

Abstract

Restorative Justice: The Modern Concept of Criminal Juvenile Justice

This paper addresses restorative justice as modern approach to juvenile cases. The theory of restorative justice is considered an umbrella that offers all aspects of child justice to ensure their best interest in situations a child might face.

This study, through the comparative, descriptive and analytical approach, seeks to explore the concept of restorative justice in two chapters: The first discusses what juvenile justice is, while the second examines the concept of restorative justice and forms of its implementation. The first chapter covers juvenile-related terminologies and discusses the juvenile justice system in relation to local and international laws. The second chapter traces the historical evolution of criminal policy schools of thought and their impact on formulating the principles of restorative justice. It also explores the practical framework of the areas of implementation of restorative justice on three levels: the preventative level, the curative level "restorative justice" and aftercare.

The importance of this paper lies in the fact that it helps analyze the status of juveniles in Palestinian legislations on one hand, and actual practices of law enforcement and justice agencies with juveniles on the other. This aims to signify that restorative justice is complementary to the juvenile justice system and is not an alternative to it. This paper intends to shed light on the concept of restorative

justice and its importance, and elaborate its levels through identifying how it functions within the juvenile justice area.

The study concludes that restorative justice takes into consideration the conceptual framework of the juvenile justice system. This is evident in the fact that the term juvenile describes a particular age of the child and not a social stigma. In addition, juvenile delinquency is extended further to include juveniles in conflict with law and juvenile susceptible to delinquency and who need measures to be taken for their protection from delinquency as well as social support. Therefore it is important to administer restorative justice since it offers an integrated juvenile justice system that requires working on three levels; the preventative level, the curative level and aftercare. These three levels are entirely focused on the best interest of the child through scientific and practical strategies which need to be adopted by decision makers so as to cover detailed treatment of juveniles.