

You are looking at 1-3 of 3 items for: **keywords : apologies lawphi**

The Limits of Communication

Victor Tadros

in *The Ends of Harm: The Moral Foundations of Criminal Law*

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Item type: chapter

An alternative to retributivist views of punishment seeks to justify punishment in virtue of its communicative potential. Punishment is imposed, on this view, to repair the wrong that the offender has done to his victim by forcing him to apologise for his wrongdoing, and by compelling him to recognise that what he has done is wrong. This chapter argues that this communicative view is a qualified success. Whilst it is permissible for the state to harm offenders in order to encourage them to recognise that what they have done is wrong, this could not justify the creation of costly state institutions. This argument implies that deterrence will be central to any justification of state punishment.

Restorative Policing and Hate Crime

Mark Austin Walters

in *Hate Crime and Restorative Justice: Exploring Causes, Repairing Harms*

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Chapter 5 explores the second main source of data, gained from interviews with victims who had participated in restorative disposals that were facilitated by Devon and Cornwall Police Service. The same format as Chapter 4 is used in examining both the types of hate incident which occurred in this part of the UK and whether this restorative practice helped individuals to recover from their experiences of victimization. The findings are compared with those documented for community mediation—in many cases unfavourably. The chapter highlights the problems

associated with using poorly trained facilitators of RJ and more broadly provides a critique of the use of police constables in the administration of RJ.

Tort Processes and Relational Repair

Linda Radzik

in *Philosophical Foundations of the Law of Torts*

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Theorizing about the nature of corrective justice has become prominent, not just in the philosophy of tort law, but also in a wide range of social, political and moral debates. This chapter presents a conception of corrective justice that has developed in other contexts—known as a reconciliation theory—and asks what it might have to offer to our understanding of the role and significance of tort law. It argues that corrective justice is a much broader phenomenon than is normally acknowledged. As a result, the contribution of tort processes to corrective justice is relatively limited. Indeed, tort processes may only be able to offer a tragic form of justice.