

## Report of the General Meeting of the European Forum for Restorative Justice

Bilbao (Spain), 17 June 2010, 18.15-20.30

### Participating members:

**Albania:** Rasim Gjoka (representative of Albanian Foundation for Conflict Resolution and Reconciliation); **Australia:** Michaela Wengert; **Austria:** Kurt Koblizek, Christa Pelikan, Karin Waidhofer (representative of NEUSTART); **Belgium:** Ivo Aertsen, Daniela Bolivar, Anniek Gielen, Karolien Mariën, Inge Vanfraechem, Jolien Willemsens; **Croatia:** Branka Peuraca; **Finland:** Maija Gellin, Aarne Kinnunen; **Germany:** Gerd Delattre (representative of DBH TOA-Servicebüro), Regina Delattre, Otmar Hagemann, Michael Kilchling, Frauke Petzold; **Hungary:** Videa Negrea (representative of Community Service Foundation of Hungary); **Ireland:** Maria Flynn (representative of Restorative Justice Services); **Netherlands:** Rob van Pagée, Bas van Stokkom, Eric Wiersma, Annemieke Wolthuis; **Norway:** Siri Kemény (representative of National Mediation Service Norway), Terje Chr. Myklebust; **Poland:** Beata Czarnecka-Dzialuk; Magdalena Grudziecka (representative of Polish Center for Mediation); **Portugal:** Bruno Caldeira (representative of Associação de Mediadores de Conflitos), Frederico Marques, Pedro Morais Martins (representative of Instituto de Mediação e Arbitragem de Portugal), Sónia Reis (representative of Gabinete pra a Resolução Alternativa de Litigos), Artur Santos; **Spain:** Virginia Domingo de la Fuente, Marta Higuera Garrobo (representative of Gobierno Vasco Departamento de Justicia), Jaume Martin (representative of El Secretario de Servicios Penitenciarios, Rehabilitación y Justicia Juvenil), Alberto Olalde, Carlos Romera; **Sweden:** Eleonore Lind, Linda Marklund; **Turkey:** Asuman Aytekin Inceoglu; **UK:** Belinda Hopkins, Niall Kearney, Marian Liebmann, Keith Simpson (representative of SACRO), Martin Wright; **USA:** Adepeju O. Solarin

### Proxies:

**The Netherlands:** Robin Linthorst to Rob van Pagée, Renée Kool to Rob van pagée

### Non-members present:

**Belgium:** Carmen Borg, Jeanine Dams, Brunilda Pali, Estelle Zinsstag; **Portugal:** Ana Goncalvez

**Rapporteur:** Karolien Mariën

This report will also be made available on the Forum's website: <http://www.euforumrj.org>.

## **0. Opening of the General Meeting**

Niall Kearney, chair of the European Forum welcomed everyone to the meeting. After presenting the members of the executive committee (Inge Vanfraechem (vice-chair), Eleonore Lind (treasurer) and Michael Kilchling (secretary)) and the executive officer (Karolien Mariën), he presented the agenda of the meeting.

### **1. Formal issues**

#### **1.1 Approval of the report of the previous General Meeting (3 June 2009, Leuven)**

The report of the previous General Meeting was approved.

#### **1.2 Approval of the annual accounts (2009) and budgets (2010 + 2011)**

Eleonore Lind (treasurer) presented the annual accounts 2009 and the budgets 2010 and 2011. She was assisted by Karolien Mariën (executive officer). To keep it simple and clear, both the accounts and the budgets were not explained in detail, but in a general way. Only those items were highlighted where there was a remarkable difference between the foreseen budget and the final result. A paper version of the presented accounts and budgets was available for those people who were interested in the details.

The **accounts 2009** were presented first. The 2009-costs were divided into 2 groups: operating costs (for the day-to-day running of the Forum) and project costs: crime prevention, building social support, conferencing. The results of the 2009 operating costs show a remarkable difference with the budgeted 2009 operating costs. This is due to the fact that the European Forum only received notification from the European Commission about the 2009 operating grant at the end of 2009. So out of precaution, the Forum only organised/implemented those activities which were really necessary. Another notable difference was in the crime prevention project. The project had not yet been foreseen in the 2009 budget hence the large difference between the budget (0,00 Euro) and the final result (52.420,99 Euro).

On the income side, the difference between the budgeted own income and the actual own income is mainly due to the fact that people were reminded regularly to pay their membership fees. Therefore the income out of membership fees was larger than foreseen.

The **budget for 2010** had to be revised because: 1) the crime prevention project had to be included, 2) the Forum had applied for an operating grant in the meantime and 3) the Forum had received 2 grants: one from the Flemish Ministry and one from the Norwegian Ministry. The new budget was presented.

The **budget for 2011** was presented as well. On the costs side there were again 2 large groups: operating costs and project costs (conferencing and victims & restorative justice).

Both the accounts 2009 as the budgets for 2010 and 2011 were approved.

#### **1.3 Approval of the annual report 2009**

The members had all been sent the annual report in advance so they were able to go through it before the meeting. The report was not discussed in detail as everything in it would be discussed under the other items on the agenda (activities of the Board, activities of the Secretariat, etc.). The annual report 2009 was approved.

#### **1.4 Approval of new membership applications and other membership matters**

The document on the new membership applications and resignations was presented (Annex 1). Members were asked to have a short look at it in order to be able to approve it. A discussion arose about the authority of the General Meeting to decide upon these matters: how could the members of the Forum decide on whether or not a new member could be approved or another member could resign? It was proposed to ask the General Meeting to confirm this document rather than to approve it. The General Meeting could agree and then confirm the document. Martin Wright added that the Forum needs to think about making it easier for members to pay.

#### **1.5 Report of the activities of the Board**

Since the previous General Meeting (3 June 2009) Niall Kearney (UK) took over as chair from the European Forum replacing Siri Kemény (Norway).

The Board met twice in 2009: in June and December. Both meetings took place in Leuven and lasted 2 days. A number of issues were discussed at these meetings including: state of affairs of the finances, the 6<sup>th</sup> international conference, state of affairs of the projects, the work of the committees, structural funding, etc.

The strategic planning team also met twice in Leuven (March and September 2009). The team consists of four Board members and the executive officer. The aims of the strategic planning team are: to work out an organisation strategy and structure for the Forum, to help make the Forum a sustainable organisation and to give support to the executive officer in her daily work.

#### **1.6 Report of the activities of the Secretariat**

Jeanine Dams, secretary and Karolien Mariën, executive officer are responsible for the day-to day running of the Forum. The previous months they have been busy with the preparations for the conference in Bilbao. In addition to this task, they also take care of the membership administration, the financial administration, dealing with requests from members or non members, support the different research projects, maintaining the website, sending out newsflashes, being in regular contact with the European Commission – this is not an exhaustive list.

The following people worked on the different projects located at the Secretariat in Leuven: Carmen Borg (building social support and conferencing), Anniek Gielen (restorative justice and crime prevention), Brunilda Pali (building social support) and Estelle Zinsstag (conferencing).

#### **1.7 Report of the activities of the committees**

##### **a) Practice and training committee**

The Practice and Training Committee (Chair: Frauke Petzold) identifies, promotes and supports principles of good practice. Frauke Petzold presented the main activities of the committee during the previous year: most of the time was invested in the organisation of the Summer School 2009 in Barcelona. The theme of the Summer School was “Towards critical restorative justice practices”. The event was attended by 30 people from within Europe (Belgium, Germany, Norway, Spain, UK,...) and beyond (Australia and Brazil). The 2009 summer school evaluation from both the participants as well as the organisers, indicated that it was a successful learning experience. The report of the summer school, together with some pictures, can be found on the Forum’s website.

Frauke emphasised that the Forum had received a lot of (practical and financial) support from the Centre for Legalised Studies and Training in Barcelona and in particular from Marta Ferrer who works for this organisation and is a Board member of the European Forum. Frauke also informed the General Meeting that the next Summer School would take place in Kent (UK) in 2011.

b) Communication Committee

Christa Pelikan explained that she, as the chair of the communication committee, has been in charge of setting up the programme of the Bilbao conference. She said that this went very smoothly and she wanted to thank Eleonore Lind, Frauke Petzold and Karolien Mariën for their cooperation.

c) Information committee

The Board is currently wondering whether the information committee still has to exist, whether it still brings something new. No firm direction was received from the members on this issue.

d) Research committee

The research committee promotes and develops research that informs and supports practice and policy developments. The committee functions as a network of interested persons. The main activity of this group is to disseminate information on conferences, research activities etc to members of the committee. Borbála Fellegi mentioned that if new people are interested they can simply join the list by contacting her.

e) Newsletter

The Newsletter is composed by the Editorial Board chaired by Vira Zemlyanska. She will step down from the Forum's Board after this General Meeting and will no longer chair the Editorial Board. Therefore a new chair will have to be found.

f) Working group on restorative approaches in schools

The working group on restorative approaches in schools (Chair: Belinda Hopkins) is a networking group for all those interested in, or involved in, developing restorative approaches in educational environments. This is a relatively new working party and its focus of activity is still to emerge. Belinda Hopkins apologised for giving the impression that not much has happened within this committee. She stressed that a lot did actually happen. Niall Kearney asked her to inform the Board on a more regular basis. Belinda agreed to this and would send a report in September 2010.

During the report on the activities of the working group on restorative approaches in school the discussion arose again on whether or not to broaden the scope of the Forum, an idea which was already proposed during the 2008 General meeting in Verona by Martin Wright and Christa Pelikan. Niall Kearney mentioned that the Forum already organised a seminar on restorative justice/restorative practices (June 2009, Leuven) with the aim to further discuss this issue. He added that it would be too soon for the Board to make a decision already now. A number of participants questioned the need for this discussion when the Constitution of the Forum clearly states that the main focus is restorative justice; in practice the Forum has been and wants to continue to be open to dialogue with other restorative practices as well; broadening the scope of the Forum is impractical and unrealistic at this time. Some participants expressed the view that the Forum needs to better reflect the changing face of the restorative family such as, for example, the growing area of restorative justice practices in schools. Some members mentioned that they wanted to be more actively involved in the decision-making on this issue. Niall Kearney agreed

that the members should have input and said that the Board would work out a proposal and that the issue would be discussed during the next AGM (2011).

### **1.8 Election of 3 new Board members**

During this General Meeting three new Board members had to be replaced: Siri Kemény, Marko Bosnjak and Vira Zemlyanska.

During the previous General Meeting three candidates have been approved to be members of the selection committee: Keith Simpson (chair), Sonía Sousa Pereira and Borbála Fellegi.

According to the *Annex to the code of internal regulations: selection, nomination and election of candidates to the Board* the selection committee's task is to seek and approve nominations for the next elections to the Board. After inviting the members of the European Forum to nominate candidates to the Board, the selection committee actively approached potential candidates. This was done by comparing the profile which they drew up with the list of members with full voting rights which they obtained from the Secretariat of the European Forum.

The work of the selection committee led to four candidates for election to the Board:

- Bruno Caldeira (Portugal)
- Beata Czarnecka-Dzialuk (Poland)
- Gert Jan Slump (the Netherlands)
- Annemieke Wolthuis (the Netherlands)

According to the above mentioned annex the candidates for election to the Board were invited to present themselves briefly. Three of the four candidates were present. Gert Jan Slump was unable to attend the General Meeting and was represented by one of his colleagues.

An election committee was composed consisting of Jeanine Dams (staff member of the European Forum) and Jolien Willsemsens and Anniek Gielen (two full members attending the General Meeting). The task of the election committee was to supervise the election procedure, to count the votes and to announce the results of the election.

The voting was done by secret voting ballot. Each full member attending the meeting received a voting ballot. The ballots were collected by the members of the election committee. They counted the votes which led to the election of the following three Board members:

- 1) Bruno Caldeira
- 2) Beata Czarnecka-Dzialuk
- 3) Annemieke Wolthuis

## **2. The functioning of the Forum, evaluation of activities**

### **2.1. Project activities**

#### **a) "Building Social Support for Restorative Justice"**

The project ended at the end of March (2010) so Brunilda Pali and Carmen Borg were no longer working on the project. If the Commission would have no further comments the reports of the project (1 scientific report and 2 toolkits) would be placed on the website and possibly also sold in paper version.

#### **b) "Restorative Justice vs Juvenile Delinquency: The Baltic States in the European Dimension"**

The European Forum was a partner in this project, the promoter was Providus, an organisation in

Latvia. The goal of this research was to promote the effective development of restorative justice as a response to youth crime in the Baltic States and to enhance mutual knowledge of best practices and initiatives in the field of restorative justice and beyond. It focused on Latvia, Lithuania and Estonia and had a strong European dimension through its activities. The project was finished, so the Forum was awaiting the final report.

c) "Restorative Justice and Crime Prevention"

This project ended in April 2010. The Forum is expecting the Italian Ministry of Justice, as project promoter, to finalise the project.

d) "Conferencing: A way forward for restorative justice in Europe"

This two-year project consists of an exploratory study of conferencing practices, for both adult and young offenders and for low and high level crimes, and their further applicability within Europe. It focuses on 3 main research questions:

- To what extent has conferencing been developed internationally?
- What are the processes used in and outcomes achieved by conferencing, and how do they compare to victim offender mediation?
- How could conferencing practices be developed further in Europe?

Conferencing was one of the three main themes of the Bilbao conference. There was a plenary dedicated to this subject, together with several workshops. The results will be used in the final report.

An expert seminar within the framework of this project would take place in September 2010 in Leuven. European and international experts would be brought together to present and discuss interesting/important issues relating to conferencing. The project will finish at the end of February 2011.

e) "Mediation and restorative justice in prison settings".

The promoter of this project is the Hungarian FORESEE Research Group, the European Forum is one of the partners. The main objective of this project is to explore the opportunities for implementing mediation and restorative justice practices into the prison settings. A further aim is to test if such practices can help in supporting victims of crime, raising responsibility-taking in offenders, supporting the prison staff and inmates in peacefully resolving their internal conflicts and reintegrating offenders into the society after release. The project starts with a research phase, after which it will progress into a pilot project. The existing practices in Germany and the UK will be evaluated and further developed. In Hungary a pilot project will be started. The role of the Forum consists mainly of spreading information about the progress of the project by, amongst others, the publication of an issue of the newsletter on this topic. An expert of the Forum (Karolien Mariën) will also participate in the 2 expert group meetings.

f) Publications linked to completed projects: "Developing standards for assistance to victims of terrorism"

The book with the results of this project, in which the European Forum was one of the partners, has been published by Springer.

## 2.2. Financial concerns and fundraising

The Forum had not yet received a final decision from the European Commission on the operating grant 2010. The Board had decided to look for other funding possibilities, in addition to those of the European Commission. Therefore it was working on developing a funding strategy and examining options to get structural funding.

## 2.3. Policy work and the relation to international organisations such as the European Union and the Council of Europe

The European Forum wants to create a stronger network with some important European partners: Members of the European Parliament, civil servants, the different committees within the European Parliament, Council of Europe (CDPC, civil servants) etc. Establishing and further elaborating these contacts would be one of the Forum's highest priorities for the near future.

## 2.4. The strategic planning exercise: structuring the Secretariat and the relationship between the Board, the Secretariat and the University in Leuven (KUL)

This item has already been partly discussed above (activities of the Board). The strategic planning team has met twice in Leuven in 2009. They have been working on an organisation strategy and structure for the Forum to help make it a sustainable organisation and give support to the executive officer in her daily work. They also thought about ways to facilitate and improve the communication between the Secretariat and the Board. Ivo explained the relation between the European Forum and the University of Leuven. They have been closely linked since the very beginning. The Secretariat of the Forum is hired through the KULeuven and is located within the buildings of the Law Faculty. This situation has advantages for both parties.

## **3. Proposals**

There were no proposals.

## **4. 2011 General Meeting: location and possible topics**

The date of the next general meeting is not yet known, but will be communicated in due course. The meeting will probably take place in Brussels.

## **5. Communications**

Niall Kearney was proud to be able to communicate that the next international conference of the Forum would take place in Helsinki (Finland). Dates will be communicated in due time.

## **20.30: Closure of the General Meeting**

## Annex 1: Membership applications and resignations



### **General Meeting of the European Forum for Restorative Justice, 17 June 2010 Membership Matters**

#### **New membership applications – to be approved:**

##### **Full membership status:**

1. <i>Jesus Trujillo, Spain</i>	21. <i>Theo Gravielides, UK</i>
2. <i>Helen Bowen, New Zealand</i>	22. <i>Anniek Gielen, Belgium</i>
3. <i>Slögs Pia, Finland</i>	23. <i>Elin G.R. Fredriksen, Norway</i>
4. <i>Otmar Hagemann, Germany</i>	24. <i>Ana Leon Garrigosa, Spain</i>
5. <i>Elinor Moses, UK</i>	25. <i>Andrea Tünde Barabás, Hungary</i>
6. <i>Carlos Romera, Spain</i>	26. <i>Mona Hammerfeld Leinan, Norway</i>
7. <i>Gianluca Tramontano, Italy</i>	27. <i>Christina Aas Øines, Norway</i>
8. <i>Xabier Etxebarria, Spain</i>	28. <i>Sophia Giovanoglou, Greece</i>
9. <i>Fédération Citoyens et Justice, France</i>	29. <i>Artur Santos, Portugal</i>
10. <i>Antwerpse Dienst Alternatieve Bemiddeling, België</i>	30. <i>Gabinete para a resolução alternativa de litígios, Portugal</i>
11. <i>Vegard Johansen, Norway</i>	31. <i>Torhild Jensen, Norway</i>
12. <i>Evguenia Kramarov, Israel</i>	32. <i>Rocio Aznar Daban, Indonesia</i>
13. <i>Bureau Alternatieve Afhandeling, Belgium</i>	33. <i>Asociación ¿Hablamos?, Spain</i>
14. <i>Karolien Mariën, Belgium</i>	34. <i>Fely Gonzalez Vidosa, Spain</i>
15. <i>Regina Delattre, Germany</i>	35. <i>Boo Kling, Sweden</i>
16. <i>Criminal Justice Services, UK</i>	36. <i>Gian Luigi Lepri, Italy</i>
17. <i>Adepeju Solarin, USA</i>	37. <i>Alperton College, UK</i>
18. <i>Per Holst, Norway</i>	38. <i>Constantina Sampani, Greece</i>
19. <i>Marit Bjørnstad, Norway</i>	39. <i>Iryna Grebenyuk, France</i>
20. <i>Inger Birgitte Torbjørnsen, Norway</i>	40. <i>Juan Morcillo Jiménez, Spain</i>

##### **Associate membership status:**

1. <i>Patrick Michael Wolff, USA</i>	11. <i>Ahmed Pjano, Bosnia and Herzegovina</i>
2. <i>Luis Miguel Ortega, Spain</i>	12. <i>Daniel Achutti, Brasil</i>
3. <i>Esther Pascual, Spain</i>	13. <i>Raffaella Pallamolla, Brasil</i>
4. <i>Muhammad Ishar Israr, Pakistan</i>	14. <i>Gianvittorio Pisapia, Italy</i>
5. <i>Daniela Bolivar, Belgium</i>	15. <i>Daniela Antonucci, Italy</i>
6. <i>Sofie Geerts, Belgium</i>	16. <i>Cátia Cebola, Portugal</i>

7. Nele Vanneste, Belgium	17. Grazia Manozzi, Italy
8. Günther Raberger, Switzerland	18. Walter Fuchs, Austria
9. Ida Helene Asmussen, Denmark	19. Harri Väisänen, Finland
10. Szandra Windt, Hungary	20. Teresa Cristina De Carvalho Pereira Mendes

**Resignations from membership – to be acknowledged:**

1. Henning Maigaard, Denmark	8. Linda Altemark, Sweden
2. Julie Hay, UK	9. Gwyneth Boswell, UK
3. Kitty Duell, Netherlands	10. Restorative Justice Scotland, UK
4. Teresa Damásio, Portugal	11. Frans Schlyter, Sweden
5. Ann Roberts, USA	12. Roger Käck, Sweden
7. Aideen Murphy, USA	

**Memberships to be terminated due to failure to pay the membership fee**

1. Antje Segers, Belgium	24. Grigor Vladimirov, Bulgaria
2. Anna Vall Rius, Spain	25. Hasteinn Hafsteinsson, Iceland
3. Belen de la Camara, Spain	26. Svein Roppestad, Norway
4. Catherine McManus, UK	27. Icilio Martire, Italy
5. Childrens Act Advisory Board, Ireland	28. Ilaria De Vanna, Italy
6. Toshio Yoshida, Japan	29. Institute for Penal Reform, Moldova
7. Daina Anspoka, Latvia	30. Isabel Cuncha Gil, Portugal
8. Davorka Lalic-Lukac, Croatia	31. James Dignan, UK
9. Tina Luther Handegaard, Norway	32. Jan Nicholson, UK
10. Ellie Moses, UK	33. Jennifer Parke, Australia
11. Erik Claes, Belgium	34. Jerzy Ksiazek, Poland
12. Fiona Poland, UK	35. John Cross, UK
13. Grat van den Heuvel, Netherlands	36. Ronald Hinch, Canada
14. Laima Zelmene, Latvia	37. Gordon Petterson, Norway
15. Thierry Fresnay, France	38. Luis Gordillo Santana, Spain
16. Maria José Claro da Fonseca, Portugal	39. Matthias Geck, Switzerland
17. Marju Leinonen, Finland	40. Merete Granrud, Norway
18. Marko Bosnjak, Slovenia	41. Mikaela Baum, Sweden
19. Martin Haverty, UK	42. National Commission on RJ, Ireland
20. Nicholas McGeorge, UK	43. Ilze Dzenovska, USA
21. Panayis Papagiopotoulous, Greece	44. Simon Woodbridge, UK
22. ProPeace, Tanzania	45. Sanja Copic, Serbia
23. Evans Mirieri, Kenya	