

Editorial

Hello everyone,

A very warm welcome to the first edition of the EFRJ Newsletter for 2014! We begin with some news from the Board. Annemieke Wolthuis, vice-chair EFRJ, provides an update on what the Board have been doing this year and what they are prioritising going forward. Special thanks to Kris Vanspauwen is given for the work that he has done since taking on his role as Executive Officer of the Forum.

Our second contribution draws your attention to a collaboration between Sharon Daniel from the University of California in Santa Cruz with the Leuven Institute of Criminology, STUK Art Center, Suggnomè (the Flemish umbrella organisation for Restorative Justice) and the European Forum for Restorative Justice. This is a fascinating study because it departs from the mainstream of what we usually associate with restorative practice and how we research it. The project, 'Art for Social Change: Exploring Justice through New Media Documentary,' sought to use artistic practices to investigate the ways in which art can mediate, enhance and make tangible new understandings of the notion and practice of justice. The collaboration has yielded some interesting outcomes and I hope you will enjoy reading this summary. My sincere thanks go to Bruna for providing such an interesting contribution.

Our third contribution is from Tim Chapman, a board member, and one of the organisers of the [8th International Conference of the EFRJ](#) to be held in June in Belfast this year. Tim provides an overview of developments in restorative justice in Northern Ireland, one of the most inspirational countries for restorative practice in the world. For those of you lucky enough to be attending the conference, I encourage you to learn

more about the history of this region and how restorative justice has permeated all levels of society. It truly is a wonderful place. We are very grateful to Tim for taking the time to provide an insight on restorative justice in Northern Ireland, particularly given how busy he is at this time.

Our final feature has been written by Martin Wright and Robert Shaw who sit on the Editorial Board for the Newsletter. They have done this in the hope that it might stimulate our readers to send in some thoughts about something that they have read on restorative justice to us. The texts that they have selected are broad and at times fall outside of what we would usually consider. I very much appreciate their contributions — please feel free to send us your own!

We would be keen to hear your thoughts on any developments on restorative justice, theory or practice, so please feel free to get in touch with me at Editor@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. We hope that this year will begin a greater involvement of our readership with the Editorial Board and other readers.

I look forward to receiving any thoughts, advice or contributions over the next coming months.

Dr Kerry Clamp

Chair of the Editorial Board
Editor@euforumrj.org

News from the Board

The last issue of the Newsletter contained a significant update on the work of the board in the past year and our plans for the coming year. It is only February now and there is not a lot of news from our side, although the local team in Leuven and the board continue to work hard on restorative justice in the broad sense (see below what that implies).

Given that no operational grants are being provided by the European Commission in 2014, fund-raising remains a top priority so that we will be able to continue our work in 2014 and beyond. Any suggestions about strategies for this, offers to assist with fund-raising events or donations are particularly welcome.

We would like to mention that we are all very happy with our new executive officer Kris Vanspauwen, who in a short time has already managed to get a lot of work done at the EFRJ office in Leuven and create some peace in the local team so all project coordinators can focus mainly on their research again. Kris already represented the Forum at several meetings, some of which included representing the Forum at the launch of the Manifesto for Victims of Crime, a meeting with EC officers of the Criminal Justice Program, and a meeting with the Leuven Institute for Criminology and a Latvian delegation who was invited by the Belgian Am-

bassador in Riga.

The most important event coming up already in June (11–14) is our biannual conference which is taking place in [Belfast](#). The programme is settled, the speakers are invited and the registration process has been opened, abstracts can be sent in and the local team are busy with the preparations. We also have elections there for new board members. We hope to all welcome you there again!

EFRJ focus for the coming year is on:

Research	Justice
Energy	User friendly
Support	Sharing
Team building	Time
Online activity	Influence
Restoration	Costs/Conference
Active support	Emergency funds
Training	
Information sharing	
Victim support	
European Commission	

Kind regards,

Annemieke Wolthuis

Vice-chair EFRJ

Art for social change: exploring restorative justice through the new media documentary *Inside the Distance*

The Californian digital and media artist Sharon Daniel from the University of California in Santa Cruz has collaborated with the Leuven Institute of Criminology, [STUK Art Center](#), [Sugnomè](#) (the Flemish umbrella organisation for Restorative Justice) and the European Forum for Restorative Justice during the last two years on the arts project ‘Art for Social Change: Exploring Justice through New Media Documentary,’ funded by OPAK (Research Platform for Architecture and the Arts).

Sharon Daniel’s work attracted our interest because it addressed some of the issues we struggle with in our own alternatives to punishment-based research on restorative justice and, second, because we had reached a desperate saturation and inability to communicate about our work outside academic circles. This inter-

disciplinary, international arts research collaboration has explored the use of new media technologies and documentary strategies to document and actively participate in the practice of restorative justice in an effort to test the potential for activist art practice to have a direct role in changing social conditions.

In interacting with Sharon Daniel, we had the opportunity to create a focused dialogue, addressing the intersection of artistic and social practices. Our work together has been a very interesting journey, of sharpening common understanding and finding common grounds to express our ethos and work practices. The respect and fascination for the work of each other, and belief in common guiding principles, has provided a great basis to overcome any potential practice divergences. This project has brought together, research, art, theory and practice in a very innovative and interesting way.

The project *Art for social change: exploring justice*

through new media documentary has turned to artistic practices to investigate the ways in which art can mediate, enhance and make tangible new understandings of the notion and practice of justice. In a broader sense, the exhibition investigates whether a new imagining of affect and responsiveness is possible through the use of specific visual, narrative, poetic and formal frameworks.

The project has culminated in the exhibition *Convictions* which takes place in the STUK Art Center. The exhibition *Convictions* brings together four projects by Sharon Daniel. *Public Secrets*¹, *Blood Sugar*², *Undoing Time*³ and *Inside The Distance* manifest Daniel's fully engaged and critical understanding of the prison-industrial complex, criminal justice system and theories of justice and punishment. What characterises Daniel's work is the belief that complex sites of socio-political experience are best examined by creating a context for multiple perspectives and engaging public participation. The interactive interfaces that are typical of her work allow viewers to find their way through a difficult terrain, become immersed in it, and have a transformative experience. The works in this exhibition introduce marginal and often silenced voices and present alternative visions, enabling public engagement with questions of social justice across social, racial, political and economic boundaries.

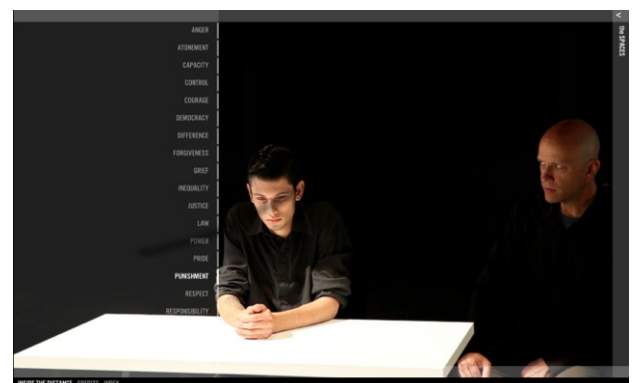
Inside the Distance is an interactive New Media Documentary on restorative justice, an alternative to the criminal justice system, which conceives of crime as a concrete disruption of, and harm to, human relations. New Media Documentary shares many theoretical premises and methods with the practice of Restorative Justice, since they are both founded on democratic participation through dialogic processes. The work examines the practice of mediation in Belgium, by bringing together many interviews with victims, offenders, mediators, prison directors and researchers.

Her art practice is based on extensive interviews and deep research about the subject matter. What we see in the documentary is the artist's interest in the fluidity of subject position between victim, offender and mediator and the way in which notions of neutrality or fixity get broken down in that process. This brings us to the point of how we determine what is criminal and what is not criminal and what kinds of behaviours are criminal and what are not. The victims she speaks with were not really interested in incarceration as a means of addressing their conflict.



Sharon Daniel often speaks of herself in relation to her work practice as a 'context-provider' (as opposed to a content-provider). She provides the means, or tools, that will induce others to speak for themselves, and the context in which they may be heard. She engages with groups of participants who live at the margins, outside the social order, and attempts to create a space and a context for the assertion of their political subjectivity, in which their voices can be heard across social, cultural and economic boundaries.

There are some similarities in this position with the role of a mediator in restorative justice practice. According to some scholars, what takes place in a restorative justice encounter is creating a space that will enable recognition through speaking and being heard. According to Christa Pelikan, the concept of recognition pertains to inter-action, to the act of recognising the other person, of perceiving and understanding his/her words and his/her actions. In the course of the restorative justice process this act of recognition is to be aided by the mediator, who recognises the parties involved, and through this example can set in motion the process of mutual recognition and extend understanding.



Thus a mediator must provide the means, or tools, that will induce others to speak for themselves, and the

¹*Public Secrets* is a New Media Documentary that explores the expansion of the prison system. The artist has visited the Central California Women's Facility on behalf of a human rights organisation in order to document her conversations with incarcerated women and bring their voices to public awareness. See [Public Secrets](#).

²*Blood Sugar* is an interactive interface to an online audio archive of conversations recorded with current and former injection drug users. *Blood Sugar* enhances awareness of the relation between poverty, addiction and HIV transmission, and the social and political implication of the 'war on drugs.' See [Blood Sugar](#).

³*Undoing Time*, a 'material documentary' produced in collaboration with incarcerated people, examines what it means to 'do time' in California prisons.

context in which they may be heard. A mediator is not to provide content, which is generally brought in by the parties themselves. In restorative justice, we propose to go back to the things themselves, back to the life-world, or the world of the directly lived experience. Accordingly, the starting point for analysis should not be the totalising, objectifying and abstract categories of the criminal justice system, but those concrete situations in the life-world which are experienced as problematic by those directly involved. In restorative justice we believe in the potential of parties to find solutions through deliberation, and they opt for procedures in which participants in conflicts are not constrained by the requirements of organisations or professionals.

Inside the Distance will take the visitor through an intimate and at the same time social and political journey of what it means to be a victim and an offender, what it means to address the harm in a meaningful way, and especially on questioning subjectivity and the space in between the distance created by very different and at the same time common experiences. Or, in the words of Sharon Daniel, crime is a social phenomenon — conflicts, estrangements, violations, at once, create distance and proximity. In the aftermath two subjects emerge — there is a victim, there is an offender and there is the space in between. The tag-line for the project is ‘we are all victims | we are all offenders’.

The structure of the project — an installation with video and a touch-screen interactive interface — is organised into three parts:

‘The Accounts’ presents the narratives of mediation cases as described to the artist in interviews with mediators. These narratives are visualised through staged enactments that represent the notion of being and holding accountable.

‘The Positions’ addresses the instability of subject positions — as articulated by victims, offenders and

mediators through their own personal reflections.

‘The Spaces’ takes up the ethical, theoretical and discursive space of justice and punishment and the public and political space mediated or, perhaps, governed through law and criminalisation in statements made by mediators, psychologists and criminologists.



The mediators she interviewed tell how mediations almost always begin with a focus on the details — victims and offenders wanting to confirm each other’s understanding of what happened — who was hurt and how — then finding some way to understand why — acknowledging the instability of the positions they are in. Within *Inside the Distance* the space of mediation — the mediation table — is represented as a boundary object — a place of cooperation without consensus. Sharon Daniel’s hope is that this work can also function as a mediation — a boundary object for viewers — across conflicting and unequal relations of power and unstable subject positions.

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Restoring justice in Northern Ireland

The European Forum for Restorative Justice is holding its biennial conference in Northern Ireland on 11–14 June this year. This is due in part to international recognition of the remarkable developments in the field of restorative justice in this small country on the edge of Europe. Delegates will not only have the opportunity to find out more about what is going on here but also to share in cutting edge initiatives throughout Europe. They will also enjoy Northern Irish hospitality and the ‘craic’

and hopefully spend a little time experiencing some of the attractions of the culture and the landscape.

Restorative justice can be traced back to the Brehon law of early medieval Ireland. In modern times it emerged first in communities in the form of community based restorative justice. Northern Ireland Alternatives and Community Restorative Justice Ireland offer local solutions to local problems delivered by local people. Based in communities, which were once alienated from the state including the police, they now work closely with statutory agencies to address anti-social

behaviour. They have been successful in reducing vigilantism and the infliction of violent retribution in the community. Other community organisations in south and east Belfast and Derry/Londonderry are following in their footsteps.

The University of Ulster is participating in the EU funded research programme, ALTERNATIVE,⁴ along with the EFRJ, KU Leuven, (Belgium), Foresee, (Hungary), Victimology Society of Serbia, IRKS, (Austria) and Nova (Norway). The research in Northern Ireland focuses upon the contribution of community based restorative justice to enhancing the security and experience of justice in communities subject to conflict in intercultural settings.

The Police Service of Northern Ireland has also been involved in restorative practices for about 25 years diverting many thousands of young people from prosecution through restorative cautioning. Since 2003 police officers have played a vital part in the development of youth conferences.

In Northern Ireland virtually every young person who admits responsibility for an offence will be offered the opportunity to participate in a restorative conference. In the last ten years the Youth Justice Agency has been involved in coordinating over 14,000 restorative conferences. Independent evaluations have found high levels of victim participation and satisfaction and higher desistance rates than any of the other orders available to the courts.

The Probation Board for Northern Ireland has established a Victims Unit which, in addition to providing information to and supporting victims of crime, has engaged in direct and indirect restorative interventions.

The Northern Ireland Prison Service has been steadily developing restorative justice over the past ten years. Many prison officers have been trained in restorative practices and some very successful restorative meetings between prisoners and their victims have been facilitated. Recently a prison officer was appointed to liaise with community based restorative justice projects and the Probation Board.

Victim Support Northern Ireland has actively supported the development of restorative justice. Recently it developed and delivered a victim awareness programme along with the Northern Ireland Prison Service.

The Family Group Conference Forum has championed and supported the use of restorative practices with children and families. Family Group Conferences enable families and children to take responsibility for determining and implementing solutions to their difficulties. Similar approaches have been integrated into children's residential units often through training and support delivered by Barnardos.

Several schools in Northern Ireland are using restorative practices to build relationships and a culture that nurtures both educational achievement and a harmonious and happy atmosphere in which to work and learn.

These initiatives owe much to the pioneering efforts of the Restorative Justice Forum since it was formed in 1994. It consists of representatives from organisations engaged in restorative practices in the statutory, voluntary and community sectors. Its remit includes advocating for restorative justice, to influence policy makers and to provide a network through which models of practice can be shared.

In 2013 the Northern Ireland Association of Restorative Practitioners was established as an inclusive and democratic association of people practising restoratively throughout all the sectors. It has already organised three successful and well attended meetings. There is a strong Institute of Criminology and Criminal Justice at Queen's University Belfast in which academics with an international reputation can offer students the opportunity to study and research restorative justice among many other areas of criminology. Queen's University and the University of Ulster are co-hosting the EFRJ conference.

The University of Ulster offers a Masters programme in Restorative Practices. It has delivered accredited training at Certificate and Diploma levels in restorative practices to hundreds of practitioners in youth justice, social work, policing, prisons (both prison officers and prisoners), teaching, youth work and community work. The Restorative Practices programme at Ulster is increasingly involved in research into restorative justice.

Anyone visiting Northern Ireland will have the opportunity to meet people from all the above areas of restorative justice and share ideas and experiences. If you need any advice or support, contact me.

Tim Chapman

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⁴This programme was described in Volume 14 Number 2 of the *Newsletter*.

New Feature!

Book Reviews

Cornwell, D., Blad, J., and Wright, M. (2013) *Civilising Criminal Justice: An International Restorative Agenda for Penal Reform*. Hampshire: Waterside Press (ISBN 978-1-904380-04-7)

This wide-ranging book by contributing authors from twelve countries examines and questions some fundamental assumptions of criminal justice. When someone commits an act which could fit the definition of a crime, it is not always best to deal with it by criminal prosecution. A historical perspective suggests that restorative processes may be preferable. Judicial and prosecutorial attitudes are explored. Some types of case could be better handled by restorative justice than by a criminal process. For some sexual offences, for example, responsibility could be determined to a civil standard of proof before proceeding to prosecution. Punishment has many drawbacks, including the difficulty in making it proportionate and in the attempt to balance deserts against mercy. It is time to question the behaviourist psychology on which it is based. Other ways of denouncing wrongdoing should be considered, if justice itself is to be ethical. It could be said that criminal justice has become increasingly uncivilised. By using civil law wherever possible, punishment could be kept to a minimum; more could be done to repair the harm caused by offences and to provide feedback to social and educational policy-makers on pressures towards crime that need to be addressed.

From a philosophical point of view, the use of dialogue is an important part of the restorative response to wrongdoing, not least because it brings the victim into the process. A way to make the system more civilised could be to base it entirely on restorative principles, even for the most serious crimes, and a way is suggested of combining this with the need for denunciation and public protection. Victim-offender mediation can be appropriate even (or especially) for violent crimes. Different levels of implementation in different countries such as Germany, France and Australia are discussed; in Norway and Finland mediation is provided at municipal level nationwide, and in the latter country it has been part of a deliberate strategy of reducing the prison population, with no adverse effect on the crime rate. The book suggests practical ways of designing a system based on dialogue, repairing harm, minimum

intervention and not making things worse, as sound principles for a civilised justice system.

Christopher D. Marshall (2012) *Compassionate justice* Eugene, OR: Cascade Books (ISBN: 978-1-61097-807-1)

In this book, Chris Marshall, a leading advocate of restorative justice in New Zealand, examines two stories of Jesus, one about a victim and one about an offender, whose titles have passed into general use in many disciplines but whose narratives most people do not know.

In the course of the interdisciplinary analysis he points out that the story of the Good Samaritan describes how people opt out of caring for victims and stresses the need to care for all victims and to go beyond sympathy to changing the victim's circumstances. He explores the legal decisions made in a number of countries which exempt people from caring for victims.

He argues that the story of the Prodigal Son is about a flagrant breach of relational obligations, that a change of heart and acknowledgement is needed by the offender, that the offender needs restoration, reintegration and public acknowledgement of their changed status and that the older brother's response can be seen as representing *retributive* rather than *restorative* justice.

He concludes by examining the changes that are required in public discussions and in criminal justice systems for the adoption of restorative justice.

Murray, M. (2013) *Forging justice: a restorative justice mystery*. Pipersville, PA: The Piper's Press (ISBN: 978-1-934355-26-8)

A policewoman is disillusioned by the way the same offenders keep coming back; this novel is a story of one case, of teenage girls robbing a small shop, and how she handled it with the help (despite her misgivings) of a school vice-principal who uses restorative practices. With some lively dialogue, and a few unexpected twists to the storyline, this makes an entertaining and credible introduction to the restorative idea.

Calendar

3rd International Congress of Restorative Justice 27–28 March, Facultad de Derecho de la Universidad Burgos, Spain. For further information, see: <http://criminologos.eu/congresojusticiarestaurativa/>.

Revisiting to Revisioning: Restorative Justice to Transformative Justice 29–31 May 2014, Towson University, Baltimore, MD. The event challenges participants to reflect on restorative justice that is transformative. JSA welcomes any research, experiences, activism, teaching related to the conference topic. More information can be found at: <http://www.justicestudies.org/Justice-Conf-topics.html>.

8th International Conference of the EFRJ 11–14 June 2014 Belfast (Northern Ireland). ‘Beyond Crime: Pathways to Desistance, Social Justice and Peace-building. Venue: Queen’s University Belfast Campus, Elmwood Hall (Keynote Lectures), Faculty of Social Sciences (Workshop Sessions). Further details: <http://www.euforumrj.org/belfast>.

The 2nd International Summer Academy on Peace-building & Intercultural Dialogue 17–27 August, 2014 Institute for Peace and Dialogue. This will take place in Baar, Switzerland. For further details and the applications process, please go to the following page: <http://www.ipdinstitute.ch/International-Summer-Academy-2014/>. Deadline: 30 June, 2014.

Call for submissions

Book reviews

We very much welcome reviews of books and articles from our membership. If you have published a book

and would like to submit it for review, please send it to the Secretariat.

Articles

Each edition we will feature a review of the field of restorative justice, reflections on policy developments and research findings/project outcomes. Please consider sharing your perspective with colleagues.

Events

Please let us know about upcoming restorative justice related conferences and events. We are happy to share this information via the Newsletter or Newsflash.

Contact Kerry Clamp for more information:

Editor@euforumrj.org.

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The views presented in this Newsletter are the views of the authors and do not necessarily represent the views of the EFRJ.

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