

Perspectives on rights, transition and reconciliation

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<u>Justice For Victims Perspectives On Rights Transition</u> And Reconciliation

Tyrone Kirchengast

Justice for Victims Inge Vanfraechem, Antony Pemberton, Felix Mukwiza Ndahinda, 2014-06-27 Justice for Victims brings together the world's leading scholars in the fields of study surrounding victimization in a pioneering international collection This book focuses on the current study of victims of crime combining both legal and social scientific perspectives articulating both in new directions and questioning whether victims really do have more rights in our modern world This book offers an interdisciplinary approach covering large scale political victimization terrorist victimization sexual victimization and routine victimization Split into three sections this book provides in depth coverage of victims rights transitional justice and victims perspectives and trauma resilience and justice Victims rights are conceptualised in the human rights framework and discussed in relation to supranational international and regional policies. The transitional justice section covers victims of war from those caught between peace and justice as well as post conflict justice. The final section focuses on post traumatic stress connecting psychological and anthropological perceptions in analysing collective violence mass victimization and trauma This book addresses challenging and new issues in the field of victimology and the study of transitional and restorative justice As such it will be of interest to researchers practitioners and students interested in the fields of victimology transitional justice Justice for Victims Inge Vanfraechem, 2014 Justice for Victims brings together the restorative justice and trauma work world's leading scholars in the fields of study surrounding victimization in a pioneering international collection This book focuses on the current study of victims of crime combining both legal and social scientific perspectives articulating both in new directions and questioning whether victims really do have more rights in our modern world This book offers an interdisciplinary approach covering large scale political victimization terrorist victimization sexual victimization and routine victimization Split into three sections this book provides in depth coverage of victims rights transitional justice and victims perspectives and trauma resilience and justice Victims rights are conceptualised in the human rights framework and discussed in relation to supranational international and regional policies. The transitional justice section covers victims of war from those caught between peace and justice as well as post conflict justice. The final section focuses on post traumatic stress connecting psychological and anthropological perceptions in analysing collective violence mass victimization and trauma This book addresses challenging and new issues in the field of victimology and the study of transitional and restorative justice As such it will be of interest to researchers practitioners and students interested in the fields of victimology transitional justice restorative justice and trauma work <u>Victimology and Victim Rights</u> Tyrone Kirchengast, 2016-10-04 This book examines the international regional and domestic human rights frameworks that establish victim rights as a central force in law and policy in the twenty first century Accessing substantial source material that sets out a normative framework of victim rights this work argues that despite degrees of convergence victim rights are interpreted on the domestic level in accordance with the localised interests of victims and individual states The transition of the victim from peripheral to central stakeholder of

justice is demonstrated across various adversarial inquisitorial and hybrid systems in an international context Examining the standing of victims globally this book provides a comparative analysis of the role of the victim in the International Criminal Court the ad hoc tribunals leading to the development of the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda together with the Extraordinary Chambers of the Courts of Cambodia Special Panels of East Timor Timor Leste and the Internationalised Panels in Kosovo The instruments of the European Parliament and Council of Europe with the rulings of the European Court of Justice and the European Court of Human Rights interpreting the European Convention of Human Rights are examined These instruments are further contextualised on the local domestic level of the inquisitorial systems of Germany and France and mixed systems of Sweden Austria and the Netherlands together with common law systems including England and Wales Ireland Scotland USA Australia Canada New Zealand India South Africa and the hybrid systems of Japan and Brazil This book organises the authoritative instruments while advancing debate over the positioning of the victim in law and policy as influenced by global trends in criminal justice and will be of great interest to scholars of international law criminal law victimology and socio legal studies Justice Responses to the Boko Haram Crisis in Nigeria Victoria Ojo-Adewuyi, 2024-01-01 This book concentrates on the crisis perpetrated by the Boko Haram group in Nigeria which since 2009 has made a definitive impact on both the domestic and international criminal landscape The volume centres on three core issues first an assessment of the criminal legal responses at the domestic level where the legal characterization of the conducts in question including an evaluation of the state of specific domestic prosecutions are assessed Secondly the book gauges the potential for international criminal justice while evaluating the Boko Haram situation at the International Criminal Court This includes an assessment of the jurisdictional aspects the admissibility and the interests of justice requirements in addition to the appraisal of conducts amounting to war crimes and crimes against humanity perpetrated Finally the book explores possible non prosecutorial responses in the form of classic and non classic transitional justice mechanisms that maybe utilized as a response to the crisis in Nigeria Furthermore it draws instructive lessons from Nigeria s past misadventure with specific transitional justice mechanisms while exploring the realities of utilizing the restorative justice mechanisms available in Nigeria The volume concludes by calling for a victim centred approach in the discourse around the Boko Haram crisis This book presents a definitive study of the history of the development of Boko Haram and the related domestic and international criminal legal issues Researchers and anyone seeking to understand the Boko Haram crisis in relation to international criminal law including those looking for a clear overview of the criminal conduct perpetrated by Boko Haram in Nigeria and a view of Nigeria s domestic legal regime will benefit from the information on offer Victoria Ojo Adewuyi is a lawyer called to the Nigeria Bar in 2012 She obtained a Bachelor of Laws degree LL B in 2011 from the Obafemi Awolowo University Ile Ife Nigeria obtained a Master of Laws Degree LL M from the University of the Western Cape Cape Town South Africa and

Humboldt Universit t zu Berlin under the South African German Centre for Transnational Criminal Justice in 2016 and completed her doctorate in International Criminal Law at the Humboldt Universit t zu Berlin Germany in 2022 Victims and Restorative Justice Inge Vanfraechem, Daniela Bolívar Fernández, Ivo Aertsen, 2015-05-15 Restorative justice aims to address the consequences of crime by encouraging victims and offenders to communicate and discuss the harm caused by the crime that has been committed In the majority of cases restorative justice is facilitated by direct and indirect dialogue between victims and offenders but it also includes support networks and sometimes involves professionals such as police lawyers social workers or prosecutors and judges In theory the victim is a core participant in restorative justice and the restoration of the harm is a first concern In practice questions arise as to whether the victim is actively involved in the process what restoration may entail whether there is a risk of secondary victimisation and whether the victim is truly at the heart of the restorative response or whether the offender remains the focal point of attention Using a combination of victimological literature and empirical data from a European research project this book considers the role and the position of the victim in restorative justice practices focusing on legislative organisational and institutional frameworks of victim offender mediation and conferencing programmes at a national and local level as well as the victims personal needs and experiences The findings are essential reading for academics and students engaged in the study of justice victimology and law The publication will also be valuable to policymakers and professionals such as social workers lawyers and mediators

The Official History of Criminal Justice in England and Wales David Downes, Tim Newburn, 2022-11-29 This book is Volume IV in the Official History of Criminal Justice in England and Wales Previous volumes have focused on the moral reforms of the 1960s the changes to the criminal courts and the introduction of an independent prosecution service and the broad shifts in penal policy that have taken place in the post war era This volume examines the changing politics of law and order charting the gradual shift toward greater political conflict and dispute Until the early 1970s law and order rarely occupied a privileged place in political debate From that point this began to change with initially the Conservatives utilising crime and penal policy as a means of distinguishing themselves from their opponents This volume charts these changes in the politics of law and order and examines the rise in the temperature of political debate around such issues as the Labour Party markedly shifted its direction in the 1990s This book will be of interest to students of British political history criminology and Family Activism in the Aftermath of Fatal Violence Elizabeth A. Cook, 2020-11-29 Family Activism in the sociology Aftermath of Fatal Violence explores how family and family activism work at the intersection of personal and public troubles and considers what influence family testimonies of fatal violence can have on matters of crime justice and punishment The problem of fatal violence represents one end of a long continuum of violence that marks society the effects of which endure in families and friends connected through ties of kinship identity and social bonds. The aftermath of fatal violence can therefore be an intensely personal encounter which confronts families with disorder and uncertainty Nevertheless bereaved

families are often found at the forefront of efforts to expose injustice rouse public consciousness and drive forward social change that seeks to prevent violence from happening again This book draws upon ethnographic research with those bereaved by gun violence who became involved in family activism in the context of fatal violence namely the attempts by bereaved families to manage their experiences of violent death through public expressions of grief and become proxies for wider debates on social injustice This is an ever more pressing issue in a landscape which increasingly sees the delegation of responsibility to families and communities that are left to deal with the aftermath of violence An accessible and compelling read this book will appeal to students and scholars of criminology sociology cultural studies and all those interested in learning more about the after effects of fatal violence **Victimology** Jo-Anne M. Wemmers, 2017-05-01 Victimology is a relatively new and emerging interdisciplinary area that crosses the fields of criminology law sociology and justice Written by one of the world's leading experts on victimology this book is designed to offer a broad introduction to the subject Unlike other texts that are organized around different types of victimization this book is informed by a victim centred approach that treats victims rights as human rights Transitional Justice in Italy and the Crimes of Fascism and Nazism Paolo Caroli, 2022-06-09 This book presents a comprehensive analysis of the Italian experience of transitional justice examining how the crimes of Fascism and World War II have been dealt with from a comparative perspective Applying an interdisciplinary and comparative methodology the book offers a detailed reconstruction of the prosecution of the crimes of Fascism and the Italian Social Republic as well as crimes committed by Nazi soldiers against Italian civilians and those of the Italian army against foreign populations It also explores the legal qualification and prosecution of the actions of the Resistance Particular focus is given to the Togliatti amnesty the major turning point through comparisons to the wider European post WWII transitional scenario and other relevant transitional amnesties allowing consideration of the intense debate on the legitimacy of amnesties under international law The book evaluates the Italian experience and provides an ideal framework to assess the complexity of the interdependencies between time historical memory and the use of criminal law In a historical moment marked by the resurgence of racism neo Fascism falsifications of the past as well as the desire to amend the faults of the past the Italian unfinished experience of dealing with the Fascist era can help move the discussion forward The book will be an essential reading for students researchers and academics in International Criminal Law Transitional Justice History Memory Studies and Political Science Just Interests Robyn Holder, 2018 Just Interests Victims Citizens and the Potential for Justice contributes to extended conversations about the idea of justice who has it who doesn t and what it means in the everyday setting of criminal justice It challenges the usual representation of people victimized by violence only as victims and re positions them as members of a political community Departing from conventional approaches that see victims as a problem for law to contain Robyn Holder draws on democratic principles of inclusion and deliberation to argue for the unique opportunity of criminal justice to enlist the capacity of citizens to rise to the demands of justice in their

ordinary lives Stabilising the Contemporary Middle East and North Africa Victor Gervais, Saskia van Genugten, 2019-08-28 This book examines the changing dynamics of stabilisation efforts in the Middle East and North Africa Written by recognised scholars and practitioners in the field this volume provides a rich overview of the broader spectrum of stabilisation The topics range from a comprehensive set of lessons learned in Afghanistan and Irag to transitional justice and reconciliation efforts in Tunisia and international attempts to protect the region s cultural heritage Ultimately this edited collection presents a comprehensive look at the attempts to increase stability in the MENA region and Culture at the International Criminal Court Julie Fraser, Brianne McGonigle Leyh, 2020-10-30 This pioneering book explores the intersections of law and culture at the International Criminal Court ICC offering insights into how notions of culture affect the Court's legal foundations functioning and legitimacy both in theory and in practice Tapley, Pamela Davies, 2020-07-01 This book explores what victimology as both an academic discipline and an activist movement has achieved since its initial conception in the 1940s from a variety of experts perspectives Focussing on nine dynamic and contemporary case studies covering topics like violence against women and girls bereaved family activism and environmental victims and climate change activists each chapter critically examines how different crime victims have been politicised and explores the impact of victim centred reforms upon criminal justice professional cultures This book comprehensively and critically examines the historical social and political factors including the work of activists that have shaped the development of theories policies and reforms in this field including how victimhood has come to be understood and responded to The chapters also consider the future developments of this area including how digital technologies are creating new forms and experiences of victimisation Speaking to undergraduates postgraduates and professionals in criminal justice and third sector organisations this book discusses the links between theory policy and professional practice and how they contribute to and facilitate debates regarding what the role of crime victims is in a 21st century criminal justice system

Rape Trials in England and Wales Olivia Smith, 2018-03-26 In light of ongoing concerns about the treatment of survivors Rape Trials in England and Wales critically examines court responses to rape and sexual assault Using new data from an in depth observational study of rape trials this book asks why attempts to improve survivor experiences at court have not been fully effective In doing so Smith identifies deep rooted barriers to survivor justice and crucially introduces potential avenues for more effective reform This book provides a comprehensive examination of the practicalities of court use of rape myths and sexual history evidence underlying principles of adversarial justice and the impact of inequalities embedded within English and Welsh legal culture This engaging and highly significant study is essential reading for anyone seeking to understand the criminal courts and their responses to rape including practitioners and students of criminology sociology and law Reconceptualizing Critical Victimology Dale Spencer, Sandra Walklate, 2016-04-13 Since the 1960s the field of victimology has developed into a variegated discipline with its own theoretical and methodological traditions In the early

1990s two texts were published Towards a Critical Victimology Fattah 1992 and Critical Victimology Mawby and Walklate 1994 that concretized critical victimology as a paradigm within victimology Since then the field has remained conceptually stale and with few a few exceptions there has not been a considerable lacuna of works from a critical perspective Reconceptualizing Critical Victimology Interventions and Possibilities provides a rejoinder to the two aforementioned texts and demonstrate how critical victimology can be reconceptualized where interventions can be made in this victimological paradigm and possibilities for future theorizing and research in this provocative field Reconceptualizing Critical Victimology includes eleven papers on the forms of victimization and issues pertinent to victims written by leading and emerging international scholars in the field of critical victimology It is interdisciplinary in scope and contains contributions from leading and emergent international scholars on victims and victimization Reconceptualizing Critical Victimology serves as a crucible to demonstrate the complexities of and the multitude of factors that interact to complicate victim status the vagaries of victim response and the phenomenology of violence and victimization Transitional Justice and the Public Sphere Chrisje Brants, Susanne Karstedt, 2017-11-02 Transparency is a fundamental principle of justice A cornerstone of the rule of law it allows for public engagement and for democratic control of the decisions and actions of both the judiciary and the justice authorities This book looks at the question of transparency within the framework of transitional justice Bringing together scholars from across the disciplinary spectrum the collection analyses the issue from socio legal cultural studies and practitioner perspectives Taking a three part approach it firstly discusses basic principles guiding justice globally before exploring courts and how they make justice visible Finally the collection reviews the interface between law transitional justice institutions and the public sphere Criminalising Contagion Catherine Stanton, Hannah Quirk, 2016-06-09 The use of the criminal law to punish those who transmit disease is a topical and controversial issue To date the law and the related academic literature has largely focused on HIV transmission With contributions from leading practitioners and international scholars from a variety of disciplines this volume explores the broader question of if and when it is appropriate to criminalise the transmission of contagion The scope and application of the laws in jurisdictions such as Canada the United Kingdom and Norway are considered historical comparisons are examined and options for the further development of the law are proposed

The Oxford Handbook of Criminology Alison Liebling, Shadd Maruna, Lesley McAra, 2017 Beginning with the history of criminology this updated and revised edition deals with topics as diverse as policing substance abuse juvenile crime statistics prisons victims and organised crime in Britain

An Introduction to Criminal Justice Jamie Harding, Pamela Davies, George Mair, 2017-01-13 A contemporary guide to the criminal justice process the broad scope of this book means it will be a trusted companion throughout a Criminology and or Criminal Justice degree The contents of An Introduction to Criminal Justice include 23 chapters spanning all that s involved with and fully contextualising the criminal justice process the agencies institutions and processes and procedures that deal with victims offenders and offending A detailed timeline of criminal

justice since 1945 Consideration of victims and witnesses complaints and misconduct A comprehensive review of policing prosecution the courts imprisonment and community sanctions A focus on community safety crime prevention and youth justice A review of the effectiveness of the criminal justice process Exploration of global and international dimensions as well as the futures of criminal justice Lots of helpful extras including further reading suggestions case studies self study questions and a glossary of terms The accompanying website to An Introduction to Criminal Justice has A podcast interview with a police officer Practice essay questions Multiple choice questions Suggested website resources to explore Videos

Restorative Responses to Sexual Violence Estelle Zinsstag, Marie Keenan, 2017-02-17 Sexual violence in all its forms is a crime for which anecdotal accounts and scholarly reports suggest victims in their great majority do not receive adequate justice or redress The theory and practice of restorative justice is rapidly developing and offers some well argued new avenues for dealings with crime in general It has the potential to be extended to cases of sexual violence and a number of small scale programmes are already underway across the world Restorative Responses to Sexual Violence examines this innovative justice paradigm in more depth in the particular context of sexual trauma and violence in order to establish the empirical realities of restorative justice approaches in cases of sexual violence and considers how such approaches could be developed adequately in the future This book is divided into two parts each representing a key area of research and practice theoretical and conceptual frameworks and justice and therapeutic perspectives This international collection brings together leading expert scholars and practitioners to offer both theoretical and practical perspectives on restorative justice and sexual violence This book will be of interest to researchers in the field of law criminology psychology social science social work and psychotherapy as well as practitioners in the fields of criminal justice restorative justice and sex offender and victim trauma therapies

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