

## Editorial

Hello everyone,

Warm greetings from a rather cold, and wet Sydney... I am not sure where spring is this year!

We are pleased to present our third Newsletter for 2015. This edition is packed with experiences of restorative justice practice across Europe which draws attention to the significant impact that restorative justice can have, not only for victims and offenders but communities as well. Unfortunately, restorative justice remains in shadows of criminal justice. While there are positive findings from many pilot initiatives, this good work does not seem to spread very easily to other parts of the country, nor does it seem to be able to secure the necessary ongoing funding to keep projects running. This reality is evident in the experiences shared in this Newsletter.

We begin with news from the Executive Board of the EFRJ who report on a new project that they are embarking on called Forum 15. This is a difficult time for the EFRJ; funding difficulties continue to hamper its activities and draw into question how much or how little can realistically be done. With this in mind, the Executive have gone back to basics. They have revisited the original purpose of the EFRJ and are embarking on a mission to achieve its goals. We need all of our members and supporters to come together during this difficult time so that we can achieve better justice for everyone. If you have any knowledge of any impact that the EFRJ has had in your country (no matter how big or small), please email [newsletter@euforumrj.org](mailto:newsletter@euforumrj.org) to share your experiences with us.

Our second contribution is from Geoff Emerson and his colleagues who took part in a larger research project looking at the implementation of the Directive 2012/29/EU which develops minimum rights for victims, including access to restorative justice. Rather than reporting on the findings of the project as a whole, this contribution discusses the pilot project set up in Thames Valley (many of you will have heard of this location where the restorative policing experiment was initially undertaken in England) to provide access to restorative justice for victims who requested it. This project is quite novel in that it dealt with very ser-

ious offences. However, it is similar to other projects that deal with these types of offences in that the pool of cases that were included is very small. I hope you enjoy reading about the project as much as we did. I think that you will agree that the insights that arise from the project are valuable and I hope that you will engage in further discussions with Geoff about how their experience might be useful to projects where you are running them.

Our third contribution is in the form of two articles from Croatia. Ana and Amalija share their experiences of implementing restorative practice in schools. Both articles are similar in the positive accounts of dealing with conflict between children and/or between staff and children and/or staff and parents as well as the constraints that a lack of adequate funding brings. Particularly in countries that have undergone significant periods of conflict, the opportunity to break down barriers by talking to one another is really important. Such an approach challenges the *status quo* and allows a person to expand their understandings, not only of the perspectives of other people, but also their own contribution to conflict.

In our final substantive contribution, Gerry Johnstone, shares the Building Bridges Project, a collaboration of seven countries across Europe, which looks into the challenges of spreading restorative justice across Europe. In many respects, this contribution is really helpful to the broad theme of the Newsletter given that we are talking about highly localised practice, funding challenges and a lack of access to meaningful justice opportunities for victims. Given that it is still at an early stage of the project, no concrete findings are shared, however, positive experience of restorative practice is shared in the form of a case study. We will be following up with the team at a later date to see how they are progressing.

Our final feature has been written by Nicola Preston who sits on the Editorial Committee for the Newsletter. Nicola reflects on the Inaugural Conference of the

International Institute for Restorative Practice (IIRP Europe) that took place earlier this year. I very much appreciate Nicola's contribution — please feel free to send us your own!

In seeking to further the impact of the EFRJ and to broaden the scope of countries that we report on, we are looking to recruit more members to our Editorial Committee. If you are working for an organisation that delivers restorative justice to victims, offenders and communities we want to hear from you. If you have contacts across a range of countries in Europe who deliver restorative justice, we want to hear from you. It would be wonderful, in particular, to hear from colleagues in France, Spain, Portugal or the Nordic region.

We would be keen to hear your thoughts on any de-

velopments on restorative justice, theory or practice, so please feel free to get in touch with me at [newsletter@euforumrj.org](mailto:newsletter@euforumrj.org). I would also encourage you to email me with any thoughts or responses that you might have to the articles that have been written in this edition as we would like to develop a new feature which highlights your reactions or feedback on other members' work. Furthermore, any ideas that you may have about the structure or content of the newsletter, any offers to contribute to it in the form of written articles and information about events would be very welcomed.

With very best wishes,

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Chair of the Editorial Committee

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## Forum 15: A Fundamental Review of the Role and Strategy of the European Forum for Restorative Justice

In May this year, the Board met with the Secretariat of the European Forum for Restorative Justice (EFRJ) to address serious issues in relation to the operations of the EFRJ. It was clear that the staff were experiencing unacceptable levels of stress due to the volume of work over, at least, the past year.

This included organising a very successful conference in Belfast, managing several important research and development projects, developing a business plan and applying for the operational grant from the European Commission. It was also clear that this pressure of work exposed limitations into the availability of support from the Board.

There were also financial issues. The EFRJ's income is derived from membership fees, project grants and the European Commission operational grant. The current situation was assessed as unsustainable in the long-term. The EFRJ must apply for the operational grant every year and the Commission has made it clear that there is no guarantee that it will be granted each year. Project grants are competitive and increasingly difficult to win. They also put an excessive strain on the administrative capacity of the Forum.

Consequently, the Board with the support of the Secretariat, decided that there should be a fundamental review of the role and strategy of the EFRJ. It would involve both an examination of the internal structures, roles and operations of the EFRJ including the role and function of the Board and the external strategy that the EFRJ should adopt to promote restorative justice in Europe and to support and involve its membership. The EFRJ was established 15 years ago, so the project was named 'Forum 15.'

### Background

Over the past 15 years of the existence, the EFRJ has organised eight international conferences bringing together the most distinguished academics in the world and the most experienced practitioners in the field of restorative justice. It has undertaken and published many significant research studies in the field, convened many seminars to examine specific issues in depth,<sup>1</sup> and in recent years, has cooperated with a wide range of partners to conduct research and to prepare practice guidelines on:

- Accessibility to restorative justice;
- Training judges and prosecutors in restorative justice;
- Desistance from offending and restorative justice;
- Restorative approaches to conflict in intercultural contexts;
- Victims and restorative justice;
- Restorative conferences;
- Restorative justice in prison settings;
- Restorative justice and crime prevention;
- Building social support for restorative justice; and

<sup>1</sup>Further information can be found in the EFRJ website <http://euforumrj.org>

- Developing standards for assistance to victims of terrorism.

Each of these themes is directly relevant to the promotion of restorative justice throughout Europe, yet we believe that these important documents have had limited influence on policy and practice.

## **The Availability of Restorative Justice in Europe**

A recent survey of restorative justice provision for young people in 28 countries in Europe (Dünkel et al., 2015) found that every country has implemented some form of restorative justice. Most countries use victim offender mediation although the degree of availability of this is very limited, except in a small group of jurisdictions. Even though these processes are widely available, they are seriously under-used. The provision of restorative justice in prisons and other custodial institutions is even more limited. Even in those countries with a high commitment to restorative justice, there are still too few direct meetings between victims and those who have harmed them. Thus, many people affected by the harm caused by crime are deprived of the proven benefits of restorative justice. The EFRJ does not believe that this is acceptable.

## **What the EFRJ can contribute**

The EFRJ believes that restorative justice should be available throughout Europe to all people affected by the harm caused by crime. There should be access to restorative processes at all stages of the process for dealing with crime, from prevention to prison. As such, we wish to increase our efforts to promote restorative justice throughout Europe and to support governments, statutory agencies and civil society to develop restorative justice initiatives. The key obstacles to this strategy include:

- The prevailing retributive discourse in relation to offenders in many European countries;
- The risks that governments perceive in offering restorative justice (especially in more serious cases);
- The reluctance of system and professional gatekeepers/referrers to use what they see as an innovative and untested approach; and
- A lack of confidence or competence among practitioners.

To overcome these obstacles and to work towards the overall aim of the full availability of high quality, effective restorative justice in every European country, the EFRJ should:

- Draw attention to the most up-to-date research into the effectiveness of restorative justice;
- Produce a framework of effective implementation of restorative justice (this would take the form of a detailed index or checklist of what needs to be in place to provide an inclusive, accessible and effective range of restorative processes delivered to a high quality) and a how to guide in terms of drafting legislation, policy, governance, protocols to facilitate cooperation between organisations, practice models, quality standards, training, performance management, evaluation (this will allow countries to assess what they have achieved and what they still need to do);
- Promote existing and under-used practice guidelines for a range of restorative practices in a range of contexts (family, schools, communities, criminal justice and prisons);
- Act as a contact point for governments and agencies seeking consultants, researchers and trainers who can support governments and organisations who wish to implement the framework or elements of it; and
- Actively promote these services throughout Europe and to coordinate consultancy, research and training services to meet local needs.

## **The need to build the capacity of the EFRJ to achieve these objectives**

Currently within existing resources, the EFRJ does not have the capacity to perform these tasks. However, the EFRJ is a membership organisation which means it has access to policy makers, leading researchers, experts, restorative and legal practitioners in 34 different countries. Not only should these members be offered more support to develop restorative justice in their countries, but they are also a valuable resource.

By mobilising membership more actively, the EFRJ can enable different countries to assess their needs and to access the consultancy, research and training services in the field of restorative justice that will help them meet their needs. This means that the EFRJ will have to develop a more proactive and dynamic relationship with the membership with a view to understanding what needs to be done in each country, what support is required and what expertise members can offer. To achieve these objectives the Forum will need:

- To change its relationship with its membership network;
- To review and change its internal structure, systems, procedures and staffing; and

- To develop a robust strategic plan and business model which will reduce dependence upon European Commission grants and research projects so that it can generate its own sustainable income.

The EFRJ has developed a project plan, Forum 15, to review and transform the internal capacity of the Forum and to develop a detailed strategy to achieve its vision. This involves two working parties: one to review internal operations and one to develop an external strategy. These working parties are composed of members of the Board and the Secretariat. In addition, members will be consulted on how the EFRJ can more actively support them and how members can more actively become involved in promoting restorative justice throughout Europe.

The findings and recommendations of the Forum 15 will be presented for approval at the AGM and biennial international conference in June 2016 in Leiden in

the Netherlands. The Board will be consulting membership on both what the EFRJ should be doing to support the development of restorative justice in their areas and what members could offer in relation to training and consultancy expertise. I would encourage all members to make an active contribution to the success of Forum 15.

## References

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## Restoring the Balance: An Overview of Victim-initiated Restorative Justice in Thames Valley

Thames Valley Probation, in collaboration with Victim Support, Thames Valley Partnership, the Police and local prisons, has a long history of delivering restorative justice (Emerson et al., 2015). The Directive 2012/29/EU provided a further opportunity for innovation in this area given that it established minimum standards on the rights, support and protection of victims of crime and promoted access to restorative justice for victims.

In partnership with The Schleswig-Holstein Association for Social Responsibility in Criminal Justice, Victim and Offender Treatment and another nineteen organisations and academic institutions within the EU, we explored the implementation of the Directive both through practical applications and opportunities for study and the sharing of practice. Four of the collaborating partners (Schleswig-Holstein in Germany, Croatia, Portugal and the UK) were funded by the EU to deliver restorative justice services involving victims and offenders. The collaboration, based on practical projects and three international conferences, enabled lessons to be learned and guidance to be prepared for the benefit of those seeking to set up restorative justice services. Details of the collaboration, including the conference papers from events in Barcelona, Oxford and Kiel, can be found at [www.rjustice.eu](http://www.rjustice.eu).

In reviewing the justice landscape in Thames Valley, it became evident to us that victims who requested to meet their offenders did not have access to a service which could meet their needs. The aim of the pilot project, therefore, was to fill that gap and to provide evidence on which a future service could be delivered and funded. We gave the project the title ‘Restoring

the Balance’ to indicate the opportunity that restorative justice provides both victims and offenders to restore the balance in their lives and relationships and the pursuit of restoring the balance of access to restorative justice as a service for victims of crime (Emerson et al. 2015). This article describes the outcome of our evaluation as part of this larger project between January 2013 and December 2014.

## Setting up the Project

The project was overseen by a small steering group, comprising representatives from the partner agencies (Thames Valley Probation, Thames Valley Partnership and the Thames Valley Area of Victim Support) and attended by the project manager and three part-time staff, appointed to act as facilitators of restorative justice processes in relation to the cases referred. Key members of this group were the Victim Support Area Manager and the Manager of the Probation Victim Liaison Unit. This Unit offers a service to all victims of violent and sexual offences in cases where the offender receives a custodial sentence of one year, or more. The group agreed referral processes from their

own agencies and advised on processes to attract self-referrals. The group went on to receive reports of the project's progress and provided advice on how to remove blocks where these occurred. The manager of the project had a background in developing restorative justice approaches in Probation, including participation in a multi-agency random controlled research project testing the efficacy of restorative justice in relation to reducing re-offending, improving victim satisfaction and cost-effectiveness (Shapland et al. 2011).<sup>2</sup> The facilitators had previously worked in the police, education and voluntary sector settings delivering restorative justice.

## Attracting Referrals

The team established referral routes from the Probation Victim Liaison Unit (VLU) and Victim Support whereby caseworkers in those agencies identified appropriate cases, usually where the victim had expressed a wish to meet the offender. Caseworkers tended to be reluctant to approach victims directly with the offer of restorative justice where it had not been raised by the victim themselves. Presentations were made to other agencies in the Criminal Justice System, including the Police, the Witness Service and Witness Care Units which processed the prosecution of cases. Efforts to attract self-referrals included 'pieces' on local radio and local newspaper articles.

Table 1 provides an overview of the sources of referral to the project. Self-referrals were disappointingly low and this reflects the project's lack of a well-developed communications strategy, including the development of public awareness.

Table 1: *Source of referrals*

Probation VLU	15
Youth Offending Team	2
Victim Support	2
Police	1
Self (victim)	4
Total	24

The vast majority of referrals for the pilot primarily came from the Probation Victims Liaison Unit (VLU) because the project managed to develop a very constructive working relationship with this unit based on trust and effective communication. The VLU had both accumulated a number of 'historic' cases in which the victim had previously expressed a desire to meet the offender but where no service had been available, and approached other victims where they thought that the victim would respond positively to the offer of restorative justice.

Victim Support referrals were few because the Victim Support caseworkers felt reluctant to broach the

possibility of restorative justice, at their point of contact with the victim, so soon after the offence had been committed. It was also more difficult for the project team to create a close working relationship with a very disparate group of volunteers and paid workers across a large area, whereas the VLU are a small team based in a central unit. Restorative justice was a newer concept to Victim Support, although many volunteers were enthusiastic about what restorative justice had to offer.

In total, the project received 24 referrals between May 2013 and October 2014. This comprised of 16 female victims and 8 male victims with a total of 25 male offenders and only 1 female offender. Of the 24 referrals received, 18 victims agreed to participate, two declined to participate (one by failing to respond to the offer of restorative justice and one because they felt the offer of restorative justice was not appropriate for them in a case where there was a high level of acrimony and disputed harm), two were referred to other services and two cases did not proceed (to-date, one victim is still considering their options and the other has been delayed by an independent investigation into the prosecution). Out of the 26 offenders involved in these cases, fourteen agreed to participate, whilst four refused and eight were not approached during the research period because the case was not going forward at that stage.

## An Overview of the Types of Cases, Processes and Outcomes

Table 2: *Nature of offence*

Violent	8
Sexual	9
Violent and sexual	1
Burglary	1
Vehicle death	3
Other	2
Total	24
Homicides (within above cases)	5

Table 2 shows the main offence type related to each case referred. The striking feature is the seriousness of the offences dealt with. The key reasons for this would appear to be firstly, the main source of the referrals being the VLU which only deals with relatively serious violent and sexual offence cases. Secondly, many of the cases referred by the VLU were historic, between people who knew each other and the victim had requested restorative justice because of concerns about the potential release of the perpetrators. These factors led the victims to feel they had a need to deal with their fears, to talk about the harm they had suffered and to empower themselves by dealing with what had happened and to put it behind them. In a number of

<sup>2</sup>This research study and subsequent work in Thames Valley Probation all related to referrals from offender and court based referrals.

cases the wish to meet, or communicate with the offender had been sustained over a long period of time. The advent of a restorative justice service provided the VLU with an opportunity to make these referrals in order to respond to the victims' wishes.

Once the referral was received, the following process was initiated:

- Initial victim visit — often with referring case-worker;
- Confirmation visit with victim and commencement of preparation;
- Contact with offender to seek consent to participate in communication;
- Preparation visits with offender and victim to agree process;
- Liaison with other agencies including initial referrer, offender manager and prison staff, where the offender was serving a custodial sentence;
- Restorative justice process, usually a face-to-face meeting, or other form of communication; and
- Follow-up — as required by restorative justice process, or outcome agreement.

Whilst the process set out above may seem fairly simple, it tended to be complicated by the seriousness and complexity of the offences/cases, the cautiousness (and in some cases obstructiveness of partner agencies), the distant prisons involved; and the complexity of making arrangements for a number of parties to meet in a distant location which may be a prison. For example, many issues arose in relation to gaining and sharing relevant information because of both legal (Data Protection) and confidentiality reasons. This caused considerable delay and frustration both for the participants and the facilitators.

Table 3 highlights the case outcomes for the referrals to date (September 2015). The proportion of cases referred that resulted in face-to-face conferences (one third to date) is, in our experience, high. When this figure is compared to indirect communication (letters of apology and indirect processes) only one eighth, it is clear that face-to-face communication is the preferred option for victims in the most serious cases. If inconclusive outcomes (on hold, not suitable and others) are removed conferences (and a planned conference) account for three quarters of the outcomes and indirect methods one quarter. This pattern supports the finding that restorative justice conferences are more suitable for more serious cases (Shapland et al., 2011). It may suggest that as seriousness increases restorative justice becomes potentially more valuable for the victims who seek it which is likely to be the case because of the extent of the harm that can be repaired. The high level of unresolved cases in the 'on hold' and 'other' categories

reflects both the length of time a case takes to reach an outcome as well as the 'messiness' of life which makes categorisation difficult.

Table 3: *Outcome*

Conference	8
Conference planned	1
Indirect process	2
Letter of apology	1
On hold/ referral back to VLU	6
Not suitable	1
Other	5
Total	24

Overall victims have reported high levels of satisfaction with the process. Offenders have also been very positive about the outcomes, although in one case where the offender denied causing harm to his victim he found it difficult to accept her forthrightness in placing responsibility on him for brutal offences and severe harm. Whilst she and her brother felt empowered by a process which enabled them to move on, he has refused to engage with follow-up. In such cases, where the offender may face an onslaught of anger and hurt, it becomes important to ensure that the offender's case-worker is involved, or informed, so as to be able take forward the harsh learning for the offender which has arisen from their meeting with the victim. In this way it can be ensured that the meeting has the potential to be restorative for both parties.

The cases have been continued to be worked with since the EU funding ceased in December 2014, using funds from the Police and Crime Commissioner in Thames Valley. In part, this is due to the fact that the process of working with these cases and has taken place over a much longer period than was originally envisaged. Cases that were referred during the project period are still coming to conference and in a number of cases second meetings have been requested and are under consideration. The Thames Valley Restorative Justice Service (led by the Thames Valley Partnership) has been successful in a funding bid to provide a restorative justice service for victims for the next three years and is currently developing this service using the lessons learned from this successful pilot.

## Key Lessons Learned and Future Plans

Lessons have been learned both through the development of practice in relation to the 24 cases referred to the project, and in sharing practice at the project conferences. These include:

- There needs to be a comprehensive communications strategy to build public awareness about the availability of restorative justice for victims and offenders;

### A Brief Case Study

Susan was sexually abused with others, as a child, by a 'high profile' individual with a profession which gave him access to children. The abuse came to light many years later and led to a trial in which Susan gave evidence. Following the conviction Susan made clear her wish to meet her abuser to the Probation VLU and the case was referred to the project. Susan described health, emotional and psychological problems arising from the abuse and appeared quite unstable, although her wish to meet her abuser remained strong. Guy, the abuser, maintained that he had not harmed Susan, but admitted offences against another child which he had denied at the trial. He could accept that he may have caused indirect harm to Susan and explained he would meet her 'if she thought it would help'. Guy's denial and Susan's fragility led to severe concerns about the safety and value of a meeting. Susan was made aware of Guy's denial, but she explained this did not surprise her and the value of the meeting lay in giving her an opportunity to have her say and ask him questions about how he will ensure he does not re-offend. The meeting took place on the clear understanding that there would be no discussion about the details of the offence by either party. Susan graphically described how she had been harmed and the long term effects upon her. Guy apologised for the harm he had caused Susan without denying what he had done. Since the conference both parties have described how valuable the meeting was. Susan explains that it has genuinely empowered her and enabled her to take a much more consistently positive attitude to life.

- Victims prefer a general/universal offer of restorative justice being made to all victims of crime. When the opportunity to participate in restorative justice is limited to it being offered to selected individuals, or the offer is constrained by 'protective' professional gatekeepers, victim choice is restricted and many who may benefit are excluded (Van Camp, 2013);
- The focus of the initial visit to a victim should be listening to their story and helping them identify their needs, rather than providing information about restorative justice. Information can follow in the context of meeting the identified needs;
- We have attempted to work to a guideline that no case is unsuitable (Buntinx, 2014), but have found that exceptions to this may be cases where there is a high level of disputed harm exists and where both parties tend to focus on this aspect;

- It is essential that we do not create unrealistic expectations; rather victims should be kept fully informed about progress or a lack thereof. Both parties must be given the opportunity to withdraw at any point in the process; and finally,
- Always be prepared to consider the 'worst possible case' scenario and plan how you might deal with it.

### How to Find Out More

This article is a summary of the project. Other material has been prepared to describe the work undertaken, including an article describing lessons learned during the progress of the project (Emerson et al., 2015) and a research paper describing the views of referrers and the experiences of victims and offenders (Emerson and Hallam, 2015).

### References

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## Forum for Freedom in Education

The [Forum for Freedom in Education](#) (FFE) was among the first NGOs that were founded in Croatia (in 1992) and since then it has become renowned for its long lasting tradition and well developed co-operation with schools. Our team consists of twelve education and project management professionals, a network of trainers all of whom coordinate around twenty20 projects each year, aiming to strengthen and develop the competencies of teachers, principals, counsellors, young people and children, in the fields of civic education, human rights, mediation, health, relationships and communication.

We see mediation in a broader context than just as a conflict resolution or restoration tool. It enables people to change their way of perceiving others, relationships and themselves. Their perspective becomes broader; they become more aware of reality (or realities); they are more outspoken and honest, but also more tolerant and willing to hear the views of others. Mediation therefore transforms individuals, relationships, and also organisations and whole communities. In 2009, FFE started a project that opened three mediation centres in Croatia, and 45 professionals went through extensive mediation training, spreading their knowledge in the schools where they worked. Since then, over 1,600 child and youth experts and teachers have gone through the basic training, more than 500 individuals have completed the advanced training and almost 400 educational institutions have been involved in our work.

At the beginning, our focus was on creating an education programme and building a network of trainers and mediators who would publish and spread the word about mediation. In the succeeding years, our focus has shifted to creating and implementing more complex mediation projects which encompass both education and putting mediation into the everyday practice of the schools and institutions. Schools and other education institutions deal with relationships and conflicts each day. In the times where the environment changes much faster than the school system, school staff are confronted by exceptional challenges when it comes to creating a stimulating learning environment, a safe place where children can not only learn, but also develop their individuality and responsibility. They initially want to learn mediation in order to develop their skills in the field and resolve day-to-day incidents, but soon they realise that they can get much more out of it: a new perspective on their teaching and counselling; healthier relationships, more options and skills when it comes to conflicts, and much more self-confidence.

The most valuable thing about investing in education and human potential is the long-lasting effects. Professionals in the fields of education, social care and youth work start their own in-house projects, mediation clubs, peer mediation and, volunteering activities and transfer the knowledge to the many following generations. They also apply mediation to conflict and thus teach the children a powerful way to resolve their issues with

others and themselves. In our experience, the teaching and helping professions are very interested into learning about mediation, into applying mediation skills and into transferring them to others.

However, there is no such eagerness for mediation services. When we started community mediation centres, we saw them as a natural extension of our work in schools, but in comparing those two experiences we learned that people are most likely to participate in mediation if it is available to them right away, free of charge, and on-the-spot. As soon as they have to go somewhere or make an appointment, they are very reluctant to do it. Children are the ones most open to mediation because it is available to them at school, because they trust the authority of a teacher, and they appreciate the opportunity to work out a conflict. When it comes to grown-ups, even business people, who could have the most benefits from it, they still prefer to do nothing or to go to court. There is much more work to be done in the area of awareness raising, trust, and willingness to find new solutions. Just by attending mediation training, it can significantly empower individuals to resolve their own and other people's conflicts.

Currently, the main challenge in implementing mediation education in schools is related to the fact that it is still not really part of the official school curriculum or educational policy in Croatia, and therefore those advocating mediation in schools are confronted by obstacles. First, constructive problem-solving, conflict transformation, communication skills and mediation itself are considered — both by their advocates and by the general public — to be a part of civic or health education. Initiatives aiming to introduce civic and health education in Croatia are met by strong opposition by groups of parents and faith-based organizations who see them as intruding into the private arena of their up-bringing style. We in FFE see mediation in schools as powerful tool in fighting against prejudices: and so it has become a positively perceived and quite popular programme that everyone seems to benefit from. Meanwhile, we are attempting to resolve funding issues by applying with our own project proposals, so that we can offer most programs for free, or with symbolic fee participation for a token fee.

Trying to change something in relationships, and in society, or to start something new in our communities is always activism in a way: it disturbs old patterns or the



*status quo*, but it is necessary, because the present way we think about conflicts is often not useful; it is fossilized, old and preserves the existing power struggles and unfairness. Mediation means equality, democracy and transparency, and many structures in society are afraid of those. It would be a shame if we missed the

opportunity to teach new generations to be free in this way.

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## The Peer Mediation Project

Fifteen years ago, I was a teacher in an elementary school in Osijek, Eastern Croatia, and an activist for the [Centre for Peace, Non-violence and Human Rights](#) (CPNVHR) where I worked with people from local communities affected by the war, including refugees and displaced persons, volunteers and other activists. At that time, the need for intervention in schools was so urgent that the desire for improvement transcended the mistrust and suspicion held by schools and the general public of civic initiatives and non-governmental organisations.

The most obvious consequences of the war were human losses, trauma, destroyed infrastructure and a devastated economy in many communities and this was accompanied by intolerance and tensions based on ethnicity and a changed composition of the local population (due to the flight of ethnic Serbs from Croatia and to the settlement of ethnic Croats from other Croatian regions or from Bosnia and Herzegovina). Among the school staff and students, many were traumatised and displaced. Different mentalities, personal experiences and cultures contributed to the increased number and intensity of conflicts, not only between students, but also between adults, school staff and parents. Since systemic solutions and strategies to deal with them were not included in educational policies, some school principals were willing to accept external support.

One of my first experiences with such intervention was a peer-mediation project in an elementary school in Okučani, a small town close to the Bosnian border. The school was rather big, with one central unit and several units for younger students (age 7–11) in distant villages. Older students were taken to Okučani by bus, with only a driver, without other accompanying adults, and that ride was an arena for frequent incidents. Everybody in the community was very sensitive and vulnerable, and there were many conflicts, not only in the bus, but also in the classrooms and in the teachers' room. At that time, CPNVHR had a field office in Okučani, which was working to support the re-establishment of trust and communication and the empowerment of different social groups, including war victims and war veterans, to take control over their lives and to act constructively. As one of the stakeholders with whom the field office tried to establish cooperation, the school principal spoke about the problems in her school and was willing to take a chance on a new approach.

In 2003, the Peer mediation project started and over

two years included 22 days of residential training, divided into two parts:

1. regular supervision meetings and
2. a student mediation club.

Along with another teacher from Osijek, Zehra Delić, we worked with a group of 24 students (age 11–15), four teachers and the principal. At first the adults opposed our decision to do training with children; however, by the end of the project their attitude had changed towards them, towards other children and towards the adults. Delivering training to both children and adults simultaneously provided a unique learning opportunity for all of us where the perspectives of each group could be further understood.

However, when it came to implementing the programme, some difficulties arose. Some of the teachers who were not part of the training group saw the introduction of peer mediation in school as a way to transfer some of their responsibilities to the peer mediators. For example, if an incident in the classroom occurred, they would tell the students involved to go out and seek a peer mediator to solve the problem (thus disrupting both the peer-mediator and his or her class). What should have happened was for the teacher to intervene properly at the time of the incident and then subsequently referring the children to the mediator's club during the club's hours. Others perceived mediation as just another way to decrease teachers' authority, in line with the trend of their perceived disempowerment (for example, teachers were no longer allowed to eject 'disruptive' students from the classroom and an increasing number of parents complained and criticised the behaviour of some students and teachers).

Although some of the teachers who did not participate in the training saw value in peer mediation and wanted to get involved, we were not able to provide it.

Unfortunately our field office in Okučani closed and our organisation did not have funding for our travel from Osijek. However, openness to mediation in that school remained, the mediators' club continued and an awareness of the positive values of mediation still exists. In fact, this year an NGO from the nearby town Sisak trained 24 students in the same school in mediation skills.

Experience from Okučani helped Zehra and me to understand the potential of peer-mediation, not only in the context of building the capacity of children to deal with conflict, but also as it relates to the overall culture of the school and to use that understanding in other schools. In some of them, principals allowed us to work with children and with the staff (but only in separate groups) and mediation was adopted as a non-curricular activity (like a drama or environmental group). In such cases, only those directly involved benefited from it and the organisational culture of the school remained untouched. Teachers who attend mediation training become more efficient in solving problems in their own classrooms, but there was no impact

on the other children in their school and mediation in those schools depended on the individual teacher's motivation and resources. Such an approach means that mediation can quickly wither away.

I believe that any school introducing peer-mediation should first raise awareness of the fundamental values of mediation and sensitise and train all the staff, students and as many parents as possible. In my view, the most important values are respect for every individual, regardless of his or her status in the classroom, and the ability to express feelings, experiences and needs in different ways instead of through threats, arguments or fights. Just recently, a young teacher approached me and said he was one of the Okučani children who attended our first peer-mediation training. He told me the skills he learned there helped him to get through the troubled years in his childhood, and that they are still helping him in being an adult and a teacher.

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Mediator and educator

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## Building Bridges: Sycamore Tree Project

From an ethical perspective, restorative justice has much to commend it as a way of intervening into the lives of wrongdoers and those they injure. It is motivated by a concern to improve the welfare of both wrongdoers and their victims and it frequently achieves this goal. At the same time, it treats both victims of wrongdoing and wrongdoers with due respect. Victims are provided with an opportunity to tell their stories in a meaningful context, listened to, and given a say in how the situation will be dealt with. Wrongdoers are treated as responsible human beings to be held accountable for their past actions, encouraged to engage in dialogue with those they have harmed, and are invited to contribute to the construction of a plan for putting things right.

But as a field of practice, restorative justice faces a number of challenges which need to be overcome if it is to benefit a wider range of people. They include:

1. How to ensure that restorative justice lives up to its promises to victims

One of the claims of restorative justice is that it has the potential to meet many of the needs of victims of crime. Yet, restorative justice schemes have had limited success in making room for victims within restorative justice processes and securing the participation of victims. Addressing this is one of the central challenges facing the restorative justice movement today.

2. How to extend restorative justice to serious crimes resulting in the imprisonment of perpetrators

Restorative justice schemes have proliferated in community settings. However, such schemes have limited potential to bring accountability to perpetrators of very serious offences and an experience of justice and healing to victims of these

offences. To realise such potential, more restorative justice schemes need to be developed within prisons and/or with prisoners following release.

3. How to develop diverse models of restorative justice practice:

Whilst leaders of the restorative justice movement emphasise the experimental nature of the field, in recent decades restorative justice in response to crime has become closely identified with a limited range of practice models: victim/offender mediation and restorative conferencing. This has tended to restrict restorative justice to situations where these practices are possible or appropriate. If restorative justice is to become available to the majority of people affected by criminal wrongdoing, new practice models need to be developed.

4. How to spread restorative justice throughout Europe

Whilst restorative justice is now a worldwide phe-

nomenon, with experiments taking place in all continents and a variety of social and cultural contexts, there are still many parts of the world where the concept remains unfamiliar and the practice barely exists. In particular, throughout Europe, the use of restorative justice is very uneven. This poses a significant challenge for those concerned to develop policies which will meet the needs of crime victims and promote more constructive and meaningful responses to crime throughout Europe.

5. How to spread restorative justice practices developed by faith communities

Faith groups have played an enormous role in developing the practice and theory of restorative justice and in influencing communities to engage with its ideas and experiment with its practices. The initiatives of faith communities have been extended to, and have benefited, many victims and offenders who are not members of those communities. Yet, the reach of such programmes could be further extended.

The Building Bridges project was established in 2014, with a grant from the European Commission's Directorate-General Justice, in order to address challenges such as these. The project is seeking to develop and establish a form of restorative justice intervention which brings together groups of crime victims with groups of imprisoned (or formerly imprisoned) offenders for restorative dialogue and learning. The intervention is currently being piloted, studied and evaluated fourteen times: two pilots have been set up in each of seven European countries (the Czech Republic, Germany, Hungary, Italy, the Netherlands, Portugal, and Spain) included in the project.

## Background to the project

To tell the story of Building Bridges, we need to start in 1976. Then, the Prison Fellowship movement was founded by Charles Colson, following his release from prison for a Watergate-related crime.<sup>3</sup> During his time in prison, Colson realised the importance of Christian witness in prisons and, following his release, formed Prison Fellowship in the USA.<sup>4</sup> This subsequently became the basis of a worldwide organisation, Prison Fellowship International (PFI). Today, Prison Fellowships exist in 125 countries and PFI is the principal association of national Christian ministries working within the criminal justice field. The distinctive feature of PFI is its emphasis upon combining prayer and practical activities — such as visiting and supporting prisoners and their families, and organising legal assistance

and restorative justice programmes — to bring about justice and healing in response to crime.

In 1996, PFI developed the Sycamore Tree Project (STP) — the name comes from the Biblical story of Zacchaeus. The STP brings groups of crime victims into prison to meet with small groups of prisoners for facilitated discussion of topics related to crime and justice. It was piloted in the United States, England and Wales, and New Zealand, and programme manuals were published in 1998. Today, STP has been run in 34 countries in all continents. Although STP programmes are diverse, they all follow a core structure, focused on helping offenders to learn more about how crime affects the lives of others.

The objectives of STP are to meet needs of both inmates and crime victims who participate. With regard to inmates, the goals include: encouraging them to take responsibility for their actions; enabling them to develop victim awareness and empathy; enabling them to experience confession, repentance, forgiveness, and reconciliation regarding their offences; and to help them make amends through participation in acts of symbolic restitution. With regard to victims, the aims include helping them to resolve issues around the offence committed against them; giving them a chance to tell their stories and to start a healing process; helping them to become better informed about crime, offenders and restorative justice; enabling them to see offenders take responsibility for their offending; facilitating them to do ensure that something positive and useful comes out of the damaging experience of crime; and helping them gain a sense of closure, forgiveness and peace.

## The Purpose of the Project

Building Bridges is a project that seeks to further develop the STP in order to create more and better opportunities for restorative dialogues between groups of victims and groups of offenders.<sup>5</sup> In Building Bridges, one of the founding ideas of STP is emphasised: victims are not merely as a means to reach out to prisoners in order to help them develop more victim empathy; rather, victims are involved as people who themselves deserve and require the opportunity to take part in a restorative process in the aftermath of crime. In Building Bridges victims are offered opportunities to work on restoration and reconciliation. Based on experiences of many STP programmes in the past, the hope and expectation is that Building Bridges will contribute to the well-being of the victims and their perspective for a healed and better life. In the research underpinning the Building Bridges project, we will seek to determine whether and to what extent this does occur. We also expect that the healing through well-facilitated restor-

<sup>3</sup>See <http://www.prisonfellowship.org.uk/who-we-are/our-story-so-far/> (last accessed 17/09/2015).

<sup>4</sup>The concept of 'Christian witness' is a complex one, but basically involves sharing one's heartfelt faith in Christ.

<sup>5</sup>Unlike in many other restorative justice programmes, the victims do not meet with those who directly committed an offence against them.

ative dialogues between victims and offenders can be achieved in other settings, such as peace circles in local communities. Hence Building Bridges will also be organised outside of prisons and in the project we will be attempting to assess the healing effects of these encounters.

Building Bridges adds elements to the existing STP in order to provide more guidance on victim support. It seeks to focus more intensely on victims, develop tools to attract them to the programme and to provide them with support, and enable EU countries to run a programme with equal numbers of victims and offenders. This will create more interaction between victims and offenders and more possibilities to support all participants in their own process. This composition of the group of participants makes substantive additions necessary. Building Bridges focuses on the offenders and their behaviour and process of restoration, as well as the story of the victims and their process of healing and restoration. Building Bridges adds more guidance and emotional support for the victims who participate. Their needs and questions will be met, whether in the in-prison programme or in community peace circles. Building Bridges is informing and training facilitators on how to do victim and offender preparation and aftercare.

Crucially, Building Bridges has been developed in response to Howard Zehr's (Zehr, 2015, 223) insistence that, if restorative justice is to develop into a serious and better alternative to conventional penal interventions, we must 'become justice farmers, planting our experimental and demonstration plots.' Zehr argued that alongside plans for large-scale implementation of restorative justice systems, we should develop experimental plots which test, explore and develop the vision of restorative justice. He pointed, in particular, to the need for experiments with offering new services to victims that operate from a restorative framework and with applying restorative principles in tough cases involving very serious crimes. Building Bridges responds to this call, as well as to Zehr's appeal for experiments which combine 'creativity, risk-taking and dreaming' with 'realism, hard work and caution.'

For Zehr, successful demonstration plots require 'co-operation between theoreticians and practitioners.'

In accordance, a key feature of Building Bridges is that it is being developed and studied by a partnership of academics and practitioners who work closely together. Through action research we are undertaking an in-depth study of the Building Bridges project as it is being planned and developed. As well as measuring change amongst victim and offender participants in the pilots programmes, the research involves exploratory investigation of the process of developing, embedding, implementing and sustaining the intervention within prison and community settings. Here we use a 'social-ecological model' as a framework around which to collect and analyse data. This model proposes that

any intervention that aims to affect the individual (in this case, the victim and offender participants) is the result of systems and processes at different, interacting ecological levels: individuals, interpersonal relationships, institutional factors, community factors and public policy. We are exploring these different stages, and the interactions between them, through research involving a wide range of actors operating at different levels within the criminal justice systems of the partner countries. We plan to write a book on what we have learned from this study which we hope will be of value to others seeking to explore in depth the challenges facing the restorative justice movement and how these challenges might be surmounted.

These are early days for Building Bridges. And the project has faced many challenges. One thing which sustains all the partners through these challenges are the stories of positive change in the lives of victims and offenders made possible through Building Bridges. Hence, we finish this piece with a story, provided by one of our facilitators, and shared with the kind permission of a victim who took part in a pilot programme.

#### **Lydia's story**

A young woman, Lydia, 26, heard about the Building Bridges programme that was going to run in the high security prison in Rotterdam, The Netherlands. She decided it might be an opportunity to find out if she could tackle the fear that kept her tied since the two robberies that she experienced some years ago. Lydia got in touch with Gevangenenzorg Nederland who was going to facilitate the programme, and a meeting with the coordinator took place. Lydia was eager to meet offenders, to listen to their stories, but even more to share her story of fear and PTSS after being victimized twice. During the sessions Lydia took the time to listen to the other participants but also share her opinions on the subjects of Building Bridges. When it was her turn to share her story in the group, she was really nervous and warned the group that she would probably laugh while talking, and that it didn't mean that the crimes were not serious. She made a deep impression on all the participants and everybody was really touched by her story of trying to cope with the effects of crime. Participating in the Building Bridges programme had a great result for Lydia: Her fear was reduced so much that she was able to travel by train again on her own! As part of the PTSS that hindered her for years, travelling by train had been difficult. But she came by train to one of the last sessions of the programme.

Further information about Building Bridges is available at <http://restorative-justice.eu/bb/>.

## References

Zehr, H. (2015). *Changing lenses: a new focus for crime and justice*. 4th ed. Harrisonburg, VA: Herald Press.

## Gerry Johnstone

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## An Overview of the International Institute for Restorative Practices (Europe) Inaugural Conference

The beautiful city of Budapest in Hungary was the setting for the first conference of the International Institute for Restorative Practices (IIRP Europe) from the 10th to 12th June 2015. IIRP Europe will be hosting bi-annual conferences from now on to dovetail with the conferences of the European Forum for Restorative Justice to share and develop the exciting work taking place across Europe in restorative practices.

The title of the conference was: 'From Dream to Reality: The Dawning of a New Social Science'. It brought together 160 delegates from 23 countries over the three days. Each day had a different theme, starting with criminal justice on day 1, education and community on day 2 and system change on day 3. The final day included the first conference showing of the Eigen Kracht video 'The Letter of the Mayor', which explores issues negatively affecting the quality of life in a Dutch community and includes a family group conference held to address them.

Each day began with short plenary speeches from experienced researchers and practitioners in their field, which were translated into Hungarian. Refreshingly, the conference format then moved quickly to something more participatory and Socratic, as delegates discussed the questions posed and ideas raised in smaller groups before feeding back. The rest of each day then provided the opportunity to attend a large and varied range of breakout sessions to hear more about developments and practice in diverse contexts and settings. These opportunities to network continued throughout the conference in the breaks and evening events.

As a restorative practitioner, trainer and researcher for nearly 20 years and having attended many conferences nationally and internationally, it was a pleasure to experience the thought that had gone into making the event so inclusive, regardless of knowledge or previ-

ous experience in the field. As John Bailie (IIRP president elect) noted, 'this conference demonstrated that a wide cross-section of society, representing education, criminal justice, youth and family services and community leaders, are ready to collaborate more strategically to build a stronger and more meaningful civil society'. Vidia Negrea, IIRP Europe's Director for Central and Eastern Europe, highlighted the intercultural nature of the conference when she stated:

The participatory style of the conference helped strengthen the network of those working in intercultural settings, with Roma minorities or with disadvantaged groups. Sharing experiences, we learned that restorative practices can provide the safe space, common language and skills for a better understanding of the similar values we have as humans belonging to different groups.

The IIRP are collating presentations, papers and Powerpoints from the conference and will be sharing them at <http://www.iirp.edu/symposia-and-conferences.php>. There are also more details of the presentations at [Restorative Works](#).

### Nicola Preston

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## Reader's Corner

Bolívar, D., Aertsen, I., and Vanfraechem, I. (2015) *Victims and Restorative Justice: An empirical study of the needs, experiences and position of victims within restorative justice practices*,

Leuven: European Forum for Restorative Justice. [Online]. Available from: [http://www.euforumrj.org/wp-content/uploads/2015/05/report\\_victimsandRJ-2.pdf](http://www.euforumrj.org/wp-content/uploads/2015/05/report_victimsandRJ-2.pdf)

The above document provides more knowledge, through empirical evidence, on the needs, experiences and position of victims when participating in restorative justice (RJ) programmes and recommendations with regard to the further development of restorative justice practices as well as the cooperation between restorative justice programmes and victim support organisations.

Speechley, N. (2015) 'The Inaugural Conference of the Community of Restorative Research-

ers', Criminology at Oxford Blog. [Online]. Available from: <http://crim.law.ox.ac.uk/community-of-restorative-researchers/>

Naomi-Ellen Speechley has posted an overview of the first conference of the Community of Restorative Researchers, founded by Ian Marder at the University of Leeds. The Community of Restorative Researchers is an interdisciplinary network, uniting academics and practitioners working in restorative justice (RJ) to promote an open and critical dialogue.

## Calendar

**Pathways towards Just Peace: Reinventing security, justice and democracy in Asia-Pacific** 9–11 October 2015, Kathmandu, Nepal. Further details from the [Asia-Pacific Peace Research Association](#) and the International Peace Research Association.

**Jihadist radicalisation event** 14 October 2015 Organised by the Criminal Justice Platform, Barcelona. Further information is available from [EFRJ](#).

**IIRP World Conference** *Restorative works: share, teach, engage* 26–28 October, 2015, Bethlehem, Pennsylvania, USA. See the [call for presenters](#).

**Restorative Justice Week** 15–22 November 2015 The EFRJ is planning a series of activities on Wednesday, 18 November 2015 to celebrate its fifteenth anniversary which actually falls on 8 December 2015. Information on these will be available nearer the time from [EFRJ](#).

**Justice and Security in Intercultural Europe: Exploring Alternatives** 16–18 November 2015, Leuven, Belgium. Further details from [Alternative Project Final Conference](#).

**Sixth Annual Conference of the Victimology Society of Serbia** *New trends in victimology theory and practice: dilemmas and challenges in protecting victims* 26–27 November 2015, Palace Hotel, Belgrade. Abstracts for a paper, poster presentation, thematic session or workshop by 1 October 2015. Further information is available from [VDS](#) or Bejan Šaćiri on +381 11 6303022 or by email to [vdsconference@gmail.com](mailto:vdsconference@gmail.com) or [vdsbija@gmail.com](mailto:vdsbija@gmail.com)

**Conference on positive criminology and positive victimology** 12–13 January 2016 Bar-Ilan University, Ramat-Gan, Israel. Further information from [EFRJ](#).

**Restorative Justice in Cases of Domestic Violence, Best practice examples between increasing mutual understanding and awareness of specific protection needs** 25–26 January 2016, Brussels. Information on this will be available nearer the time from [EFRJ](#).

**EU Forum Conference** 22–24 June 2016, Leiden

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- reduced subscription fee to *Restorative Justice: An international journal*
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