat is optional."**

**- Max Lucade**

Under the Swedish law, mediation is completely confidential and in case the parties were to switch between the two at any stage, there was conflict as to how much information about the case could the mediator convey. Along with the establishment of a proper mediation regime, there also developed some problems. There were questions on the law as well as the practicality of the act itself.

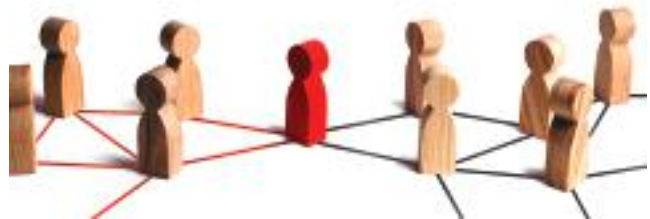
One interesting point about victim-offender mediation, especially in juvenile cases was that the legal guardians or parents of the juvenile offender should be given an opportunity to take part in the transactions of the mediation process. While this was interesting since it was only fair that the minor has some moral support and guidance, the regulatory framework was silent on this matter and this again created the gap between the practical application of the act and the formation of act itself which would not be able to function stably if these unaddressed provisions were not attended to.

Another issue that this legal framework faced was the ambiguity of the provision where it said that the parties could decide their own compensation as to whatever suited them. The fact that a specific provision giving guidelines for deciding the limitations on compensation was not available, to arrive at an ideal outcome was a little tougher.

## **7. Conclusion**

Evidently, to common knowledge and sense, as well as through several studies, crime victims face unparalleled psychological trauma and physical suffering. They are prone to unveiling an array of psychological traumas like anxiety, depression, etc. These not only have a deep effect in the lives of the victims when the crime is fresh, but such effects are imbed causing lifelong effects.

Restorative justice system shows that they can be compelling in mending damages and finding significant types of justice for the parties involved. In any case, in spite of the fact that survey of the literature was in no way, shape or form thorough, it additionally is by all accounts clear that restorative justice procedures can deliver unfavourable results for the victims when they move towards becoming offender focused and uncaring to the requirements and worries of the unfortunate victims.



*"We cannot solve our problems with the same thinking we used when we created them."*

*- Albert Einstein*

## STA Law Firm's offices across GCC

### Abu Dhabi Office

Advocates and Legal Consultants  
23 A, Level 23 Tamouh Towers  
Marina Square, Reem Island  
Abu Dhabi, United Arab Emirates  
Tel: +971 2 644 4330  
Fax +971 2 644 4919

### ADGM Office

3517, Al Maqam Tower  
Abu Dhabi Global Markets Square  
Abu Dhabi  
United Arab Emirates  
Tel: +971 2 644 4330  
Fax +971 2 644 4919

### Dubai Office

Advocates and Legal Consultants  
Office 1904, Level 19, Boulevard Plaza,  
Opposite Burj Khalifa  
Dubai, United Arab Emirates  
Tel: +971 4 368 9727  
Fax +971 4 368 5194

### Sharjah Office

48-1F, Next to Abu Dhabi Islamic Bank  
Near Hamriyah Free Zone Headquarters,  
Hamriyah  
Sharjah, United Arab Emirates  
Tel: +971 6 513 4270  
Fax: +971 6 526 4027

### Bahrain

Advocates and Legal Consultants  
Level 22, West Tower  
Bahrain Financial Harbour  
King Faisal Highway  
Manama  
Kingdom of Bahrain  
Tel: +973 1750 3045

### Qatar

Level 22, Tornado Tower  
West Bay, Doha  
Qatar  
PO Box – 27774  
Tel: +974 44294827

### RAK Office

Office 501-A, Level 5, Building 4  
Ras Al Khaimah Free Trade Zone  
Ras Al Khaimah,  
United Arab Emirates  
Tel: +971 7 204 2180  
Fax: +971 7 204 2181

### Fujairah Office

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United Arab Emirates  
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Fax: +971 7 204 2181

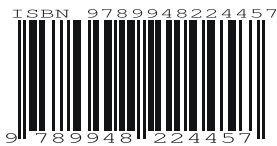
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ISBN 978 - 9948 - 22 - 445 - 7



# STA

Office 1904, Level 19,  
Boulevard Plaza, Tower 1,  
Opp. Burj Khalifa, Dubai  
United Arab Emirates  
Tel: +971 4 368 9727  
[corporate@stalawfirm.com](mailto:corporate@stalawfirm.com)  
[www.stalawfirm.com](http://www.stalawfirm.com)

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