



Report of the summerschool 2009 in Barcelona, Catalonia - Spain

Day 1

Welcome and orientation

Welcome and Intro by **Niall Kearney**, Head of Applicant Support, Criminal Injuries Compensation Authority; Tay House, Glasgow Scotland, Chair of the Board of the EFRJ

Introduction **Frauke Petzold**, Waage-Institute for mediation, training and research, Germany

Introduction **Marta Ferrer**, Centre for Legal Studies and Specialized Training, Catalonia,

→ short information about Spain; CEJFE and Barcelona – and practical information

Introduction of the participants – Name, Background; workplace; how did you get here?

- Establishing of Ground Rules for the summerschool helping to feel safe in the group – discussion in small groups about ground rules – Niall Kearney

Compilation of ground rules in plenary:

1. speak slowly
2. respect for each other
3. active listening and participation
4. speak your English!
5. be a butterfly!
6. small groups
7. beware of cultural differences
8. critical voice
9. confidentiality
10. make bridges
11. one topic at a time
12. don't do things you don't want to do – no pressure
13. be friendly, open and warm
14. keep it simple and practical
15. find points of agreement

Niall mentioned, that everyone should feel free to mention it, if someone doesn't feel safe with the ground rules.



- Icebreaker and group intros – exercise: “fist or dove” – **Frauke Petzold**

Exercise in three steps, talking about one’s own experiences with conflict situations in childhood, in current situations and fantasy; followed by small group discussion about one’s own experiences and development. Exchange in plenary session.

- Input on critical practice – **Niall Kearney**

Some sentences about adult learning

Some sentences on reflecting on practice

Some sentences on journaling

(q.v. PDF File in attachment “Towards Critical Restorative Justice Practices” – Niall Kearney)

End of the first day

Day 2

Official opening of the summerschool

Words of welcome in Spanish – **Marta Ferrer, CEJFE**

Welcome to the 3rd summerschool and seminar Barcelona – **Niall Kearney, EFRJ**

History and spirit of the summerschool – **Niall Kearney**

Professor Gerry Johnstone, Professor of Law and member of the Restorative Justice Research Group, University of Hull, UK – Challenges that RJ faces in Europe

The speech of **Professor Gerry Johnstone** was very well structured and gave an excellent overview about the development of RJ. It brought out a critical view on the challenges for RJ in Europe.

- summary of the rise of RJ
- history of RJ
- surfacing
- aspirations of RJ
- old paradigm
- new paradigm
- key questions
- key dangers
- key challenges
- key issues
- solutions

(q.v. PDF File in attachment "The Challenges that Restorative Justice faces in Europe" - Prof.Gerry Johnstone)

Open debate

Round table – relations between research and practice

Clara Casado Coronas – chair of the round table discussion

Mediation and Reparation Programme, Justice Department, Catalan

Relating research and practice: challenges and difficulties to improve practice - Introduction

As the implementation of restorative justice is progressively expanding in numbers and in scope, and the attention received from policy makers increases, ensuring quality of practice has come to be one of the most recurring concerns (notorious/salient/ pitfall/priority/themes) of the international restorative justice scene.

As announced by the title of the Summer School this year, holding a critical approach and being ready to question our own practice can be seen as the starting point. Departing from that, alongside training, supervision, the support from the academia appears to provide an indispensable support to assess quality and evolve further. Indeed, it is widely agreed that research and evaluation are crucial to restorative justice, hence a close collaboration between practitioners and researchers is of utmost importance for practice to improve and to gain legitimacy. Not surprisingly strengthening/streamlining/fostering this collaboration falls under the objectives of the European Forum.

Nevertheless, we are all aware this is not free of difficulties. To start with, a consensus is lacking in which are the items that should be measured and which are the methods able to assess quality beyond the common statistical data on referral figures or agreements' rate. Furthermore, the relation between practitioners and researchers it is not always fluent enough thus undermining the potential benefits practice could gain from research.

The round table and in particular the debate that followed, aimed to gain a better understanding of the obstacles encountered in the collaboration between researchers and practitioners and to further analyse the opportunities for realising the potential of such collaboration to its full extent.

With the goal of providing input from both the researchers' and the practitioners' perspective, two scholars, Gema Varona and Gerry Johnstone, alongside with two mediators of the two local restorative justice schemes, Mònica Díaz and Montserrat Martínez, were asked to share their insights on this topic with the summer school participants. Thus their contribution was meant to bring to the fore some key issues which, based on their specific professional background according to their concrete experience, served to start up the debate with the broader group.

Summary of the presentation by Mònica Díaz and Montserrat Martínez.

Mònica Díaz. Mediator in the Mediation and Reparation Programme for juveniles, Catalan Justice Department.

Montserrat Martinez. Coordinator of the Mediation and Reparation Programme for adults, Catalan Justice Department.

Preliminary note

The mediators of the Mediation and Reparation Programme for juveniles and those for adult offenders met on several occasions to discuss the challenges and strengths in relations between researchers and practitioners according to their specific experience with the research and evaluation schemes conducted within their programmes. It might be worth mentioning that despite the organisational and legal differences of each programme, there was no substantial divergence between the issues raised by each team.¹

The following is an outline of the insights and issues they brought together and it is structured around the following three general questions:

- How has research contributed to improve practice?
- Which have been the difficulties in the relation between research and practice?
- Suggestions on what could be done to make progress

How has research contributed to improve practice?

Research literature has contributed to broaden our theoretical framework, thus increasing the resources we often resort to in order to reflect critically on our own practice. Nevertheless this process of integrating new approaches and reviewing our practice against these as a way to improve, only occasionally is undergone collectively by the mediators' team as a whole. It mostly takes place at the individual level and it does not necessarily results in noticeable changes.

By contrast, it was observed that researches and evaluations in which we have been asked to have a direct involvement have provided an opportunity for mediators as a

¹ Each scheme has quite different features. The programme of mediation and reparation for juvenile offenders was launched 1990 and since 1992 counts on an explicit legal base. Mediators are civil servants at the Justice Department of the Catalan Autonomous Government. The programme for adult offenders instead was first piloted in 1998 and in 2001 turned into a consolidated programme however it does not operate within an explicit legal base. Although it is also financed by the Catalan Justice Department as it is that for juveniles, mediators are hired by an external agency.

team to challenge and question aspects of our performance. This is likely to lead the team to develop better practices and often bring about substantial changes, thus we feel that through research we have learned to improve. Nevertheless, 'action-research' projects have been scarce.

Currently, in the framework of the 'knowledge management' programme that is being run within the programme for juveniles, mediators are elaborating on the outcomes of a satisfaction survey conducted last year amongst mediation participants. The results provided relevant information but mediators felt that in order for these to be effectively useful for their practice, certain aspects should be studied further. To this end the participation of an external researcher has been crucial to guide them with research methods.

What were the difficulties in relations between research and practice?

It was generally agreed that our attitude plays a crucial part. Quite often mediators and coordinators tend to be absorbed in casework and service management. Regrettably, this may lead us to losing sight of the importance of research; hence we do not devote sufficient time to search for information on new developments or get involved in research projects.

In addition, the access to and the circulation of information on new research outcomes or publications is not ensured within either of our two programmes. As a result, mediators who access updated information and read about recent research reports and scientific articles do so on their individual initiative but there is not a systematised mechanism to circulate these materials.

A further point is that, although in Spain some of the relevant publications date back to the nineties, scientific interest in restorative justice has only recently experienced a significant growth. At present a considerably increased number of research projects have been conducted on restorative justice related topics within the field of psychology, criminology, social work and law. The fact that restorative justice is in general rather unknown amongst researchers and academics might be at the route of the still limited interest from other disciplines such as anthropology, pedagogy or sociology. In this respect, the lack of agreement about the meanings and concepts of restorative justice and its connected terms has also played a part.

It was noted that outcomes of research and evaluation schemes that have been implemented within our programmes are always informative and meaningful, however these tend to have only a limited impact on improving the quality of our practice. Broadly speaking, most of the projects have addressed aspects such as the legal framework, the typology of cases referred, the impact of restorative justice outcomes on sentencing, the participation or agreements' rate and participants' satisfaction.

In fact, much research is linked to programme evaluations commissioned and even directed by the funding agencies themselves for monitoring purposes. These schemes tend to place the stress on efficiency related items, and this explains to a certain degree why their outcomes do not necessarily provide answers to the issues that practitioners are most concerned about. Against this framework it is not easy for us to bridge the gap and draw useful hints from research to learn and integrate changes.

Related to this, as mentioned earlier, within the two programmes, only very seldom have mediators taken direct part in the research project. In most of the cases we have been asked to cooperate rather as 'data providers' or 'observed subjects', hence we miss the opportunity that active participation provides to 'take distance' from our daily work and challenge our own practice. It was emphasised that research outcomes have brought about significant improvements when mediators have played the researcher's role.

In light of these latter points, it would not be wrong to argue that in our context communication between researchers and practitioners has been rather weak. Some of us expressed to have experienced some degree of disappointment when after collaborating with researchers; feedback on results and conclusions has often been overlooked, thus it felt like having learned little from that relation of cooperation. Not foreseeing some room for researchers to give feedback on the outcomes of the research to practitioners may have contributed to the reluctant attitude some mediators have towards researchers. That lack of communication between researchers and practitioners is a major obstacle for a more profitable relation holds also true for the stage at which the research subjects are identified and the methodology is defined.

Suggestions on what could be done to make progress

None of us would dispute the fact that when planning our agendas we should make sure to put time aside for getting updated, reading scientific literature, and when necessary, collaborating actively in research projects or even conducting research ourselves. Along the same lines we should undertake action to put in motion a means ensuring that information on new developments and publications is being regularly distributed among mediators. We acknowledge this is as important as training or even as casework.

As for researchers, we suggest that when identifying research topics and needs, they could also ask for input from mediators, legal professionals or the judiciary. Similarly, it would be to the benefit of all concerned if participatory action research methodologies were considered more often. Similarly, foreseeing time to provide feedback on the results to mediators is also important.

When defining monitoring or evaluation targets, together with the items that are commonly assessed, government and funding agencies could also include other aspects which can shed some light to the questions and challenges mediators encounter in their daily work. In this respect, we propose that more funding is allocated for commissioning.

in-depth studies to external and independent agencies. Input from a broader spectrum of disciplines would be a great asset as well.

By way of conclusion, securing room for dialogue and introducing regular mechanisms for continued cooperation between researchers and practitioners are two major points we propose as a means to realise to their full extent the improvements research can bring to practice. To this end a change in attitude is needed not only from researchers and practitioners, but also from all stakeholders concerned.

Summary of the presentation by Gema Varona

Lecturer of Criminology and Victimology, Basque Institute of Criminology.

In what follows, research and practice should be understood in a broad sense, covering a variety of works on restorative justice. I will start with two general remarks and continue with some specific issues of my experience.

Researchers are somehow practitioners and practitioners are somehow researchers.

Both are interested in reality. We are a mix and should not be self classified or conceived as opponents. Practitioners usually state that they work in the real world with real cases. Researchers reply that, with the scientific method of social sciences, we try to offer the different pictures of reality that the diverse stakeholders of restorative justice might have. From my own experience, by interviewing them, I can say that the same mediation might be valued very differently by mediators, offenders, victims, their families, social workers, lawyers, judges, prosecutors, politicians, media... Researchers try to explain the complexity, diversity and dynamic of these processes with the ultimate hope of contributing to a well informed and critical public opinion and of providing policy makers with reliable data to decide how to reduce further victimisation and abuses. Researchers cannot do their work without practitioners. Researchers pursue knowledge. In their search, practitioners are always to be treated as subjects of study, never objects, with the aim of offering them useful information to improve their work. Practitioners pursue to implement in their everyday work the better ideals of restorative justice. They should not treat researchers as annoying obstacles within their caseload or as dangerous analysts of the real gap between those ideals and their implementation. Due to the character of our common raw material, social and institutional relations, researchers and practitioners should remain always open to challenging ideas.

Researchers and practitioners do have different backgrounds, interests, priorities, resources, objectives and methodologies in our work. We have different situational frameworks. We share a common interest in restorative justice and, as specific international standards underline, the work of both is intimately related and it can only be

fruitful with a common understanding, cooperation and trust. Sometimes researchers are seen as either mere idealistic or too critical theoreticians. Sometimes practitioners are seen as too centred in everyday work with penal mediation. Behind these archetypes that hinder an effective and productive collaboration remain some elements that must be overcome together.

Despite the diversity and marginality of Spanish restorative justice in relation to the penal system with adults, the impact of research in this field is growing because researchers and mediators are working together through common communication channels. An example of this is the external evaluation of the four penal mediation services in the Basque Country, to be presented at the end of 2009. In addition the key role of the European Forum should be underlined as part of the international movement promoting research on the field in a more and more globalised world, affecting practitioners and researchers. Other lines of restorative justice research in which researchers cooperate with practitioners in the Basque Country are terrorism and transitional justice related to the Civil War and Franco regime.

Researchers must recognize our modest or limited role, something we can deduce by a revision of the history of research in related fields, particularly within Victimology and Criminology. Still we can offer some provisional results of the above mentioned research in the Basque Country:

Research cannot be taken seriously if it is always living under precarious and divergent funding conditions.

- The real risk of external evaluation becoming internal evaluations should not be underestimated. Independent research should look for objective international parameters, as well as for a participatory and ethno-methodological perspective.
- After previous experiences and pilot programmes, it is time to start thinking and talking, by practitioners and policy makers themselves, on penal mediation services as services to remain. The concept of stability, at least of fragile stability, is closer to reality rather than provisionality.
- Once more, these initiatives require flexibility of suspicious professional and organisational cultures.
- The definition of success and results in restorative justice does not always coincide with mainstream justice.
- It is possible to retain parts of the macro, meso and micro issues of research by taking into consideration a great variety of stakeholders of restorative justice.
- In many cases it is difficult to establish the link between seriousness of crime and public interest. On the other side the net-widening effect should be balanced in

the long run with the prevention of the escalating effect of inherent violence in some less serious cases.

- In many cases, there is a great impact of the trial effect on the family on the decision of participating in restorative justice by victims and offenders.
- As the number of cases increases and the pilot projects continue, the question of equal treatment arises and legal regulation is required as guarantee.
- In any case, the role of a general leading and supervising institution or administration of all regional services is crucial.
- Mediators' commitment play a relevant role in the very positive evaluation of the process by stakeholders, even in the long run.
- Research on restorative justice offers many fields of cooperation with other researchers and practitioners in specific topics like perceptions of justice, the changing relations between partners, parents and children, neighbours, citizens and authorities, legal professionals...

Some other related open problems can be identified:

Taking into account empirical data, growing each day in all countries, we are in need of a general theory of restorative justice, with an interdisciplinary and comparative character, that could try to explain the conditions under which it better works. Within that general theory, other elements could take form as answers of the following limited questions:

- Why some mediators prefer to conceive mediation as part of the administration of justice and others fear to lose flexibility in the treatment of cases?
- Is legal regulation the only way to contribute to mediators' *auctoritas*?
- How to define the objectivity of mediators in serious cases, such as terrorism?
- How should be media protocols in the public treatment of mediation for very serious cases?
- How to learn of all scattered knowledge we already have on victims of terrorism resilience as well as on reconciliation in transitional justice to be applied generally in restorative justice?
- Is it possible to find a useful tool to measure the impact of restorative justice on community?

To end, researchers cannot offer quick recipes for social problems –sometimes we have even contributed to those problems-, but we might be in a situational framework to provide some provisional data with scientific methodology. Thus researchers and practitioners can work together to avoid incompetence.

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Note: This summary will be further developed in a written contribution in honour to Prof. Antonio Beristain to be published this year in the *Eguzkilore*, Review of the Basque Institute of Criminology.

Prof. Gerry Johnstone – Hull University, UK

The Presentation by Gerry Johnstone, Professor of Law and member of the Restorative Justice Research Group, University of Hull, UK you can find as a PDF in attachment.

(q.v. PDF File in attachment "The Relations Between Research and Practice" - Prof. Gerry Johnstone)

Open debate - Discussion

Different topics subject to research were discussed. In particular the critical issue of whom should be addressed in the first place (the victim or the offender) when offering the opportunity of mediation was raised. It was pointed out that this was critical for a quality practice and yet, some participants felt they could not count on sufficient scientific input to assess whether the choice made within their restorative justice scheme was the most appropriate. In this regard it was suggested that there was a need to draw the researchers' attention to study this topic, namely the thoughts and feelings of those victims who, despite their wish to communicate with their perpetrator, are never offered this opportunity because the latter does not wish to participate.

Furthermore it was added that researching the impact of the existing restorative justice initiatives on the community was particularly necessary. To this aim the project 'Building Social Support for Restorative Justice' run by the European Forum for Restorative Justice is particularly relevant.

The need for practitioners to integrate the research approach was underlined and this was also agreed as a concern to researchers. Researchers can count on a more direct involvement from mediators in the implementation of the research scheme.

In this respect the issue of time constraints for mediators was raised. From the researcher's side the question on what is the assistance that practitioners need from research was posed. In response, mediators also agreed on the importance of developing critical thinking and integrating the 'researchers' approach'. However, research and evaluation schemes could also be designed to foster the involvement of practitioners to a greater extent.

Finally it was generally agreed that a change of mentality and professional culture of the different professionals working in the field was required. Not only should mediators and researchers hold a critical approach with regard to their work but, also the professionals working within the criminal justice system as well as government and funding agencies should be ready to identify aspects of their respective practice in need of improvement. Following from that, it was stressed that research should serve to both improve quality practice and influence and inform new policies and legislation. It should also aim to build the case for restorative justice so that 'intelligent sceptics' are also convinced.

Group exercise – challenges participants face in their particular work – **Dr. Lutz Netzig and Frauke Petzold**

Dr. Lutz Netzig, Waage-Institute for mediation, training and research, Germany

The participants were asked to divide in 5 groups, having an exchange on difficult situations or challenges in their daily work. “Please use the chance of the mixture of the group (not only practitioners). You are invited to work on the examples we have provided for you on difficult situations in the daily work of mediators (see list of “handling difficult situations”) or discuss your own examples and try to find concrete possibilities for handling these situations”

List - Handling difficult situations

1. one party appears to the mediation session with his / her lawyer, friend or child
2. in the beginning of the mediation session, one party says, that she / he has only 30 minutes of time, because she / he has another appointment, which cannot be rescheduled
3. In a tense / strain situation, one party is winding down. Tears are running down of her / his cheek.
4. By request of one party, the mediation session takes place in the evening. As a result of an intensive discussion the meeting takes longer than expected. After 2 hours you are postponing the session and agree on a further appointment for next week. When you are saying good-bye, one party realises that she / he has missed the bus and there is no chance to get home. She / he cannot afford a taxi.
5. The parties agree on an amount of 1000,- Euro and make an appointment that the recipient for fiscal reasons gives a receipt of an amount of 2000,- Euro.
6. Party A says to party B: *“If you do not agree to this last proposal, your are responsible for the consequences. Accidents happen once...”*
7. After a successful mediation process one party says to you: “I am impressed with your conduct of negotiations. You are really an experienced mediator. Do you have plans for tonight...?”



Exchange in plenary – compilation and discussion - **Frauke Petzold**:

Challenges in particular work RJ (examples):

- racism
- one problem in mediation -> another bigger problem arises while mediating
- reversal of roles (v/o)
- unequal position of parties
- awareness of the needs of ourselves as mediator
- responsibility for the structure / process
- complex relationships -> communicating to authorities
- managing anger and aggressive behaviour

Developing a framework for effective practice – **Niall Kearney**

Niall Kearney presented some essential aspects for a framework for good practice. After that we had a discussion on mainly these two questions:

1. What do you think are the essential components of a framework for effective restorative justice practice?
2. Is it better to have a local/national framework or a supranational framework, e.g. EU?

(q.v. PDF file in attachment: "Developing a Framework for Effective Practice" – Niall Kearney)

Morning Session - Local exchange: Visit to city of Justice in Barcelona

Divided in 2 groups, the summerschool participants had the opportunity to visit the Mediation Programmes for both juveniles and for adults. Also participants of the summerschool were given the opportunity to see the court rooms and the rooms where the interviews and the mediation take place.

Pilar Fuertes and Monica Diaz gave an overview about their daily work and introduced us into the proceedings of the programme for juveniles.

Clara Casado Coronas, Mercè Llenas, Montserrat Martinez, Mònica Alberti and Clara Álvarez introduced us into the daily work and the proceedings of the programme for adults.

Both presentations were followed by an interesting and instructive discussion.

Afternoon - Session: critique of practice and developing networks of support

In a review of day 2, we were talking about the paper of Howard Zehr and the presentation of Gerry Johnstone. The discussion continued along two themes: an instrumental and a moral side of RJ.

Gerry Johnstone encouraged the debate by giving impulses and by motivating everybody to participate in the discussion.

Day 4

Workshop: Standardisation, Principles, Good Practice and other Challenges
Clara Casado Coronas, Mediation and Reparation Programme, Justice Department, Catalan

- 1 *main topics to be addressed by the participants*
 - What is a standard – definition – benchmark – human rights framework?
 - Standards as flexible – cultural diversity – but having overriding principles. International minimum standard with flexible arrangements – bottom up consensus model.

- 2 *questions or issues raised in order to initiate the discussion*
 - notion of guiding principles / values to get to development of standards.
 - Problems of “pseudo restorative” practices
 - What process can be used to develop a set of standards?
 - Ongoing process to review standards of practice to keep up with legislature change
 - Accreditation of professionalism

- 3 *contrasting points of view during the discussion*
 - restorative justice practice principles versus principles / standards for mediation – addressing the difference between the two
 - Redefining of RJ to suit bureaucracies
 - Issue of police clearance versus trustworthiness
 - Restructuring the nature of standards
 - Accountability being connected to control

- 4 *Conclusions*
 - framework of broad stroke standards / guidelines for international purposes
 - recommendations rather than a definitive check list
 - credibility of process for people working within RJ

- 5 *Remaining questions*
 - notion of training judges / prosecutors / defence lawyers in RJ so that RJ can be the major justice paradigm

- 6 *Recommendations / requirements for the European Forum*
 - accountability / transparency of practitioners – introduce an appropriate mechanism of accountability
 - standards should not be restrictive in nature but are necessary
 - always ask what is a good restorative justice practice

Workshop: RJ in crimes of severe violence and complex cases

Kurt Koblizek, Neustart (Austria)

- 1 *main topics to be addressed by the participants*
 - how to contact the victim
 - the motivation of the parties to participate in mediation
 - support
 - follow up mediation
 - parties supporters – mediator – parties – network of agencies
 - no time pressure → cj. Authorities
 - terminology
 - parties more ready

- 2 *questions or issues raised in order to initiate the discussion*
 - need for the mediator to have support before – during – after mediation
 - lot debriefing
 - co-mediation very good
 - stop cases for a while
 - very important to work for mediators within a network of the agencies working in the field
 - what name? – it is not always mediation – might be better to say RJ
 - challenge, when asking the victim → a lot of ambivalences
 - victim needs a lot of time to come to a decision and we have to make it clear to the prosecution office
 - victims cannot be pressed by time in order for her to make a decision

- 3 *contrasting points of view during the discussion*
 - different interest in mediation depending on the relation of each relative with the offender

- 4 *Remaining questions*
 - not adressed: methodological issues → message → how to say no to the first party.

- 5 *Recommendations / requirements for the European Forum*
 - make more links between mediation process and judicial process

Workshop: Ethics and RJ

Linda Marklund, Uppsala University (Sweden)

- 1 main topics to be addressed by the participants
 - do no harm
 - integrity
 - human rights
 - values in practice
 - respect
 - moral compass
 - philosophy
 - ethics - disciplines

- 2 questions or issues raised in order to initiate the discussion
 - forever guilty – a question of labelling, even when forgiveness is present and redemption sought / mother and son = did son know the rules
 - doctor dilemma
 - road trauma - who is to be treated first? Offending driver – victims?

- 3 contrasting points of view during the discussion
 - dilemmas within practice
 - lack of guidelines
 - need for time to reflect

- 4 Conclusions
 - may require further ethical guidelines

- 5 Remaining questions
 - more questions over a period of time

- 6 Recommendations / requirements for the European Forum
 - Blog!



Workshop: RJ with young offenders and position of RJ in youth justice

James McGuirk, Children Acts Advisory Board (Ireland)

- 1 main topics to be addressed by the participants
 - the system using RJ not to the end of RJ
 - who first – victim or offenders?
 - RJ an adversarial system (case of UK)
 - Is mediation really restorative justice?
 - Is RJ a parallel or embedded system?

- 2 questions or issues raised in order to initiate the discussion
 - see above

- 3 contrasting points of view during the discussion
 - RJ appears not lucrative for judges and lawyers. How do we get many of them to support RJ processes?

- 4 Conclusions
 - develop mechanism that proves that RJ works

 - humanize the figures to improve the quality

 - make RJ a generation practice → cultivate RJ from the young ones

- 5 Remaining questions
 - how to move to the public opinion in general and legislation in particular that RJ works?
 - Are figures alone convincing?
 - Show testimonies
 - Is RJ a parallel or embedded system?

- 6 Recommendations / requirements for the European Forum
 - develop a teaching programme in RJ, train teachers and social workers in the purpose of changing social values and profit RJ as a generational social change in the justice system. Spain already has a programme!

Day 5

Reviewing – Learning from summerschool

Learning circle – **Niall Kearney**

Drawing suitcases for every day: every participant was asked to write “in each of the suitcases” what he or she has packed in it (issues learned) on every day of the summerschool

Monday (arrival / orientation):

- connections RJ / process / practice
- cooperation
- meeting fantastic people
- trying to understand Craig
- put at ease
- food
- feeling we are not alone in what we do and think
- network
- meeting new people on a welcoming atmosphere
- comfortable feeling
- welcome + reception by Martha and colleagues
- arriving on time

Tuesday (Gerry + seminar):

- being here
- danger of taken over by the system
- easy way of putting critical views in a presentation (Gerry)
- it's ok to criticise
- perspectives
- questions every day???
- Learning more of history
- Stay critical
- Learn to think and criticise in another way (deeper)
- Academic viewpoint
- Engage with RJ critically
- Challenges
- Critical point of view
- Reflection
- Extension of social control
- Developing critical and strong arguments (RJ)
- Connecting with other practitioners

Wednesday (city of justice):

- being here
- learning cultural differences in RJ
- practice in Spain
- aware of challenges -> living arguments to make the case for RJ
- the welcome / hospitality / work
- interesting to hear about the system / programs
- wonderful welcome from everyone + informative sessions
- need for networking
- don't forget the victim
- RJ: too good at the moment to be convincing
- Happy to share our work-space with you
- A different day in daily space
- Exciting to see the practical work of our colleagues in Barcelona
- Reflection of the practical work
- Lost in Barcelona
- I need to improve my English

Thursday (workshops):

- to learn
- exchange different practice / discussion
- being here
- things / agenda
- share difficulties and hopes
- the best day
- pleasure
- control?
- Exciting discussions
- Practices + standards are to be defined
- How RJ can meet the system
- To share
- Surprising encounters
- Be ethically and practically
- Intensive + deep discussions / well prepared - leaders
- Learning and exchange experience
- Great exchange + ideas
- Improving practice, feeling supported
- Some wonderful questions and some work to do
- Catalonia peer mediation
- Need of exchange between professionals and practitioners

The future – what do we want out of this? – **Frauke Petzold**

Participants were asked to discuss in small groups the 3 questions on how to go on in the future with RJ and the summerschool:

1 What kind of methods / frameworks / issues on practice and training do you want to be addressed by the EuForum?

- setting up clear working definitions
- ethical guidelines – code of conduct
- methodological issues / intervision / supervision / tools (e.g. list of tips)
- webspace for issues + best practice
- share methods / practice
- video presentations for participants
- look at the ethical frame
- training in self awareness (i.e. prejudices, limits, inconsistencies)
- training programme for mediators: the notions of identifying needs and how to respond to them
- issue of time (preparation, thinking)
- boundaries between being a mediator and a therapist
- training on decision-making process (need to understand the decision process that parties come to make)
- high level academic seminars in RJ (phd)
- EuForum Guidelines on Ethics / framework
- Working group from different countries for advice and training
- Space on the website for experiences / difficulties in different countries (different cultural experiences)
- Definition of RJ for training and practice
- Training in specific areas eg approaching the victim (online during the year)
- Seminar with online collaboration

2 What could help you to come to the next summerschool?

- more focus on practical issues = inspiration for work
- critical confrontation
- balance: theory + practice
- permission + means to attend
- more focus + goal-oriented
- clear framework
- balance: exchange of experience + in-depth (disc, tool, ..)

- reduce the costs (shared accommodations, university rooms, local host families, low cost venues, search for local funds)
- definite date etc. for summer school certainly
- serious crime
- other sectors of Europe to be included
- funding
- content: involve some participants in identifying the themes of discussions
- a clear mixture of practical, theoretical and combined sessions
- a lovely place and lovely people
- summary of each countries law system and RJ practices
- address one topic in depth
- work during these year with colleagues at home
- workshops about practical skills/methods; role-play with discussion and reflection / ethical issues etc.
- issues on a deeper level for practitioners and researchers (actual training)
- case studies = examples for information and experiences
- small groups – one issue: one for general / one for advanced
- more time to plan

3 **Where to get 2020 ? → Ideas for utopian methods / utopian frameworks ...**

- Australia and/or New Zealand
- Ongoing support / exchange / help through electronic means (e.g. internet, chatroom, videoconference, ...)
- Collection tools, methods for practice (handbook, database, ..)
- Free entrance for every person to RJ practices
- RJ = mainstream
- Critical, dynamic, preferred process
- Learn from other parts of the world
- Be restored
- Parallel justice systems (RJ + old system)
- Restorative society (education – teaching programmes on RJ)
- General standards (flexible)
- Not everything must go to justice, communities should be enable to solve their own problems
- If it goes to justice, justice must be restorative
- Restorative process must be learned in all schools, with a view to positive social change
- Justice must come with networks and services
- Education RJ in every school in Scotland

- Given the opportunity to every victim
- Austria wants to be like Belgium
- Framework / standards for all to show higher bodies to use for RJ in the safest way
- Big network around the world, all working with RJ
- Summerschools for all judges / prosecutors

Final ceremony – **Niall Kearney**

Introduction of “The Stone” – first time used as symbol for closing the first summerschool in Pilzen in 2005, then again touched by the participants of the second summerschool in Riga and now again touched by all participants of the third summerschool in Barcelona.

- End of the third summerschool -

EVALUATION RESULTS

25 evaluations were handed out and 25 were returned. Participants were asked to answer the five questions below. The answers below in *italics* under each question give a flavour of all the responses.

1 The purpose of the Summer School is to provide a supportive environment for participants to share their experiences on critical issues, explore and adapt the European Forum's recommendations on training programmes and motivate participants to have more international exchange.

Do you think the purpose was achieved?

Yes / No / Partly

(Circle your answer)

Please add further explanatory comments if you wish

75% said 'Yes' and 25% said 'Partly'

Explanatory comments included: "more time would have been useful"; "recommendations on training were not fully achieved"; "critical issues could have been explored in more depth".

2. What did you like most about the Summer School?

"input from Gerry"; "hearing others' experiences"; "the informal gatherings"; "supportive group of people"; "the welcome and atmosphere"; "the venue"; "the international exchange"; "Barcelona"; "the humour"; "the workshops"; "how to be critical"; "quality, meaningful, personnel contact with people"; "cultural comparisons on practice and experience"; "the openness of the 'City of Justice' people to explain their work"; "how to prove in the political sphere that RJ works"; "to share and refresh ideas"; "comfortable environment to share"; "being able to understand how it really is at the coalface for practitioners".



3. What did you like least about the Summer School?

"I expected more higher level input"; "not enough time for practice issues"; "the heat!"; "sometimes too general or too abstract"; "missing in-depth case scenarios"; "English language"; "it is finished!"; "the 'round table' became a series of presentations"; "many questions but few answers"; "working in the larger group".

4. Were your expectations met?

Yes / No

(Circle your answer)

76% said "yes"; 8% said "no"; 16% said "yes & no"

If yes, in what way were they met?

"Sharing with others experiences on critical issues"; "inspiring and interesting people"; "Gave inspiration to continue day-to-day work with passion for RJ"; "motivation"; "ideas to improve work"; "revitalisation"; "I found good things I did not expect"; "discussion, exchange, reflection, support, networking"; "made more aware of the challenges faced by RJ and about how to deal with them and analysing their consequences"; "they were met in every way"; "particularly impressed by our day at the City of Justice"; "new ideas and perspectives";

If no, in what way were they not met?

"thought I would get more new knowledge"; "not enough time for in-depth discussions"; the goals were not always made clear"; "more concrete exercises"; "we have more questions than answers"; "limited critical theory on poor practices";

5. Have you any comments to make to any of the Summer School facilitators?

"they did a good job and were effective"; "they made a very good atmosphere that was relaxed and open and welcoming"; "for the future, it would be better to choose less topics and go into more depth"; "they were fun and supportive"; "it was an excellent organisation thanks to all concerned"; "for the future engage the participants in the preparations and topic choices";