

**Short Communication**

Volume 6 Issue 4 - September 2017

DOI: 10.19080/PBSIJ.2017.05.555692

**Psychol Behav Sci Int J**

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# Intimate Partner Violence and Restorative Justice



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**Submission:** August 31, 2017; **Published:** September 11, 2017

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## Short Communication

Previous studies indicated that domestic violence victims have increased annually in recent decades in many countries [1]. Intimate partner violence is one form of domestic violence which defined as behaviors within an intimate relationship that cause physical, sexual or psychological harm [2]. Violence against females is characterized by intentional measures by the offender to control the actions of the victim. Intimate partner violence included acts of physical aggression, sexual coercion, psychological abuse and controlling behaviors and is now recognized as a serious global health problem [2]. In addition to injury, sexually transmitted diseases, and even death, evidence-based investigations have validated that intimate partner violence may lead to mental consequences, such as depression, suicide, and posttraumatic stress disorder [3-5]. Although the poorer health scenario, female victims of intimate partner violence underutilize related community and healthcare services and display restriction in their contact with healthcare providers and employers [2], this imply that further adaptation of the healthcare system to detect and manage intimate partner violence through systematic screening thus seems essential.

Theory of restorative justice is to make up the damage or injury caused by the crime through the perpetrator's compensation and restitution for the victim. That is for those who are affected the most directly by criminal acts, such as the offender, the victim, their family, and the members of the community with the associated or common interest, to provide the communicational chance to talk about the variety crimes and their feeling. To promote changes in the relationship between the parties, and repair the damage caused by the crime. In short, restorative justice is a process for the all interest parties to gather together, deal with the consequences and future meaning of crime jointly. Justice is a process of mediation and consultation, instead of making a one-side decision by citing the law. Maintenance of relationship and consultation are important |

for restorative justice [6]. In the history, restorative justice has occupied a dominant position. Braithwaite 1999 said that in human history, restorative justice has always been the leading mode of human heading of crime. Restorative justice is just back to the fundamental of justice, not a new idea or perception. Restoration justice has affected the judicial trend of the world and developed a variety of practical programs. The influence of several different social forces can be observed from the background of the formation of restoration justice. In addition, because the direction of the guide is different, no matter in practice or concept are presented on a different orientation, and causing the different understanding of restoration justice [7].

Thus, the reason of its formation is hard to attribute to a single factor, including dissatisfaction with the penalty system, informal justice, the proposition of the judicial economy, the development of crime victim studies and requirement of the victim's societies. In the view of restoration justice, crime is not only a violation of the penal law, but more important is against the specific victims. It causes that the original relationship can no longer maintain a balance. Corresponding to this, restoration justice should focus on the repair of evil in handing of crime and create a new harmonious relationship through repairing the evil. The focus is on the perpetrators, the victims, and even the members of the community who, in the absence of the prosecutor's intervention, will be able to resolve the question of the victim and the difficulties they face of the crime through participation in the procedure of the talks. Meanwhile, the perpetrators have to face the victims directly, and understand the sufferings of the victims and the actual results of the crime; then may to repair the broken personal relations due to crime and other damage for the both sides. And the theory of restorative justice and procedural justice are closely related. The main breakthrough in the judicial science shows how the criminal justice's emotional consequences for the suspects and

the perpetrators are more important than the decisions made by criminal justice personnel.

Not many evidences of actual work in restorative processes with victims of intimate partner violence and their offenders. Several possible reasons may account for this. Firstly, most restorative justice practitioners know something of the seriousness and high risks of working in this field, but may be lack the resources to properly address themselves to the task, and therefore do not accept intimate partner violence cases. Secondly, interested practitioners may be limited by legal or other gate men who see much more risk than benefit in 'opening the door' to referring intimate partner violence cases to restorative justice programs. Thirdly, it is clear that some of the work that is going on in this area has caused great harm and this may cause some practitioners to want to close the door completely [8]. Finally, interested programs and practitioners may desire someone else's road map to use as a guide on their own journey into this area [9].

## Conclusion

In many women's organizations believe that restorative justice has no applications and effects to intimate partner violence cases, and that victim-offender mediation could only be dangerous. However, restorative justice has much to offer victims and offenders of intimate partner violence in certain cases and if certain appropriate conditions are met. If restorative justice is to be taken seriously as a complementary valuable intervention in cases of intimate partner violence, it will take useful steps to

maximize victims' safety and choice, and establish opportunities for offenders to reflect on their actions and make new decisions.

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DOI: [10.19080/PBSIJ.2017.06.555692](https://doi.org/10.19080/PBSIJ.2017.06.555692)

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