



Newsletter of the European Forum for Restorative Justice

Editorial

The restorative justice community does not rest, even in summer. On 15-17 June 2006 Barcelona hosted the Fourth Conference of the European Forum, *Restorative justice and beyond - an agenda for Europe*. This conference intended for the first time to broaden the perspective on restorative justice whilst retaining the core topic of 'justice'. Almost 300 people from as far as Thailand and the United States met to explore in detail what lies beyond the 'classical' application of restorative justice.

Although this was an excellent opportunity to discuss issues of the application of restorative justice in post-war society, community and school mediation (in addition to traditional restorative justice), the main focus of the Forum's activities has not changed. It is still restorative justice in the 'classical' meaning.

The Barcelona conference was really rich in the diversity of participants and their experience, and I would like to mention at least two pieces of news. Firstly, four new Board members of the European Forum were elected at the general meeting, and we are very happy to welcome them on the Board. At the same time, we would sincerely thank all Board members who had to step back

from the Board for their outstanding contribution in the Forum's development. Secondly, the conference presented for the first time a Far Eastern perspective introducing Chinese and Thai experiences and you can read about Thai restorative justice in this Newsletter.

At the same time this issue informs you about the development of restorative justice in Europe. Vera van der Does presents her research on the influence and importance of European legislative measures in the field of restorative justice and Borbala Fellegi reports on a meeting held in Vienna to improve cooperation across national borders at a governmental level.

Congratulations to our Romanian colleagues regarding the adoption of the law on mediation and organisation of the mediation profession. You can read in detail about this achievement in the article by Adriana Anca Cusmir. In the next issue we will report on some recent developments in Scandinavian countries.

On behalf of the European Forum I would like to wish you a good rest and nice vacations!

Vira Zemlyanska
Coordinator of the Editorial Board

August 2006
Volume 7, Issue 2

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Restorative justice for juveniles and adults in Thailand

The concept of restorative justice (RJ) was first introduced to Thai criminologists and criminal justice practitioners in 2000, but the first attempt to implement a RJ approach occurred in 2003, when a family group conference initiative was set up by the Department of Juvenile Observation and Protection (DJOP) in the Ministry of Justice. Later, the Department of Probation also implemented victim-offender mediation with adult cases in 2004.

Restorative justice for juveniles

The DJOP is the main agency responsible for the implementation of RJ for juvenile offenders. It adjusted the New Zealand

family group conferencing approach to incorporate members of the community as a significant part of the process. This is because in Thai society the community plays a very significant role in nearly every aspect of the lives and social functions of the people. Therefore, the conferencing approach in Thailand was called *Family and Community Group Conferencing* (FCGC).

The first conference for juveniles was launched in June 2003, and then 52 other Juvenile Observation and Protection Centres throughout the country followed its practice, regulations and guidelines. One of

the main reasons for the success of the implementation is that there is a law supporting this practice, even though it was not intentionally drafted for the use of FCGC.

This law, the Juvenile and Family Court and Procedure Act, has two relevant articles that facilitate the implementation of the FCGC. Article 50 provides that when a child is arrested the police has the duty to send the child, without exception, to the Protection Centre within 24 hours for granting bail or keeping the child in its shelter during the investigation and trial. Article 63 gives authority to the Director of the Protection Centre to make a proposal to the prosecutor for a non-prosecution order. In making such a proposal, the Director has to use his or her discretion based on three factors: firstly, the offence committed is punishable by not more than 5 years' imprisonment; secondly, the Director is of the opinion that the child can be reformed without being prosecuted; and thirdly, the child consents to being under the control of the Director in the follow up period. This Article has been on the statute book for several decades but was never used because the Directors did not want to exercise this discretion all by themselves.

In practice, not every case within the limit of 5 years' imprisonment goes through the FCGC because several criteria have to be met. These criteria are: it must be the child's first offence; the child has to plead guilty and want to repair the harm done; and the victim has to give consent to use the FCGC. Participants in a FCGC are not limited to only the victim and the child and his/her family but also representatives from the community and other people who can help the child and the process participate. Thus, participants of the FCGC are: the victim, the juvenile offender, the parent(s) and relative(s) of the child, a psychologist, a social worker, one or more representatives of the community, the Director of the Protection Centre, the police investigator, the prosecutor, and the conference facilitator.

Of all the steps in the FCGC, the preparation is the most difficult and vital part of the process. The conference facilitator has to explain the whole process and the details including the positive and negative aspects of the FCGC to the victim, the offender and the parents. In many cases the victim has to be approached more than once. With good and appropriate preparations, failures in the conferences are very much reduced.

From the statistics, it is very interesting that the number of children being processed through FCGC and committing a second offence is only 3 percent (3.096%) while the re-offending rate of children being

prosecuted in courts is 15-19%, so 12-16% higher. The Department believes that using family and community in solving the problem of children in conflict with the law is the right path. Moreover, it is an undisputable fact that family and community are the two most important factors in helping children to behave and become valuable human resources of society.

Statistics of the Family and Community Group Conferencing (from 1 June 2003 to 30 April 2006)

	Number
Juveniles arrested	99,303 persons
Potential cases for FCGC	15,919 cases
FCGC successfully organised	11,538 cases
Cases with non-prosecution orders	9,474 cases
Cases with prosecution orders	112 cases
FCGC juveniles committing another offence	321 persons

In order to get a fair and unbiased assessment of the FCGC, the Department has commissioned an academic team from Sukothai University to conduct an evaluation research by interviewing all parties involved in the FCGC process. The information and the whole process will be assessed and analysed and recommendations will be proposed to the Department on what should be improved or amended. The study is being conducted and results are expected to improve FCGC to best suit Thai culture and society and the interest of the children.

Restorative justice for adults

The RJ approach for adult offenders was first implemented by the Department of Probation, Ministry of Justice, in 2004. However, there is no law to support this practice, except the master plan of the criminal justice system which stipulates that one of its visions is *to develop the justice system by enabling effective use and also enhancing just and fair, restorative and peaceful society beyond an equilibrium between law enforcement and human dignity.*¹

In May 2004, the Department of Probation implemented RJ practices in 11 Probation Offices on a voluntary basis and 3 months after that, all directors of Probation Offices throughout the country agreed to conduct the RJ practice at their offices. Now, we have conducted RJ practices in 96 Probation Offices and have 2-3 mediators in each office.

The RJ practice for adult offenders was called *Restore-relationship conferencing* although its process is similar to victim-offender mediation. It is conducted at the pre-sentence investigation stage. Cases with identified victims will be selected. A wide range of offences including sexual offences, offences against life and body, and offences against property are eligible for the process. However, not all offences of these types

are eligible. Most of them must be compoundable offences, for example a sex offence against persons aged over 15 years, a property offence against relatives and some petty offences.

Cases are referred by the court; probation officers will act as mediators who contact both victims and offenders. The initial contact can be done in several ways depending on the circumstances, such as by phone, letter or personal contact. The mediator invites the victim(s) and their supporter(s) as well as the offender(s) and their supporter(s) to the meeting. The results of the meeting will be stated in the presentence report. The agreements made by both parties will also be considered by the court, and in some cases they may be accepted by the court as an alternative sanction.

Statistics of Restore-relationship conferencing (from June 2004 to February 2006)

	Number
Agreement made	2,049
No agreement made	360
Total	2,421

In addition, the Department of Probation is conducting a pilot project applying the RJ approach with domestic

Readers' Corner

- *Correctional Ethics*, by John Kleinig (2006). This book gathers the most prominent contributions to this burgeoning field, ranging from the philosophy of punishment through to ethical appraisals of incarceration, the professional responsibilities of prison personnel, and formative work in restorative justice. In addition, it provides an annotated research agenda to help shape the development of a comprehensive correctional ethic. More information: <https://www.ashgate.com/>
- *Media and the Path to Peace*, by Gadi Wolfsfeld, Lance W. Bennett and Robert M. Entman (2004). This book examines the role the news media play in peace processes, arguing that it is often destructive. Wolfsfeld et al. examine three major cases: the Oslo peace process between Israel and the Palestinians; the peace process between Israel and Jordan; and the process surrounding the Good Friday Agreement in Northern Ireland. More information: http://www.ebooks.com/ebooks/book_display.asp?IID=255110.
- *Handbook of Restorative Justice*, by Gerry Johnstone and Daniel W. Van Ness (eds.) (2006). This book provides a comprehensive and authoritative account and analysis of restorative justice drawing together leading authorities on the subject from around the world in order to elucidate and discuss

violence cases. Cases will be referred by the police, non-governmental organisations and some governmental hospitals. From January 2005 to May 2006, 38 cases were referred to this project. The results of the project and its implications are being collected.

In conclusion, many victims and offenders participating in RJ reported satisfaction with the process and outcomes. They said that they experienced positive feelings, such as an apology, forgiveness, and sympathy, which may rarely happen in the conventional criminal justice system. These messages are spreading and the public gradually acknowledges the concept, practice, and benefit of RJ. The next and more difficult task is to expand, monitor and maintain high standards of practice and make sure that the process benefits victims, offenders, and the community as much as possible.

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1. Boonsit, Angkana, *Restorative Justice in Thailand: Lesson Learned*, Speech presented at the 11th United Nations Congress on Crime Prevention and Criminal Justice.

- the key concepts and principles of restorative justice. It explains how the campaign for restorative justice arose and developed into the influential social movement it is today describing the variety of restorative justice practices and explaining how they have developed in various places and contexts. It also critically examines their rationales and effects, identifying and examining key tensions and issues within the restorative justice movement. More information: <http://www.willanpublishing.co.uk/>.
- *Charting progress, mapping the future: Restorative justice in South Africa*, by Ann Skelton and Mike Batley (2006). This publication is based on a project that sought to document current projects implementing restorative justice in South Africa. Chapter Two outlines the way in which the authors understand restorative justice and approached it in this study, whilst Chapter Three places it within a historical context in South Africa. Chapter Four contains a report from all of the more than 60 projects that were identified as relevant to the study. Chapter Five presents some conclusions drawn from these reports. The authors seek to place these conclusions within two current international debates judged as critical to the context in South Africa, those of practice standards and the respective roles of government and civil soci-

ety. They end with recommendations aimed at mainstreaming restorative justice. This book can be downloaded for free from following website: http://www.iss.co.za/index.php?link_id=3&slink_id=2920&link_type=12&slink_type=12&tmpl_id=3.

- *Restorative Justice and Civil Society*, Special issue of the Journal of Social Issues (Vol. 62, No. 2, 2006), edited by Brenda Morrison and Eliza Ahmed. You can find the table of contents and

download the articles from <http://www.blackwell-synergy.com/toc/>

- *Restoring Justice. An Introduction to Restorative Justice*, by Daniel W. Van Ness and Karen Heetderks Strong (2006). This is the third edition of *Restoring Justice*. This book provides a clear overview of restorative justice history, processes and ideas. More information: <http://www.lexisnexis.com/anderson/criminaljustice>.

Broadening the scope of restorative justice - Meeting-series in Tel Aviv

All the Working Groups and the Management Committee of COST Action A21 on "Restorative Justice Developments in Europe" were invited to Israel on 1-3 March 2006.

Almost 40 researchers from 20 countries were dealing with the following issues: 1) evaluative research; 2) policy-oriented research; 3) theoretical issues of restorative justice; and, 4) the potential of the restorative approach in mass victimisation and inter-ethnic violence.

On 5 March a thought-provoking workshop was organised by the Bar-Ilan University on the "Contact hypothesis and its limits in managing ethno-national conflicts". We heard interesting presentations about the situation in Northern Ireland, in Cyprus, in the Balkans and in the Middle East, with special focus on the potential of inter-group contacts and encounter programmes in peace-making processes.

An international conference was organised for the final day about the applicability of restorative justice

in serious violence (chaired by Dr. Beni Jakob). The presentations and workshops gave very interesting insights into the ways of handling violence both in "conventional crimes" as well as in inter-ethnic conflicts.

We had no problems with sitting in conference rooms days after days, two minutes from the sunny beach. However, it was difficult to accept our human and scientific limitations in significantly influencing complex societal and political processes, especially when the main issues include violence vs. agreement or war vs. peace.

Nevertheless, it was fascinating to see the commitment in the participants' eyes showing that sometimes we can achieve more in restoring social harmony by "small hopes" than by "big dreams".

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For more information about COST Action A21, please go to <http://www.euforumrj.org/projects.COST.htm>.

Report of the 2006 general meeting

During the conference in Barcelona, the European Forum for Restorative Justice (the Forum) gathered for its annual general meeting. Members met in the late afternoon on the 16th of June to discuss formal issues as well as the functioning of the Forum and its priorities. Among the formal issues, members approved the reports of the two previous meetings held in Sofia and Maastricht in 2005 and the annual report and annual accounts for 2005.

The members received the reports of the activities of the Board, the Secretariat and the five Committees. Good news was that the membership of the Forum is increasing and the Forum was proud to welcome 75 new full members and 16 new associate members. However, two members resigned and 20 memberships were terminated due to failure to pay the membership fee. The Forum also held elections for four new members of the Board, because two Board members had resigned early and two others, namely Ivo Aertsen

(Belgium) and Martin Wright (UK) had completed their full 6 years' mandate. The newly elected Board members are Inge Vanfraechem (Belgium), Michael Kilchling (Germany), Niall Kearney (UK) and Marko Bošnjak (Slovenia).

Members also discussed activities in 2006 and 2007. Bearing in mind continuing financial concerns, it was suggested that fundraising efforts should be increased especially with private persons and possible donors. Cooperative links with the European Union, the Council of Europe and the United Nations were outlined. The value of the COST research action on restorative justice developments in Europe and the need for further research cooperation were also emphasised. The meeting ended in good spirit and early enough for members to join the evening conference dinner with fiesta.

Marko Bošnjak, newly elected Member of the Board

Not a member of the European Forum yet?

Please visit our website www.euforumrj.org. Under the heading 'Membership' you will find all information concerning categories of membership and fees. You can also apply for membership online. The process only takes 5 minutes. You can also contact the Secretariat at info@euforumrj.org

As a member you will receive:

- three newsletters a year
 - regular electronic news with interesting information
 - reduced conference fees and special book prices
 - access to a virtual discussion forum that provides the possibility for direct communication with more than 200 restorative justice professionals from Europe and beyond
- and much more ...

Calendar

- September 21-22, 2006, Cape Town (South Africa), *The politics of restorative justice in South Africa and beyond*. Details can be found at: <http://www.transitionaljustice.be/rjsa>.
- October 12, 2006, Tilburg (Netherlands), First International Conference on Victim Empowerment organised by INTERVICT. More information can be found at <http://www.tilburguniversity.nl/intervict/events/victimempowerment.html>.
- October 18-20, 2006, Bethlehem, Pennsylvania (USA), "The Next Step Part 2: Developing Restorative Communities", organised by the International Institute for Restorative Practices. For more information, go to <http://www.iirp.org/beth06>.
- November 22-24, 2006, Warsaw (Poland), Final conference of COST Action A21 on "Restorative Justice Developments in Europe". For more information see: <http://www.euforumrj.org/projects.COST.htm>.

Mediation law in Romania

On 16 May 2006, the Romanian Parliament adopted the *Law on mediation and organisation of the mediator profession*, published in the Official Monitor of Romania nr. 441/22.V.2006.

The first article of the law defines mediation as an "optional modality of conflict-solving in a friendly way, with the help of a third person - the mediator, in a neutral, impartial and confidential manner". According to this law, mediation can be organised in civil, commercial, family, penal or other matters provided by the law.

The organisation of a mediation session requires the voluntary participation of the parties. The parties can choose their mediator(s) and the mediation can take place at all stages of the justice process.

In order to participate in mediation, the parties must contact a mediator. If only one party contacts a mediator, the mediator will inform (in writing) the other party establishing a term of 15 days for the party to agree on mediation (art. 43 paragraph 1). The institution that refers the cases can be the police, the prosecution, the probation service or the court. Before the start of a mediation session, the parties and the mediator sign a mediation contract that explicitly stipulates that the parties voluntarily agreed to the

process. The law forbids the start of mediation before the signing of the contract (art. 44 paragraph 1).

A particularity of the Romanian legislation is the fact that the parties must pay the mediator a fee (art. 26). According to the law, during the mediation the parties can be assisted by lawyers or other persons they agree on (art. 52 paragraph 1).

In order to become a mediator, a person must have special skills and especially he or she must have a college diploma and have attended a specialised programme in the area or have a master degree in the area. The mediators are authorised by the Mediation Board and they can carry out their activity within a civil professional society, an office of associated mediators or within a non-governmental organisation. If successful, the mediation concludes with an agreement signed by the parties.

Mediation in penal matters

In penal matters, the mediation session can be organised in cases of complainant offences. According to the present Romanian legislation (which is going to be reformed), these offences include: violence against the person (except family members), bodily injury, threatening, defamation and in certain cases unintentional bodily injury, dwelling or rape.

The mediation requires the agreement of the parties and can be implemented before the beginning of the judicial proceedings or during the judicial process. In the last case, the prosecutor or the judge suspends the proceedings in order to allow the mediation, but not longer than 3 months from the signing of the

mediation contract (art. 70). If an agreement can't be reached, the legal proceedings are continued. Otherwise the process is dismissed.

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Newsflash

- John Braithwaite won the first Stockholm Criminology Prize from the Swedish Ministry of Justice. He shares the price with Friedrich Lösel of Cambridge University in the UK.
- The Committee of Ministers of the Council of Europe at the 967th meeting of the Ministers' Deputies adopted Recommendation (2006) 8 of the Committee of Ministers to member states on assistance to crime victims on 14 June 2006. This Recommendation refers to mediation in its article 13. For the full text of this Recommendation, please visit the website of the Council of Europe: <http://www.coe.int/>
- Victim issues was one of the themes of a conference of Prosecutors General in Europe. In the conclusions of this conference, in the annex on vic-

tims, there is an article on victim-offender mediation, which underlines that public prosecutors have a duty in this respect. The official (draft) conclusions of the conference can be found at: http://www.coe.int/t/e/legal_affairs/legal_co-operation/conferences_and_high-level_meetings/european_public_prosecutors/2006%28Moscou%29.asp.

- The 2005 Annual Report of the European Forum for Restorative Justice can now be downloaded from the website: <http://www.euforumrj.org/publications.htm#Annual>.
- The International Institute for Restorative Practices is the world's first graduate school wholly dedicated to restorative practices. Initially two master's degrees and a certificate in restorative practices are offered: http://www.iirp.org/master_degree_programs.php.

Should we speed up or slow down? The influence and importance of European legislative measures in the field of RJ

Since the adoption of the Framework Decision on the Standing of Victims in Criminal Proceedings of March 2001¹ it can be concluded that the European Union considers restorative justice and victim-offender mediation to fall within its area of competence. Consequently, the EU will continue working on these issues, possibly developing more legislative instruments.

I have made a start as regards the evaluation of the effect of the first binding Article for Member States at European Union level on victim-offender mediation which reads:

Article 10. Penal mediation in the course of criminal proceedings

1. Each Member State shall seek to promote mediation in criminal cases for offences which it considers appropriate for this sort of measure.
2. Each Member State shall ensure that any agreement between the victim and the offender reached in the course of such mediation in criminal cases can be taken into account.

In order to collect reliable and appropriate data, the research was divided into two parts. The first part consisted of a wide-ranging literature study

and informal interviews with, amongst others, the Commission official coordinating the evaluation reports on the implementation of the Framework Decision. The first of these was presented in February 2004.² The second part is based on a written questionnaire, designed to obtain more particular data and information for each country. The specific aim of the questionnaire was to obtain an overview of the former, current and potential future status of victim-offender mediation (VOM), in order to evaluate the effect of Article 10 before the expiration of the deadline in March 2006.³ How did the obligations deriving from Article 10 affect VOM and existing legislation within the respective Member States? A further objective was to ascertain governmental opinion and perspectives. Is there an open climate towards the use of VOM and how do governments perceive a possible role for the EU in the field of VOM? The questionnaire was designed to be completed (preferably) by a representative of the national authority working on the implementation of (or with requisite knowledge of) the Framework Decision. The questionnaire was sent to subjects in 24 of the 25 Member States⁴, 17 of which were completed and returned to me within a time span running from June until December 2005.

Despite the status of the respondents, 12 officials working with their respective Ministry of Justice, it appeared to be rather difficult to obtain a view on the official government standpoint as regards VOM.⁵

The Framework Decision is certainly an important step ahead for the victims' rights movement in Europe. However, the provisions are legally-binding only as to the result to be achieved, thus leaving national governments with the choice of form and method and with significant discretionary power regarding its implementation. This creates a certain danger that the means of implementation will vary to a great extent, producing the possibility that the aim of harmonising or improving the provisions on victim protection may not be reached.⁶ It could further result in legal uncertainty for offenders if the status of VOM and of mediated agreements differ amongst Member States. This might possibly constitute an infringement of the international *ne bis in idem* principle that prohibits a second prosecution for the same incident. When one Member State does not recognise the termination of criminal proceedings with a VOM agreement, it could decide to start a (second) prosecution based on the same evidence.

It should be further noted that the instrument is difficult to monitor or enforce, giving little opportunity to act in situations where a Member State does not abide by its objectives.⁷ Consequently, the implementation and general development of VOM will strongly depend on the good will of governments. The effectiveness of Article 10 could have been greatly increased by placing more importance on the process of legitimate consultation and preparation.

The great merit of the Article on penal mediation is its role of stimulant. The results have shown that in 15 of the 17 Member States VOM is currently already possible, whether in the form of experimental projects or with a legal basis (for juveniles and/or adult offenders). Article 10, according to 9 of the respondents, has not (and will not have) a direct effect at national level. However, it has often given an impetus to continue on the path integrating the practice of VOM in the traditional system, beyond the mere promotion required by the Article. Before the 2001 Framework Decision this was a slow process. It seems that governments have taken up this Article more swiftly than the other rights of the Framework Decision, affecting only victims. An explanation could be found in the way VOM is generally used, as a diversionary measure in line with alternative sanctions and as a substitute for custodial sentences. VOM as such, and Article 10, appear to be more offender-oriented and easier to translate and integrate into the

traditional criminal justice system. This manner of integration in the justice system is in line with the viewpoint reflected in the documents developed at an international as well as European level.

With the current Article 10, the more general objective of the Framework Decision "approximation of laws within Member States" (as regards VOM), might not be achieved, taking into account the specific wording and the fact that implementation is not binding on national governments. A significant group of the respondents indicates that they consider these issues to be of national concern and competence, only foreseeing a role as regards promotion and dissemination of information. However, in the near future, some harmonisation is needed in order to provide equality and clarity as regards the standing of victims and offenders alike in criminal proceedings and their access to justice throughout the Union, particularly regarding the status of VOM and the agreement throughout the Union.

Fortunately, even when Member States initially express concerns as regards the EU taking up the role of legislator in this specific field, the measures do give a great impetus at national level and are followed up. For victims throughout the EU, this provision will mean a significant improvement of their standing in criminal proceedings regarding the use of VOM.

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1. Framework Decision on the Standing of Victims in Criminal Proceedings of 15 March 2001, 2001/220/JHA.
2. Report from the Commission on the basis of Article 18 of the Council Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings, Brussels, 16.02.2004, COM(2004)54 final/2.
3. The deadline for the implementation of Article 10 was 22 March 2006 and was also applicable for the ten (at that time) accession States, which since 2004 are new Member States. This timeframe is remarkable, considering that the implementation deadline for all other provisions expired much earlier.
4. Unfortunately I did not find a contact person for Malta to whom I could send the questionnaire.
5. This may be due to the fact that the respondent is not aware of the (or any) official standpoint, or this can be the result of governments being unwilling to position themselves strongly regarding RJ and VOM.
6. Farr, F., "Standing of Victims in criminal proceedings, Council of the European Union Framework Decision 2001/220/JHA", in *Conference Report "Protecting Victims of Crime in the European Union"*, Trier, 5/6 November 2001.
7. The implementation has been partially, and will be fully, evaluated by the Commission in accordance with Article 18. The Commission commented that the formulation of the document leaves the Member States with considerable room for manoeuvre in implementing it. See: COM(2004)54 final/2, p. 4.

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Restorative Justice in the European Judicial Area: Current Practice and Future Strengthening of Networking (26-28 June 2006, Vienna)

A unique and highly useful seminar was organised under the auspices of the Austrian Presidency of the European Union with the cooperation of the Institut für Rechts- und Kriminalsoziologie, Vienna, the European Forum for Restorative Justice and the Academy of European Law in Trier, with financial support from the Austrian Federal Ministry of Justice.

An innovation was that - for the very first time within EU-level promotion of restorative justice - particular attention was paid to inviting government officials, on the one hand, and service providers, on the other. Consequently, the conference also had a dual goal: supporting international networking as well as stimulating the exchange and cooperation between the governmental and service provider sector within the countries represented.

Participants represented the 25 Member States of the EU as well as Iceland, Norway, Romania and Bulgaria. The international community was represented by special guests from the European Commission, the Council of Europe and the United Nations Office on Drugs and Crime.

The conference had three main objectives: firstly, to improve the understanding of the progress which each participating country has made in implementing the Council Framework Decision of 15 March 2001 and of the range of different restorative justice models; secondly, to make recommendations about what could be done by governments and service providers in EU countries to improve cooperation across national borders and specifically how this could happen; and finally, to make recommendations about how cooperation between government and service providers within

countries could be improved.

At first glance, these objectives might seem to be quite ambitious. However, I would fully agree with Dr. Christa Pelikan who concluded that by the end of the two and a half days significant and highly visible steps had been taken in effectively helping future cooperation between and within the countries. As a Hungarian participant and previous staff member of the European Forum I found the seminar an ideal context for both national and international networking activities.

If I were to name the most important elements in achieving this success, I would highlight two points: firstly, providing space for small-group interactive work as much as possible and, secondly, inviting the most relevant policy-makers and experts from the field to take part in these discussions. Both of these 'ingredients' were perfectly provided due to the excellent organisation and the highly professional chairing that was provided by Martin Farrell (UK), consultant and director of the organisation "get2thepoint".

All the presentations, discussions and notes from the flipcharts will be combined into an integrated report. It will hopefully serve not only as documentation of the seminar but also as a useful strategic manual for the participants to further develop their policies in the field of restorative justice.

The next conference will be organised under the auspices of the Finnish Presidency on 11-12 December 2006. Probably the extreme Vienna heat will turn into an extreme Helsinki frost, but, at least, it will illustrate that restorative justice can be considered under any circumstances.

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