



University of Guilan



Iranian association of penal law

Criminal Law Research

Vol. 8, No. 1, (Serial 15)

Spring & Summer 2017

**Comparative Study on Scope and Criteria of Criminal Mediation in
Law of Iran Britain and Belgium**

Rokhsareh Gharib¹
Dr. Mojtaba Janipour^{2✉}

Received: 2015/8/31

Accepted: 2017/5/29

Criminal mediation as an alternative way of settling a disput may not be useful for all offences or all offenders. It depends on each country's legal system. Additionally different judicial systems would not choose the same method for evocation to criminal mediation. A penal case can be evocated to the mediation by police in just primary steps, by prosecution situation, by judge or even, by executors like prison officials. Even it can be run or supervised by them. According to Iranian penal procedure law (2013) , the most possibility for evocation to criminal mediation are pardonable and discretionary crimes of degrees 6, 7 and 8 which can be suspended. Although in Iran's legal system that is affected by Islamic jurisprudence , there exist a possibility in some offences against human beings. In the UK, offences in terms of the criminal procedure code are divided into 3 categories. They are Summary offences, indictable offences, and a combination of both. There will be possibility for evocation in all 3 cases. According to the Belgian law of 22 June 2005, a mediation process can be started on the demand of persons who have a direct interest in a criminal procedure, and this is possible during the whole criminal procedure. Also mediation after trial , during sentence , is not excluded.

Key words: *Mediation, Victim, Offender, Juvenile Offences, British law, Belgian law.*

1. MA of criminal law and criminology, Islamic Azad University of Rasht

2. Assistant Professor, University of Guilan

janipour@guilan.ac.ir ✉