

Allowing thieves to evade jail by simply striking a deal with their victims in order to reduce overcrowding in prisons was a misleading form of restorative justice, the Transkei Restorative Justice Organisation (Trejo) said on Friday.

Trejo was responding to the restorative justice programme proposed by the National Prosecuting Authority (NPA) on Thursday.

The programme, as explained by NPA's Shamila Batohi, was a way of trying to avoid sending petty offenders to jail, where they might become hardened criminals.

But Trejo says restorative justice was more than just "striking a deal".

"It is indeed true that prison overcrowding could be alleviated by the adoption of restorative justice.

"However, restorative justice is more than that... it seeks to rehabilitate the perpetrator in a restorative manner without transgressing the rights of the victim," Trejo director Pasika Nontshiza said.

He said the initiative had to come from the accused person through facilitation by restorative justice practitioners.

"Simply saying people can strike deals with victims is misleading. It defeats the cause."

The restorative programme is due to be implemented in 2008. - Sapa