



Law Centre-II
UNIVERSITY OF DELHI



Centre of Excellence
In Alternative Care (India)

संवाद

LAW CENTRE-II - THIRD LECTURE SERIES, 2019

PANEL DISCUSSION ON

Restorative Justice

Date & Time: Monday, 16 September, 2019, 1 PM

Venue: Umang Bhawan, Faculty of Law, University of Delhi

ESTEEMED PANELISTS

Mr. Robert van Pagée

Director of the Dutch NGO Op Kleine Schaal

Professor Ved Kumari

Professor, Faculty of Law and Former Chairperson Delhi Judicial Academy

Mr. Pupul Dutta Prasad

IPS Officer & Resarch Scholar LSE, London

Moderator: Ms. Vasundhra Om Prem

Managing Director of Centre of Excellence in Alternative Care of
Children

Patron-in-Chief

Prof. V.K. Ahuja

Professor-In Charge

Program Director

Dr. Vageshwari Deswal

Associate Professor

Registration to the event is free of cost. All the participants will be given certificates.

The Concept of Restorative Justice



IF INJUSTICE HURTS, JUSTICE SHOULD HEAL!

The conventional methods of achieving justice are flawed in many aspects. These methods are based on the assumption that incarceration is a direct way of providing justice to the victim and that imprisonment is going to prevent and deter further crime. This model is limiting because while a solution to the problem has been found, it may not be the desired solution and the root cause of the problem still remains unaddressed. Restorative Justice aims to create a level playing field where in all key stakeholders impacted by the crime come together to define their version of justice.

Restorative Justice is able to overcome certain flaws within the conventional justice systems. Firstly, it is able to establish a platform for dialogue between the victim, perpetrator and the whole community at large. This allows for the victim to be an active and direct participant in the process. The conventional systems leave the victims without justice. More often than not victims seek answers and yearn for an apology which is lost out in an adversarial system where in the offender is always defensive and the victim is left with many unanswered questions. Secondly, it leaves scope for an equal dialogue that reduces the propensity of domination of a single narrative. Offenders and victims are pitted against each other, whereas many a times they hail from similar backgrounds. Creating dialogue allows for the community to assess what went wrong and where, aiding them to discover the root cause of the issues. Also, in the adversarial system there is a domination of one narrative over the other ultimately leading to its 'victory'. The true victory in restorative justice is reaching a fairer and just society that has healed from the wrongdoings of one of its members. Lastly, it directly attacks the idea of incarceration. Incarceration is a veil that prevents the offender from facing the reality. It also makes the offender less accountable for his/her actions as they have never confronted and evaluated their misconduct. Restorative practices allow for the offender to feel shame, guilt and remorse. It also provides for an opportunity of apologizing and repairing tears in the community.

One of the largest restorative projects was undertaken by the truth and reconciliation commission in South Africa. The result of which was a society that could live in peace and harmony, which was previously torn by the atrocities one community inflicted on others. In an era fraught with turmoil, restorative justice is increasingly being accepted as the saving grace. Restorative justice is garnering popular momentum and being accepted worldwide. For instance, during the Tenth UN congress on Prevention of Crime and Treatment of Offenders, the Vienna Declaration on Crime and Justice advocated the development of restorative justice policies, procedures and programmes that are respectful of the rights, needs and interests of victims, offenders, communities and all of the parties.

Thus, it is evident that restorative justice is a therapeutic form of justice that is more emotionally intelligent and inclusive than conventional forms of justice. It humanizes criminal justice procedures and provides an alternative tool to address the matter. It ultimately leads to repairing a broken society.

Mr. Robert van Pagée



Mr. Robert van Pagée is the Director of the Dutch NGO Op Kleine Schaal, which works on disseminating the Foster PRIDE child welfare model throughout Europe. At Eigen Kracht Centrale, he promoted Family Group Conferences (FGC), which enable citizens to employ their own strengths and resources to solve their own issues.

He has been a Publisher at MOBIEL Journal for foster care, which is an independent magazine for foster care work and appears six times a year. He was the Board member of Restorative Justice Netherlands which seeks to promote communication and a participating society. He was a Trustee at the International Institute of Restorative Practices.

About the Panelists

Professor Ved Kumari



Professor Ved Kumari was the Dean, Faculty of Law, University of Delhi from 2016-2019. She has also served a term as the Chairperson of the Delhi Judicial Academy and as the Professor-In charge at Law Centre-I, Faculty of Law, University of Delhi. She has been in the teaching profession for over 35 years. She completed her LL.M. and Ph.D. from Delhi University. She was a Fullbright Fellow at Vanderbilt University, USA. She was also a Commonwealth Fellow in Warwick University in UK where she did post-doctoral research on Juvenile Justice in the UK.

Prof. Ved has received several grants and undertaken various national level initiatives. She has authored and edited 8 books and journals including a book on Juvenile Justice systems in India: From welfare to Rights. She is the Founding Member of the Asian Criminology Society and a life member of the Indian Law Institute, Indian Society of Criminology, Indian Society of Victimology and Indian Association of Women's Studies.

Mr. Pupul Dutta Prasad



Mr. Pupul Dutta Prasad holds two Masters degrees: an MSc in Human Rights from the LSE and an MA in International Relations from Jawaharlal Nehru University, New Delhi. He also holds an LL.B. degree from the University of Delhi.

Mr. Pupul has over 15 years of experience of working as a police officer including over a year as an United Nations Police (UNPOL) officer in the United Nations Peacekeeping Force in Cyprus (UNFICYP) headquarters in Nicosia, Cyprus. He is a recipient of Police (Special Duty) Medal and the United Nations Medal.

Mr. Pupul is on sabbatical leave from the Indian Police Service (IPS) for pursuing his Ph.D. at the London School of Economics and Political Science, London, UK. His research is on the prospects of restorative justice in the Indian juvenile justice system. He is a recipient of Commonwealth Scholarship. He is currently in India to conduct fieldwork for his Ph.D.

About the Moderator

Ms. Vasundhra Om Prem



Vasundhra Om Prem is an Advocate by profession in India, with a career spanning for more than 15 years. She completed her post-graduation in Law with a specialization in Criminal Law. Her area of work primarily focused on issues dealing with care, protection and rehabilitation of minors, specifically those who were victims of sexual abuse. During her vast career, she has worked with Employees State Insurance Corporation, Prayas, a well-known and reputed NGO and Tata Consultancy Services, one of the top IT companies operating in 46 countries.

She is pursuing Ph.D. (Law) from Northcap University India on “Institution care, a violation of child rights -An Indian Perspective”. A former Member of Child Welfare Committee, she is currently working as the Managing Director of Centre of Excellence in Alternative Care of Children. It is one of the leading organizations to implement and strengthen the child care policies in India. Their goal is to bring changes in the minds of people who care and protect for children in India through their expert efforts.

Professor V. K. Ahuja

Professor-In-charge, Law Centre-II



Professor V. K. Ahuja is Professor In-charge of Law Centre-II, University of Delhi. He holds Ph.D. and LL.M. Degrees from University of Delhi and M.Phil. Degree from Jawaharlal Nehru University (JNU), New Delhi. He did a Certificate Course in Law Teaching and Legal Research Skills from Cardiff Law School, Cardiff University, U. K. in 2004. He has 25 years of teaching and research experience at Post Graduate and Masters Level.

Professor Ahuja was awarded First Prize in the Fifth South Asian Teaching Session on International Humanitarian Law and Refugee Law organized jointly by the International Committee of the Red Cross, United Nations High Commissioner for Refugees and National Law School of India University, Bangalore, at Bangalore from May 14-27, 2003.

Professor Ahuja published 6 books on Intellectual Property Rights and International Law and edited 5 books including a Festschrift on Professor Upendra Baxi. He has written 47 articles in leading International and National Journals. He has also worked as the Editor of Delhi Law Review and National Capital Law Journal.

Professor Ahuja has presented papers at various National and International Conferences and Seminars. He also delivered special lectures at Delhi Judicial Academy, Jharkhand Judicial Academy, Ranchi, UGC Refresher Courses and at various Universities and Institutions

Dr. Vageshwari Deswal

Associate Professor, Law Centre-II



Dr. Vageshwari Deswal is a university topper and double gold medallist from MD University, Rohtak. A recipient of the University Merit Scholarship and prestigious National Merit Scholarship, she has over 18 years of teaching experience, in the field of Family Law, Criminal Law, Jurisprudence and Gender Justice.

Dr. Deswal has authored a book on Principles of Criminal Liability and drafted a report on Acid Violence against Women published by the National Commission of Women in the year 2014. She has worked on various research and consultancy projects with NCW, NHRC, Delhi University and ICSSR.

With publication of more than 40 articles in several renowned journals to her credit, she also regularly writes articles for leading newspapers. Her blog titled “Legally Speaking” is very popular among readers of Times of India e-Newspaper. She is frequently invited as resource person by various Universities, Institutes of Public Administration and State Judicial Academies in addition to her regular association with various NGO’s and charitable organisations.



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The registration to the event is free of cost and Certificates will be given to all the participants of the event



Scan/Tap to open online registration form or Tap/Visit the link: <https://forms.gle/Uwn6aGZ2AjnL1oyH6>