



Towards Restorative Approach of Justice – A Shift in Paradigm

Ms. Pooja Trehan

Assistant Professor, School of Law, Narsee Monjee Institute of Management Studies, Bengaluru-

*Corresponding author's: Pooja Trehan

Article History	Abstract
Received: 06 June 2023 Revised: 05 Sept 2023 Accepted: 16 Dec 2023	<p><i>The involvement of victims of crime and the active participation of victims in the criminal justice process has been an issue of interest among both academicians and professionals globally. The ideological debate whether restorative discipline of practice offers victims a better deal than conventional criminal justice system has gathered a wave among many supporters of the concept. Moreover, restorative justice promoters argue that the status of victims of crime has been given little attention in the criminal justice process from the beginning of the modern criminal justice system to recent years. In view of this, restorative justice (RJ), an alternative to the dominant retributive/ deterrent justice system, has been argued to be more holistic approach that encompasses the victim, offender and the community. In contemporary times, more and more stakeholders of criminal justice system are looking within their existing cultures and finding models and traditions that can be adopted or adapted to suit a culturally sensitive dispute resolution and reconciliation process. However, not very much of this knowledge and practice, or its potential benefits to crime and conflict prevention and social reconciliation, have been researched. So, on the basis of the international recognition attached to the restorative justice as an alternative to prosecution, this paper will enquire into existing legal provisions and rights available for victims of crime, nature of challenges faced by victims while navigating through process of justice, how restorative justice can be an improvement over existing system and role of stakeholders involved. It will also explore, by following examples from several other common law jurisdictions, how India can experiment with more democratic models aimed at reconciliation and restoration of relationships.</i></p>
CC License CC-BY-NC-SA 4.0	Keywords: Criminal Justice System, Victims of Crimes, Restorative Justice, Offenders, Correctional Process.

1. Introduction

The conventional set up of criminal justice system is limited to ascertaining the guilt of wrongdoer and sentencing the offender to prison. The punitive approach towards the crime, which symbolizes a conflict in any community, is defended on the grounds of maintaining peace, harmony, fairness, safety and order in general public. The system of criminal justice in India is said to be a combination of several models of justice, like preventive, deterrent and reformatory. Although, proportionality principle is followed by our justice administration but our system is largely retributive in nature because the criminal is said to have created an imbalance in the society which must be redressed by the punishment.¹ The call for harsher punishments for the lawbreakers by politicians, public, judiciary has become the central theme of justice process. The traditional questions in addressing any crime are, identifying what law is breached, who has violated the law and what they deserve. Punishment for offenders is placed at the centre of the criminal justice system. The myopic focus on punishing offenders negates the very needs of the victims.²

Recently, the legislature by introducing amendments in procedural code has attempted to provide soothing balm to victims of crimes in the country.³ However, the role of victim in the overall process is insignificant. The dogmatic focus on punishing the offenders deprives the victims of their basic rights, for instance, right to express their opinion, needs and hopes from the justice system. They remain mute spectators to the entire process of justice and experience tribulations created by an offence. The victims lack the resources to approach the concerned authorities and their ignorant attitude aggravates the crisis.⁴ Their position is relegated to merely being a piece of evidence or witness to the crime scene.

The interaction of victims with justice process has been unfavourable one and yields into negative perceptions.⁵ Navigating through the process of justice becomes more challenging for the poor, women, children, people belonging to schedule caste, schedule tribe, other backward class who are generally put into the category of marginal category.⁶

The process of delivery of justice becomes punishment in itself. Our society defines justice in the form of punishment but the question we need to ask to here is, justice for whom? The victim or the state? The interest of state drives the entire process with little or no input from harmed individuals. The process of justice deepens the conflicts and wounds of victim rather than supporting the healing process. This is because other important needs of the victim are not addressed by punishing the offender. That is, it cannot change perspective or develop acceptability in society, resolve their anxieties, mental agony or help them forget their panics. The way such things may be achieved, if there is an alignment of restorative practices along with the existing criminal justice process.

Victims of Crime – Rights and Challenges

Before we delve into the rights of victims, it becomes imperative to grasp the background of obstacles encountered by victims of crime. The journey of seeking justice by a victim through the criminal justice system begins with reporting of a crime to the relevant authorities. The police plays a crucial role in initial interaction with the victim and represent the entire experience the victim may have with the justice system. Unfortunately, in India police is not sensitised enough to meet the expectations of the victims as per the international standards. The trust required to be reposed by the victim on the authorities, is much dependent on the way the interrogation is done, evidence is collected, the congenial atmosphere to which they are exposed while reporting the crime and how comprehensive information as to whole process is provided to victim. The victim sensitive approach is a major lacuna in current criminal justice system. The position of victims is merely equated to that of witness of the prosecution. They are obliged to provide testimony of the happened events, without any choice being given to them. The repeated exclusion of victims and insensitive approach in many instances lead to non-reporting or underreporting of the criminal activities which is also known as dark numbers, as these do not gain the attention of police.⁷

The apparent reasons for not calling out crime sprouts out of the experience of secondary victimization. Research studies and scholarly articles have highlighted the causes such as after reporting a crime a victim may have to face victim blaming, stigma to family, feeling of shame, fear of not being believed, ostracisation from the community, fear of loss of primary income, crime of nature which are considered as taboo topics. The suspicion, mistrust and disrespect is usually perpetuated by stakeholders of justice system, medical professionals or the victim's family or friends.⁸ The moral crusaders of society even attempts to justify the sufferings of a crime victim on the prevalent belief that - good things happen to good people and bad things to bad people. This rationalization of sufferings of innocent victims causes further frustration.

The year 1985 witnessed the adoption of a declaration by the United Nations General Assembly, '*The Basic Principles of Justice for the Victims of Crime and Abuse of Power*'.⁹ The rights of victim in the last three decades have been heavily carved on the principles provided in the declaration and adopted by the developed nations. The international standards expected in treatment of the victims by the criminal justice system have been elaborately provided in the '*UN Handbook on Justice for Victims*'.¹⁰ The idea sung in these international chronicles gave recognition to four major essentials of the rights of crime victims – *access to fair treatment*¹¹, *restitution*¹², *compensation*¹³ and *assistance*¹⁴.

The certain basic rights came to surface after much debate and discussions by international community to safeguard the interest of the victim. The rights may include *right to be heard, to be treated with respect, to be informed and notified of various legal rights, right to speedy trial, to be treated with dignity and fairly, right to appeal, right of protection during criminal justice processes*.¹⁵ To make aftermath of crime a little bit easier to deal with and enabling a victim to restore their life, rights mentioned are supposed to be followed in any civilized nation. The question that still lurks is whether these rights are properly enforced.

What is Restorative Justice?

Restorative justice is often understood as corollary to community and victim centered justice. It is a process of rehabilitation and regarded as an alternative to procedural form of justice.¹⁶ The concept withdraws from the popular perception of crime i.e. it is against the public/state. Restorative justice views wrongdoings as injuries caused to victim or communities which results into violation of interpersonal relations. The concept advocates the obligation of criminal to repair the harm caused and

reinstate the status-quo for stakeholders involved.¹⁷ Popularly referred to as a form of social justice, it is premised on fundamental values of responsibility, compassion, reverence, integrity, inclusion and accountability.¹⁸ Restorative justice provides an opportunity to those affected by the wrongdoings (the victim, the community and the offender) to gather together, attempt to discuss the happening and arrive at a decision as to appropriate reparations which can benefit each one involved in the process. The approach involves the new set of queries for instance, to whom harm has been caused, understanding the magnitude of damage and finally responding how damage can be mended.¹⁹ By negating the age-old conception of offence being violation of legal process, the restorative approach attempts to experiment with distinct ways of dealing with delinquent behaviour. Through the process of restorative justice, empowerment of victim is sought to be achieved by introducing the idea of negotiation, conciliation and mediation to mitigate the effects of crime.²⁰ The success of restorative model is much dependent on active engagement and voluntariness of the parties. The restorative approach delineates the act from the actor and focuses on problem solving instead of imprisoning the transgressor. The process of restorative justice is not limited to addressing the bodily injuries, but the communal, emotional, interpersonal injuries as well. Thus, the practice by providing range of opportunities aims to attain larger sense of safety in community, resolving conflicts peacefully and ensuring closure for those involved.

Restorative Justice Practice around the Globe

Restorative justice initiatives began as an experiment in alternatives to criminal prosecution and conventional sentencing. The concept has received widespread attention in mainstream justice systems. In 1989, the New Zealand government enacted the Children, Young Persons and their Families Act, which introduced family group conferencing, a program based on restorative justice principles. Australia followed with the implementation of family group conferencing in several jurisdictions. Corrections Canada has introduced restorative justice programs in many of its prisons and in 1996, commissioned the Church Council on Justice and Corrections to compile a list of community-based responses to crime, many of which were restorative justice initiatives.

It has been asserted that restorative practice is not just another version of existing judicial approaches, but instead a justice practice that follows a fundamentally different path to create response to wrongdoing where explicit moral learning can take place. Restorative justice is different from contemporary criminal justice in several ways. Three key principles on which restorative justice function are:

- It views criminal acts more comprehensively rather than defining crime as simply law breaking; it recognizes that offenders harm victims, communities and even themselves.
- It involves more parties in responding to crime rather than giving key roles only to government and the offender; it includes victims and communities as well.
- Finally, it measures success differently rather than measuring how much punishment is inflicted, it measures how much harm is repaired or prevented.²¹

According to Howard Zehr,²² restorative justice blurs the line between criminal and civil wrongs by focusing on the harm done and the solutions required for healing, rather than the action itself or the need for punishment. Restoration does not mean returning to the relationship prior to the conflict.²³ In many cases, this is neither applicable nor desirable. For example, a victim who has never met the offender prior to the crime may not want further contact with the person. In the case of spousal abuse, the abused is unlikely to wish for a return to the relationship of abuse. Restoration, in the context of restorative justice, refers to "the process of 'righting wrongs' or healing wounds".²⁴ This means different things for the different parties. Victims may use the process to restore a sense of control over their lives, to obtain answers for questions about the incident, or to express their anger over the wrongdoing and the impact the event has had on them. For offenders, restoration means "accepting responsibility for their actions by repairing the harm they have caused" and "addressing the issues that contribute to their propensity to engage in harmful behaviour".²⁵ In the case of the community, the process of restoration includes "denouncing wrongful behaviour and reaffirming community standards".²⁶ Restoration also means successful reintegration of the offender into society, particularly in situations where the victims and offenders live in the same community.

Alex Lloyd in his writings acknowledges crime victimization as a significant life event that can lead to the development of post-traumatic symptomology. Compared with the general population, victims of crime are significantly more likely to present with symptoms of post-traumatic stress disorder (PTSD). Restorative justice is an approach to criminal justice that considers the goal of the justice system to

restore victims to their state pre-victimization. The purpose of author's study was to evaluate the effectiveness of restorative justice in reducing symptoms of post-traumatic stress that develop following victimization.²⁷

In the year 2012 three studies were conducted to understand the restorative approach to achieve justice. The study undertaken was to evaluate the effectiveness of the restorative justice model and to compare it with existing traditional approach of criminal justice system. It analysed the impact of victim (dis)satisfaction and offenders' endorsement of group values and norms as an outcome restorative technique with public's desire to punish the offender additionally on punitive lines.

Study 1: The expectation of this study was whether victim's satisfaction with restorative outcome influences the third- party approach towards punishing the offender. Does the information about victims' psychological satisfaction enhances the people's own satisfaction and thus refraining from assignment of additional punishments to offender.

- Various dependant variable in the study were: - Victim's closer; Offender moral status, Feeling of satisfaction, punishment

Based on Study 1 it was concluded that people's desire to inflict additional punishment through retributive approach is mitigated with the gained knowledge that victim is satisfied with restorative procedure or outcome.

Study 2: Under this the severity of offence was increased so as to see its impact on third-party perception about punishing the offender vis- a-ve the restorative justice outcomes and victim (dis) satisfaction report. The higher level of severity where people feel more outraged, they may place less importance to offender's remorse and acceptance of group value or victim satisfaction levels.

However, it was expected that victim satisfaction should not get influenced from severity of offence while following restorative techniques. That is to say the crime severity and victim satisfaction must be independent variables. Also, people's desire to punish the offender is expected to increase in case of severe crime but if victim is satisfied from justice process, the severity of crime would not influence the third – party judgment about punishment as desire to restore the victim remains the main concern.

Study 3: Weather the importance of informational value provided by victim (dis) satisfaction report holds much more privilege or standing as compared to similar information obtained from third party observer? Will people continue to value the satisfaction of victim even when provided with sufficient reasons to doubt the victim's view?

It was concluded that third party will use victim satisfaction to conceive their own feeling and even if the informational value of victim satisfaction report is challenged, people's view on punishing the offender will not get moderated by the same. People will still value the victim satisfaction to gain knowledge of victim's emotional closure and offender's feelings of remorse and integration of societal norms and values.²⁸

In India, a research study *Perspectives of Justice* was conducted to explore possibility of using the restorative practices to gender-based crime specifically, child sexual abuse.

- The report acknowledges the rhetoric assumptions from criminal justice system such as harsher punishments create deterrence and found that, often the justice system fails to repair harms or meet the desires of victim, even after securing convictions.
- The feeling of guilt, shame, non-acceptance, disbelief, unfriendly justice system (re-victimization and secondary victimization), and unsupportive family contributes to feeling of discontent among the victims.
- It was found that needs of victims are subjective in nature, some of them would want being believed, to be heard fully, speak up about their narratives, validation from wrong doer or community, ownership of actions by wrongdoer and for some apology would help in emotional healing.
- These variety of needs can be fulfilled through an opportunity to victim to participate in justice process, voice their emotions, harms suffered and gain empowerment in the process.
- The study analysed the fundamental principles of restorative justice which concentrated on different set of queries for instance who has been harmed, what must be done to repair the harm and who is obligated to restore the situation. Victim offender dialogues, conferencing, healing circles, sentencing circles, support circles were practices which were discussed in detail. The

research asserts that restorative justice can be a conceivable response for the injuries borne by victims, offender and community.²⁹

Techniques / Practices Involved in Restorative Justice

Meetings between victims, their offenders, and members of the affected community are important ways to address the relational dimension of crime and justice. It is accepted that the following three methods are hallmarks of restorative justice. Each requires that the offender admit responsibility for the offence. Each is limited to parties who volunteer to participate.

Victim Offender Mediation - This is a process that provides an interested victim the opportunity to meet his offender in a safe and structured setting, engaging in a discussion of the crime with the assistance of a trained mediator. The goals of victim offender mediation include: permitting victims to meet their offenders on a voluntary basis, encouraging the offender to learn about the crime's impact and to take responsibility for the resulting harm, and providing victim and offender the opportunity to develop a plan that addresses the harm.

The reasons for adopting VOM can be found in deficiencies of the retributive model. To elaborate, the retributive models rest on high rates of conviction which only serves to burden the state with rising prison population and high cost of incarceration. Belief in punishment model has not resulted in any significant deterrence. On the other hand, VOM has led to reduce fear among victims and reduced criminal behaviour.³⁰

Family or Community Group Conferencing - This process brings together the victim, offender, and family, friends and key supporters of both in deciding how to address the aftermath of the crime. The goals of conferencing include: giving the victim an opportunity to be directly involved in responding to the crime, increasing the offender's awareness of the impact of his or her behaviour and providing an opportunity to take responsibility for it, engaging the offenders' support system for making amends and shaping the offender's future behaviour, and allowing the offender and the victim to connect to key community support.³¹

Peace-making or Sentencing Circles - This is a process designed to develop consensus among community members, victims, victim supporters, offenders, offender supporters, judges, prosecutors, defence counsel, police and court workers on an appropriate sentencing plan that addresses the concerns of all interested parties. The goals of circles include: promoting healing of all affected parties, giving the offender the opportunity to make amend, giving victims, offenders, family members and communities a voice and shared responsibility in finding constructive resolutions, addressing underlying causes of criminal behaviour, and building a sense of community around shared community values.³²

An essential issue to be addressed in the implementation of above methods is whether it can be used for all crimes and if not which crimes can it be used for? In response, victim offender mediation is clearly not appropriate for all crime victims, and consequently a majority of cases handled by it are property offences and minor assaults. For young offenders and first- or second-time offenders, mediation may provide diversion from prosecution. But as a general rule, victim offender mediation is used prior to sentencing, where a successful outcome can subsequently be used to justify leniency in sentencing. It is thus commonly not an alternative to more conventional sentences, but a supplement that allows greater participation and potential for reduced sentences.

Repairing the Harm Caused by Crime

Each of the hallmark restorative justice processes, victim offender mediation, community or family group conferencing, and peace making or sentencing circles - ends with an agreement on how the offender will make amends for the harm caused by the crime. Two traditional criminal justice sanctions are used in restorative responses to crime: restitution and community service.

Restitution is the payment by an offender of a sum of money to compensate the victim for the financial losses caused by the crime. It is justified in a restorative perspective as a method of holding offenders accountable for their wrongdoing, and as a method of repairing the victim's injury. Studies have shown that restitution increases victim satisfaction with the justice process. Some studies have shown that the use of restitution was associated with reductions in recidivism. Other studies have shown that when restitution is determined during mediation, it is more likely to actually be paid than when it results from court order alone.

Community service is work performed by an offender for the benefit of the community. It is justified in a restorative perspective as a method of addressing the harm experienced by communities when a

crime occurs. However, it can be used instead for retributive reasons or as a means of rehabilitating the offender. What distinguishes its use as a restorative response is the attention given to identifying the particular harm suffered by the community as a result of the offender's crime, and the effort to ensure that the offender's community service repairs that particular harm.

For example, offenders who put graffiti on buildings in a neighbourhood can be given the community service of removing graffiti from buildings in that neighbourhood.

Restorative Justice in India

Restorative justice is almost non-existent or piecemeal in the Indian criminal jurisprudence. The progress made in the sphere of victimology is yet to pervade criminal justice practices in India. The main reason is perhaps that the procedural laws here do not provide much scope of these practices. The victim is still restricted to the role of witness.

A progressive step has been taken in the Malimath Committee Report 2003³³ which strongly advocates rights of the victim and involving them in all stages of trial. It also addressed issue of compensation to victims. However, the report does not empower the victim outside of the retributive system. Report remains silent on issues such as restorative justice and victim offender mediation. Committee has recommended to facilitate mediation between the spouses, for which it suggested that the offence of cruelty under section 498A of IPC, 1860 be made compoundable and bailable. Such suggestion made by committee will do more harm than good as women will be sent back into violent situations following the process of mediation between husband and wife. It is in sheer disadvantage to women because of the patriarchal nature of the process. Thus, the one perception for mediation made by the report seems to be completely imprudent choice.

On the recommendation of the Committee on Reforms of Criminal Justice System (2003), India also adopted "*plea bargaining*" under Chapter XXI-A of the Code of Criminal Procedure³⁴ to take out from the system cases punishable up to seven years of imprisonment for negotiated settlement without trial. However, the bar and the bench seem to be allergic to plea-bargained settlement, with the result that even after a decade of its introduction, it remains a dead letter not invoked by those caught in the system. There is undoubtedly a need to have new laws and institutions for the incorporation of restorative justice.

However, a beginning has been made under the existing provision of the code of criminal procedure 1973. For instance, the compounding of offences³⁵ has been allowed in an effort to incorporate restorative justice in the prevailing system. Under this provision, the victim may opt to compound the case, thus providing an opportunity for the victim to compromise or to mediate with the accused. Though it is required that court be satisfied with the terms of the proposed compromise or mediation, there is no guarantee that this will in fact be effectuated.

With regard to victim compensation, procedural law provides for compensation that may be awarded irrespective of whether the offence is punishable with fine and whether the fine is actually imposed. Further, an amendment was brought in 2006, keeping in mind the recommendations of committee on criminal justice system reforms, an insertion of new section 357A has been made, which talks about victim compensation scheme. Under this provision 357 A Code of Criminal Procedure, the State is also liable to pay compensation to the victims of crime apart from the accused under section 357 Code of Criminal Procedure.

The positive development allowed the compensation to be awarded not only upon the conviction of the accused but also in eventuality of acquittal or discharge of the offender or in case of untraced status of the wrongdoer. Thus, amendment took into consideration practical reality of an already crumbling criminal justice system, which is not in a position to bring to book all offenders. It means that the new section 357 A Code of Criminal Procedure has substantially widened the scope of compensating the victims of crimes.³⁶

This payment by the offender to the victim as a consequence of the court's order may be viewed as a form of restitution. However, section 357 is invoked sparingly and inconsistently by the courts due to variety of reasons such as lack of awareness and indifference on the part of judiciary. This provision merely seeks to appease the victim by providing monetary relief, while continuing to exclude the victim from playing any significant role.³⁷ However, as far as some sort of restitution is provided to the victims, this provision pays attention although in a very pecuniary manner, to the victim and is still a step toward restorative paradigm.

4. Conclusion

It In conclusion, restorative justice attempts to draw upon the strengths of the offender and the victims, rather than focusing upon their weaknesses. While denouncing criminal behaviour, restorative justice emphasizes the need to treat victims with respect and to reintegrate offenders into the larger community in ways that can lead to lawful behaviour. Thus, it is the empowerment of affected stakeholders on both sides that is the crucial feature of restorative justice, the absence of which causes both conventional and retributive justice systems to fail. Quoting Mahatma Gandhi – we can live peacefully and better by understanding what he tried to teach us from following message -

“It is man’s social nature which distinguishes him from the brute creation. If it is his privilege to be independent, it is equally his duty to be interdependent. Only an arrogant man will claim to be independent of everybody else and be self-contained.”³⁸

References:

Statutes

- ❖ Code of Criminal Procedure, 1973.
- ❖ Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
- ❖ United Nation Office for Drugs and Crime (1999).
- ❖ Universal Declaration of Human Rights, 1948.

Reports

- ❖ Government of India, Report: *Committee on Reforms of Criminal Justice System* (Ministry of Home Affairs, 2003).
- ❖ Law Commission of Canada, *From Restorative Justice to Transformative Justice*.
- ❖ Law Commission of India, 268th Report on Amendments to Criminal Procedure Code, 1973- Provisions relating to Bail (May, 2017)

Books

- ❖ Dr Alana Marie Abramson and Melissa Leanne Roberts, *Justice Stakeholders*, in Dr Shereen Hassan (eds.) *Introduction to Criminology*, available at <https://kpu.pressbooks.pub/introcrim/chapter/17-5-justice-stakeholders/> (last visited on March 02, 2023).
- ❖ Gandhi Samadhi and Darshan Samiti, *Gandhi Peace Diary* (1999).
- ❖ Howard Zehr, *Changing lenses: A New Focus for Crime and Justice* 181 (Herald Press, Waterloo, Ontario, Canada).
- ❖ S.Maheshwari et al., “Victim-Offender Mediation and Criminal Justice”, in P Madhava Soma Sundaram, *et.al.* (eds.) *Crime Victims and Justice: An Introduction to Restorative Principles* 125 (2008).
- ❖ Theo Gavrielides and Vasso Artinopoulou , *Reconstructing Restorative Justice Philosophy* (Ashgate Publishing Ltd. 2014).

Journals

- ❖ Alex Lloyd and Jo Borrill, “Examining the Effectiveness of Restorative Justice in Reducing Victims’ Post-Traumatic Stress” 13(4) *Psychological Injury and Law* 89 (2020).
- ❖ Balaji Naika B G, “Restorative Justice: Fundamental Concept and Practices”, 3(1) *Journal on Contemporary Issues of Law* 1, 19 (2017).
- ❖ Centre for Criminology and Victimology, *Perspective of justice: Restorative Justice and Child sexual Abuse in India*, National Law University, Delhi (2018).
- ❖ D. Hillian, Reitsma-Street, M., and J. Hackler, “Conferencing in the Youth Criminal Justice Act of Canada: Policy Development in British Columbia”, 46 *Canadian Journal of Criminology and Criminal Justice*, 343, 366 (2004).
- ❖ D.Van Ness, “Justice that restores: From Impersonal to Personal Issues” 23 *Journal of Religion and Spirituality in Social Work* 93, 109 (2004).
- ❖ Dena M. Gromet and Tyler G. Okimoto *et.al.*, “A Victim-Centered Approach to Justice? Victim Satisfaction Effects on Third-Party Punishments” 36(5) *Law and Human Behaviour* 375, 389 (2012).
- ❖ Dr. Supinder Kaur, “Need of Restorative Justice in Criminal Justice System” 14(1) *Maharshi Dayanand University Law Journal*, 275, 282 (2009).
- ❖ Edward J. Gumz and Cynthia L. Grant, “Restorative Justice: A Systematic Review of the Social Work Literature”, 90(1) *Families in Society* (2009).
- ❖ Jeff Latimer and Craig Dowden *et. al.*, “The Effectiveness of Restorative Justice Practices: A Meta-Analysis”, 85(2) *The Prison Journal* 128 (2005).
- ❖ Komal Audichya and Nikita Audichya, “Expanding Access to Justice to Reach the Poor and the Marginalized Communities”, *Bharti Law Review*, 206-215 (2016).
- ❖ Lipika Sharma, “Restorative Justice System: A Comparative Analysis”, 3(3) *International Journal of Law*, 39, 44 (2017).
- ❖ May Leung, “The Origins of Restorative Justice”, *Canadian Forum on Civil Justice* (1999).
- ❖ P.M Gerkin, “Participation in Victim—Offender Mediation: Lessons Learned From Observations”, 34(2) *Columbia Journalism Review*, 247 (2009).
- ❖ Pavithra & Riktha Muralidhar, “Victim Rights in India: Is Focus of the Criminal Justice System Shifting from the Accused to the Victim”? 4(2) *International Journal of Law Management and Humanities*, 774, 781(2021).

Articles

- ❖ Indian Law Watch, “Law relating to Victim Compensation”, available at, <http://indianlawwatch.com/practice/law-relating-to-victim-compensation/>
- ❖ Kumaravelu Chockalingam, “Measures for crime Victims in the Indian Criminal Justice System”, available at https://www.unafei.or.jp/publications/pdf/RS_No81/No81_11VE_Chockalingam.pdf

List of Abbreviations

- ❖ BLR - Bharti Law Review
- ❖ Can. J. Criminol. Crim. - Canadian Journal of Criminology and Criminal Justice
- ❖ Columbia Journal. Rev. - Columbia Journalism Review
- ❖ Fam. Soc. - Families in Society
- ❖ Int. J. Law - International Journal of Law
- ❖ IJLMH - International Journal of Law Management and Humanities
- ❖ J. Relig. Spiritual. Soc. Work - Journal of Religion and Spirituality in Social Work
- ❖ JCIL - Journal on Contemporary Issues of Law
- ❖ Law Hum. Behav.- Law and Human Behaviour
- ❖ MDULJ - Maharshi Dayanand University Law Journal,
- ❖ Psychol. Inj. Law - Psychological Injury and Law
- ❖ TPJ - The Prison Journal