Foreword

We are happy to present to you the 2002 annual report of the European Forum for Victim-Offender Mediation and Restorative Justice. This second year of the Forum’s formal existence has been an intensive and challenging one in many ways.

The main focus of this working year was on internal partnership with and between members of the Forum. The functioning of the committees within the Forum – as an important participatory tool – received a lot of attention and will remain a priority for the next year too. The newsletter and also the new website have proven to be very useful in terms of exchanging information and networking.

A highlight in 2002 was the bi-annual conference, which was held in Ostend, Belgium. It was an exciting event, with many people involved, creating new dynamics in different ways. The innovative format of the conference provided plenty of time for informal exchange on how to see and develop the relationship between restorative justice programmes and the criminal justice system. The fact that not that many legal practitioners participated in the conference shows again that a lot of work still needs to be done to familiarise this group with restorative justice. Increasing the involvement of legal practitioners in our work therefore remains one of the policy priorities, and in this respect we were lucky that we could start a collaboration with the Academy of European Law. We would like to develop specific training programmes for prosecutors, judges and lawyers cooperating in restorative justice programmes.

The promotion of membership, obviously, is another priority for a young organisation. It is clear that in 2002 a step forward has been taken. The increased participation in the work of the Forum by Eastern Europeans is a good development. However, it remains difficult to involve people in certain countries such as France and Germany and special efforts will need to be made here.

At the external level, building further on contacts that were established in 2001, the Forum has stepped-up its co-operation with the Belgian government in order to bring restorative justice on the agenda of the European Union. On 19 September 2002, the Belgian government introduced a proposal to adopt a Council Decision setting up a European Network of National Contact Points for Restorative Justice. This initiative should bring official recognition and support for restorative justice at the level of the EU and within national governments, and at the same time strengthening the autonomous position of the European Forum.

But also at the level of the Council of Europe, interesting initiatives were taken, namely a follow-up of the Recommendation of 1999 on mediation in penal matters and the development of a vademecum on the implementation of restorative justice practices. Furthermore, the Forum itself or some of its members have participated in several European projects, as you can read on the following pages.

Other continuing points of attention for the Forum, which you will find reflected in the annual report, are the finding of structural funding and the affiliation with other international organisations. Funding is a major concern, and we are grateful to our main sponsors during last year: the governments of Belgium, Finland, Germany, the Netherlands and the UK. Without their generous help, our work wouldn’t be possible at all. But we know their support can only be temporarily. Moreover, in some of our countries we see government funding for local mediation services or umbrella organisations reduced or threatened, and here it becomes extremely difficult for the Forum to apply for funding by these countries.

In a time in which international tension is rising and social unrest is increasing, the European Forum should reflect on the meaning of restorative justice in a broader societal and political context. Restorative justice reflects more than a method of dealing with (conventional) crime, it also concerns values and commitments in personal, professional and
social live, commitments which results in concrete action. One of our members sent us this statement: 'Restorative justice, conceived as an intellectual tradition or as an approach to political practice, involves radical transformation. On this radical view restorative justice is not simply a way of reforming the criminal justice system, it is a way of transforming the entire legal system, our family lives, our conduct in the workplace, our practice of politics. Its vision is of a holistic change in the way we do justice in the world.'

Ivo Aertsen
Chair

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1. Short information about the Forum

The European Forum for Victim-Offender Mediation and Restorative Justice is a non-governmental not-for-profit organisation established according to Belgian law. It was officially created during the first General Meeting, organised in Leuven (Belgium) on 8 and 9 December 2000. Its statutes were published in the Belgian Official Journal on 19 April 2001.

The general aim of the Forum is to help establish and develop victim-offender mediation and other restorative justice practices throughout Europe. To further this general aim, the Forum pursues, amongst others, following objectives: promoting international exchange of information; promoting the development of effective restorative justice policies, services and legislation; exploring and developing the theoretical basis of restorative justice; stimulating research; and, assisting the development of principles, ethics, training and good practice.

The Forum has a permanent secretariat, located within the Department of Criminal Law and Criminology of the Catholic University of Leuven, Hooverplein 10, 3000 Leuven, Belgium. It employs a half-time staff.

2. The European Forum Board

The Board of the Forum, which was elected during the 2002 General Meeting, is composed of: Ivo Aertsen (Belgium) as Chair, Andrei Pascu (Romania) as Vice-chair, Robert Mackay (United Kingdom) as Treasurer, Martin Wright (United Kingdom) as Secretary, Christa Pelikan (Austria), Torunn Bolstad (Norway), Frauke Petzold (Germany), Jaime Martin (Spain), and João Lázaro (Portugal).

3. Membership

The Forum has a mixed membership structure. There are full (with voting rights) and associate (without voting rights) members. Both individuals and organisations (governmental and non-governmental) have the right to become a member.

In 2002, 62 new members were accepted: 42 full individual members, 7 associate individual members, 3 full local organisations, 1 associate local organisation, 7 full regional, national or international NGO’s and 2 full regional, national or international governmental organisations.

Two members resigned in 2002: 1 full local organisation and 1 full individual member. At the end of the year, 13 individuals/organisations who were members in 2001 had not yet renewed their membership. If their membership renewal for 2002 and 2003 did not reach the Secretariat by the end of January 2003, they were regarded as resigning from membership.

This means that at the end of the year 2002, the Forum had 143 members. A small portion of the membership had not paid its membership fee by the end of the year. Here also it is expected that they will regularise their situation before the end of January. If they do not do so, they will be regarded as resigning from membership, according to the rules of the constitution and internal regulations.

4. Overview of the activities

4.1. General Meeting

The 2002 General Meeting was organised in Ostend, Belgium, on 10 October 2002, on the first evening of the European Forum conference. It was attended by 64 members. The minutes of the meeting can be found on the website (http://www.euforumrj.org), under the heading activities.
Next to recurrent formal issues, like the approval of the report of the previous General Meeting, the approval of the accounts and budget and membership matters, following important issues were handled:

- Approval of an internal regulation concerning membership of the Board. The Code of Internal Regulations can be obtained from the Secretariat, or can be found on the Forum website: [http://www.euforumrj.org](http://www.euforumrj.org).
- Election of three new Board members: The terms of office of Tony Peters, Jesús Trujillo and Juhani Iivari had expired. Three new candidates were elected by acclamation: Frauke Petzold from Germany, João Lázaro from Portugal as representative of the Portuguese Association for Victim Support, and Jaime Martín from Spain as representative of the Secretaría de Serveis Penitenciaris, Rehabilitació i Justícia Juvenil.

During the meeting, reports were presented of the activities of the Board, the Secretariat and the committees. During the conference, the committees met and made plans for the year 2003.

A general discussion on the functioning of the Forum and on further priorities was held.

The policy priorities for the Forum, as discussed, are:

- Promotion of membership: This proved to be successful in 2002, certainly linked to the conference. In 2003, the communication committee will develop a leaflet about the Forum which should help in this respect.
- Involvement of legal practitioners: This was not very successful.
- Finding of structural funding: It is hoped that via the establishment of a European Network for Restorative Justice (see further), structural funding will be found.
- Improving the functioning of the committees: Via a stronger liaison between the Board and the committees, it is hoped that this will be realised.
- Improving contacts with certain countries: Special attention is going to contacts with Germany, Poland and France.
- Contact with partners in Eastern European countries: This remains actively on the agenda.
- Affiliation with international organisations: Contacts have been established with the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), the Academy of European Law (ERA) and the ‘Conférence Permanente Européenne de la Probation’ (CEP). These, and other contacts, as for example with the European Forum for Victim Services, will be further explored.

4.2. Board meetings

In 2002 the Board met twice, once in Barcelona (Spain) on 12 and 13 April, and once right before and after the 2002 General Meeting on October 9 and 12 in Ostend, Belgium.

The follow-up of the work of the committees, the financial state of affairs and international issues were the main topics at these meetings.

During the Board meetings, concrete projects were also discussed, for example the initiative of the Belgian Ministry of Justice to create a European Network for Restorative Justice.

At each meeting, a large number of new members were accepted. Also strategies for the active promotion of membership were worked out, and the work in this respect was divided.
4.3. Committees

Five committees have been set up within the Forum. The information committee gathers and processes information on restorative justice developments in the different countries. The communication committee provides the mechanisms of dissemination of information to the outside world and within the Forum. The newsletter editorial board is part of this committee. The practice and training committee identifies, promotes and supports principles of good practice. The research committee promotes and develops research that informs and supports practice and policy developments. The finance committee focuses on fundraising.

Also this year it proved quite difficult to get active participation in the committees.

The finance committee did not function in reality this year. Its tasks were taken over by the Board Executive Committee.

The information committee intended to collect papers on the state of affairs in restorative justice in every European country by using a common template. In 2002, some six papers were collected. During the General Meeting it was announced that Frederico Marques (Portugal) would be the new chair of the committee. In 2003, the committee will continue with the work started. Once collected, the information will be made available on the Forum’s website.

The work of the communication committee in 2002 was hampered by the fact that there was no chair. Siri Kemény (Norway) has now taken up this task. In 2003 the committee will develop a leaflet about the Forum that will help in the promotion of the Forum’s work and in recruiting new members.

During 2002, the chair of the practice and training committee changed several times, which made it difficult to achieve concrete things. The committee developed and sent out a questionnaire for collecting information on the qualification of victim-offender mediators in Europe. They received responses from over 20 countries. The results of this questionnaire were presented during the Forum’s conference. The aim for 2003 is to attempt to bring together a pool of people with particular expertise in training. The idea to cooperate with the European Masters Programme in Mediation in Sion should also be explored. The new chair of this committee is Ken Webster (UK).

The research committee continued and will continue to be chaired by Inge Vanfraechem (Belgium). The committee tried to get an overview of finance opportunities for research, but they did not succeed. The chair attempted to get more people involved in the work of the committee. She regularly sent out information concerning conferences, research initiatives, etc.

4.4. Newsletter

At the end of the year, Anne Lemonne (Belgium) has replaced Katrien Lauwaert (Belgium) as co-ordinator of the newsletter editorial board. New members were attracted to serve on the editorial board.

The newsletter appeared three times in 2002: February, June and November.

The main articles in 2002 covered developments in Slovenia, Switzerland, Italy and France. Reports of conferences were included, as well as information about international developments and developments within the Forum. The Bulletin Board, Newsflash and Readers’ Corner were recurrent sections in the newsletter.

The newsletter was sent to all the members as part of their member benefits. It was also presented at several restorative justice and related conferences as promotion material. Three organisations are buying the newsletter for their library without being a member of the forum. With other organisations the Forum has established an exchange of newsletters.
4.5. Conference

The 2002 conference, “Restorative Justice and its Relation to the Criminal Justice System”, took place in Ostend (Belgium) from 10-12 October 2002, and was organised in co-operation with the Academy of European Law (ERA). The conference was first planned to take place in Bucharest (Romania). Unfortunately, due to local circumstances, the Board had to decide to relocate the conference.

Although the conference invitations were sent out rather late, due to the relocation, it attracted some 180 people from 28 different countries.

The main subject of the conference was the co-operation and relation between restorative justice programmes and the criminal justice system. It focused on the perception of restorative justice practices by different agencies of the criminal justice system and on the way these practices can have an impact on the different stages of the criminal justice process.

Instead of choosing for the more “classic” format of a conference, with long plenary presentations, an option was taken to maximise the possibilities for rather informal discussion. That is why, next to a limited number of plenary presentations, many workshops and so-called ‘café-conferences’ were organised. This set-up proved to be a success. Based on the feedback received after the conference, we have the impression that the participants especially appreciated the opportunity to sit down with “kindred-spirits”. The informal atmosphere of the conference was also reflected in the conference dinner.

The workshops and café-conferences were organised in groups according to the stage of the criminal justice process in which mediation can take place: at the level of the police, the prosecutor, the judge and the prison system. A separate group was organised to talk about the work of mediators/facilitators.

At the end of the conference, a “fish-pool discussion” was organised, during which the main questions that came out of the conference were discussed by all willing to participate.

Thanks to the support of the Integrated Projects 2 “Responses to violence in everyday life in a democratic society” of the Council of Europe, a special seminar on the follow-up of the Council of Europe Recommendation of 1999 on Mediation in Penal Matters could be organised.

In all, the conference can be said to have been a real success.

The papers presented at the conference, together with materials from workshops and café conferences are being collected, and they will be published (although not in a book-format) in 2003.

The next conference is planned for 2004. Several suggestions for locations for the conference have already been communicated to the Board.

The Board is also exploring the possibility of organising more limited meetings about specific projects in between the bi-annual conferences.

4.6. Publications

The book “Victim-Offender Mediation in Europe. Making Restorative Justice Work”, which was published following the Forum’s 1999 conference is almost sold out. There has been interest in translating the book into Spanish.

Board members have placed several articles about the Forum in national journals.
4.7. Information provision

The Secretariat and the Chair dealt with numerous requests for information. They pertained to information about the Forum, information about contact persons or institutions in other countries, information about training or educational programmes in restorative justice, and information about specific aspects of restorative justice.

As the Secretariat is hosted by the Catholic University of Leuven, information and literature is provided on a regular basis to students, not only from Leuven but also from abroad.

4.8. Website

The website was finalised in 2002. The Secretariat tried to keep the information on the website up-to-date. However, this proved to be a time-consuming job. Also, only a small amount of requests to put information on the website are being received. Updating the website and providing current information would be easier if the membership of the Forum contacted the Secretariat regularly with news about events, publications and developments.

The discussion room on our website is not being used very often. Fortunately, there has been some improvement after the conference, and ways to stimulate the use are being explored.

With the help of the German Ministry of Justice, the reading room on the website was improved. The keyword system behind the reading room was improved so as to allow for searches to be performed in an easier way. With the help of experts, 125 German titles, 99 French titles and 32 Spanish and Portuguese titles were added.

4.9. Representation of the Forum

Board members and members were on several occasions asked to represent the Forum at conferences and meetings of other organisations. Jolien Willemsens was invited to attend the VOMA conference in Fort Lauderdale, USA.

4.10. Financial situation and funding applications

Possibilities for new funding applications were explored. At the end of the year, unfortunately, no new funding opportunities could be found. The Finish and Dutch Ministries who had funded the activities in 2001, renewed their support. In 2003 these efforts will be renewed. The search for funding remains a continual concern.

4.11. Support to other organisations

The Forum is a partner in a GROTIUS-project, “DIKÊ project – Protection and Promotion of Victims’ Rights under the Framework Decision regarding the Standing of Victims within Criminal Proceedings”, that was introduced by the Portuguese Association for Victim Support. The project aims to promote the development and strengthening of knowledge on specific measures concerning the protection of victims’ rights, thus helping to put into practice the Council of the European Union Framework Decision of 15 March 2001. The project will run for one year.
4.12. **VOMA**

Also in 2002 the Victim Offender Mediation Association (VOMA) has been a privileged partner. The Forum and VOMA have established mutual membership. VOMA’s Annie Roberts and Hans Boserup attended our conference in Ostend. At both occasions possibilities for co-operation were discussed.

4.13. **International initiatives**

**European Network**

On 19 September 2002, the Belgian government officially introduced a proposal for a Council Decision setting up a European Network of National Contact Points for Restorative Justice. This initiative, which was developed in close co-operation with the Chair of the Forum, aims at getting more attention for restorative justice at national governmental level and within the EU. The initiative is now making its way through the European Union-structure, and is – at the moment of writing this report – being looked at by the European Parliament. If all goes well, the dossier will be dealt with by the Council in 2003.

**UN basic principles** *(source: www.restorativejustice.org)*

In April 2002, the Canadian government proposed that the Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters prepared by the Expert Group (in which Christa Pelikan took part for the European Forum) be recommended by the UN Commission on Crime Prevention and Criminal Justice for adoption in the UN Economic and Social Council (ECOSOC). However, it became apparent after several hours’ debate that the members of the Crime Commission were not ready to adopt standards without a paragraph-by-paragraph review. This approach was rejected for several reasons: first, because it would take too long, and second because many country delegations objected that they were not sufficiently familiar with restorative justice nor adequately briefed by their relevant ministries to undertake the task.

On 24 July 2002, the UN Economic and Social Council then adopted a resolution encouraging countries to use the Basic Principles in developing and implementing restorative justice.

**Council of Europe – Implementing restorative justice: a vade-mecum**

After several contacts between the Forum and the Council of Europe, the Integrated Projects 2 “Responses to violence in everyday life in a democratic society” of the Council of Europe offered the possibility to develop a practical guide to facilitate the effective implementation of restorative justice practices throughout Europe. The vade-mecum is intended to serve policy makers at all levels of government, judicial authorities and mediation services with their umbrella organisations.

The vade-mecum will be developed in the year 2003.

**Council of Europe – Follow-up of the Council of Europe Recommendation on Mediation in Penal Matters**

Board member Christa Pelikan is in charge of the follow-up of this recommendation. The people who were involved in the Expert Group that prepared the recommendation during the years 1996-1999 have been asked for the state of affairs on mediation in their country and the possible impact of the recommendation. The collection of this information will be made available in 2003.
During the Forum’s conference a special seminar on this follow-up was organised (see conference information).

COST

A number of members of the European Forum are taking part in COST Action A21 “Restorative justice developments in Europe”. In the beginning of the year 2002, researchers from various countries (Austria, Belgium, Bulgaria, Finland, France, Germany, Ireland, Italy, the Netherlands, Portugal, Slovenia and the United Kingdom) have participated in the preparation of this Action. The COST Authorities have approved this Action on 13 May 2002.

COST (‘European Cooperation in the Field of Scientific and Technological Research’) is an intergovernmental European framework for international co-operation between nationally funded research activities. COST is not financing research directly, but the exchange, analysis and co-ordination of research.

COST Action A21 aims at enhancing and deepening the knowledge on theoretical and practical aspects of restorative justice in Europe. In this respect, a network of researchers has agreed to work together during four years in order to exchange and discuss research needs, methods and results; co-ordinate research projects in the respective countries as far as possible and desirable; and stimulate and support further (common) research projects. More precisely, the action is focused on three domains around each of which a working group has been established:

- Evaluative research on RJ practices: the study of the process and the effects of VOM and conferencing, the study of national recording systems of data and the study of organisational features, job evaluation and satisfaction (the contact person for this working group is Kieran O’Dwyer: odwyerk@iol.ie);

- Policy oriented research: the comparative study of national legislation in relation to VOM, the study of the relation between criminal justice and RJ practices and agencies, the study of training models and training of legal professionals in the RJ area, and the study of new RJ models and applications (the contact person for this working group is Vania Patané: vpatane@lex.unicit.it);

- Theoretical research: the study of theoretical concepts, approaches and frameworks on RJ (the contact persons for this working group are Robert Mackay: mackay@amicalis.fsnet.co.uk, and Johan Deklerck: johan.deklerck@law.kuleuven.ac.be).

A first meeting of the Management Committee of this Action has been held on 29 November 2002. During this meeting, Ivo Aertsen (Belgium) and Robert Mackay (UK), both well known by the members of the European Forum, were elected to the positions of chair and vice-chair respectively.

4.14. Varia

- Some of the members of the European Forum are taking part in a Grotius project on victim-offender mediation for juveniles, initiated and co-ordinated by Anna Mestitz, research director at the Research Institute on Judicial Systems IRSIG-CNR.
5. Financial report

Contents:
- Letter from the accountant (pg. 11)
- Short explanation from the bookkeeper Bruno De Prins
  Attachment 1: Balance-sheet Forum 31/12/2002 (in Euro)
  Attachment 2: Spreadsheet Costs-Incomes and Budget 2002 (in Euro)
To whom it may concern


As auditor we have examined the balance of 31 December 2002 of the VZW European Forum for Victim-Offender Mediation and Restorative Justice, as well as the profit-and-loss account and explanations for the year 2002 as it was closed on December 31, 2002.

We are not part of the Board of this VZW. Our examination has been performed according to the standards for control and consequently include the sample surveys and the control methods that were considered necessary in the given circumstances.

The bookkeeping-entries were controlled and were found to be consistent with the available pieces of evidence.

The situation 2002 is the faithful reflection of the costs incurred and incomes received in the year 2002. In our opinion the attached balance gives a faithful image of the capital and of the financial situation of the VZW on 31 December 2002, as well as of the results of its activities for the year that was closed on before-mentioned date, composed in accordance with the bookkeeping legislation and the commonly accepted Belgian bookkeeping principles which are being applied in an identical way.

Besides the VZW, the Forum still can make use of left-over money from the Grotius-grant. This money is not included in the numbers of the VZW. We have received the data and we refer to the overview “Costs-Incomes and Budget 2002-2003 (in euro)”.

The financial year was closed with a profit of 1.049,49 euro. This result was after a special extra-legal provision of 20.000,00 euro for personnel costs in the future.

This means that the VZW’s own property was 1.071,53 euro on 31/12/02 (22,04 euro from 2001 + 1.049,49 euro from 2002).

The final balance on 31 December 2002 provides a total balance of 37.702,78 euro.

Ivan Swinnen
Business Manager of A.B.S. BVBA
Accountant I.A.B.

With number of legitimisation 21.433.4N 96
Short explanation from the bookkeeper Bruno De Prins

On the one hand there is the not-for-profit organisation ‘European Forum’ (see balance-sheet - attachment 1), and on the other hand there is the left-over money on the Catholic University of Leuven accounts (left-over from the Grotius-funds), that can still be used for certain working costs of the organisation. The consolidation of both these sources is presented in the spreadsheet in the column ‘forum+kul’ (see spreadsheet - attachment 2).

On the income-side we see that more money was received from Belgium and especially Germany than was expected. The conference was not foreseen in the 2002 budget. All this means that the total of incomes comes to 89.528,72 Euro, where we expected the amount of 48.014,00 Euro.

On the costs-side, the provision personnel costs has been increased with another 20.000,00 Euro in order to pay the personnel when the incomes should drop dramatically. The fact that several posts are exceeding what was budgeted is largely due to the conference (e.g. copies, travel and accommodation, office supplies, publications).

The cost-incomes results for 2002 will need to be approved at the 2003 Annual General Meeting, while the budget for 2003 was approved at the 2002 Annual General Meeting.
## ATTACHMENT 1

### Balance-sheet Forum 31/12/2002 (in Euro)

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<tr>
<th>Assets</th>
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<td>Membership fees</td>
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<td>Cash</td>
<td>Vacation provision</td>
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<td>Deferred charges</td>
<td>Deferred income</td>
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<td><strong>TOTAL</strong></td>
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## COSTS-INCOMES AND BUDGET 2002-2003 (IN EURO)

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<th>COSTS</th>
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<th>KUL-account</th>
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<th>Results jan-dec</th>
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