

JUBILEE MAGAZINE

20 YEARS OF RESTORATIVE JUSTICE IN EUROPE

Looking back and
walking into the future

THE MILESTONES REACHED TOGETHER

RESTART FESTIVAL

The art of justice,
solidarity and repair



EUROPEAN
FORUM FOR
RESTORATIVE
JUSTICE

DECEMBER 2020

CONNECTING PEOPLE TO RESTORE JUST RELATIONS FOR 20 YEARS

WHAT IS RJ?

RESTORATIVE JUSTICE

Restorative justice is an approach of addressing harm or the risk of harm through engaging all those affected in coming to a common understanding and agreement on how the harm or wrongdoing can be repaired and justice achieved. Its practices (such as mediation, circles, conferencing) have been offered and delivered to address harm in different conflict areas, such as justice, education, peacebuilding, families, organisations, and communities.

WHO ARE WE?

THE EUROPEAN FORUM FOR RESTORATIVE JUSTICE

The European Forum for Restorative Justice (EFRJ) is the largest European professional network on restorative justice. We count more than 400 members, including 80 organizations, working on restorative justice practices, research and policy in Europe and beyond. Since our establishment in 2000, we offer support to implement and develop restorative justice through trainings, consultancy, research and events. We created the European Restorative Justice Policy Network to support the planning and implementation

of restorative justice policy and we are part of the Criminal Justice Platform Europe. We also have thematic working groups and committees composed by our members experts in specific topics relevant for restorative justice (e.g. research, training, values and standards, violent extremism, gender-based violence, restorative cities, environmental justice, restorative schools). Find our publications and more information on www.euforumrj.org.

SPECIAL ISSUE

JUBILEE MAGAZINE

This publication has been produced by the Editorial Committee of the European Forum for Restorative Justice, under the leadership of Heidi Jokinen (editor), Robert Shaw (proofreader) and Julia Barjau (designer), on the occasion of the 20th anniversary of the EFRJ.

Cover photo: Ivo Aertsen and Christa Pelikan



THE PAST OF THE EFRJ. WHERE DO WE COME FROM?

Marian Liebmann's restorative circle



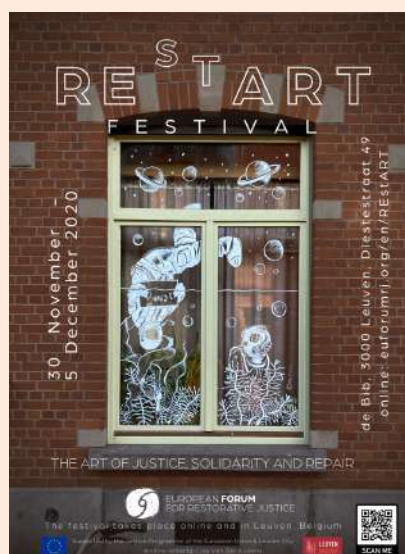
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CONNECTING PEOPLE TO RESTORE JUST RELATIONS: THE NEXT 20 YEARS.

The European Forum for Restorative Justice (EFRJ) has come a long way since its birth in 2000. *Connecting People to Restore Just Relations* has been adopted as its slogan. I have chosen to explain how this slogan is reflected in the EFRJ's growth as a diverse and dynamic community of those active in the field of restorative justice. I also want to use it to speculate how we could grow restorative justice over the next 20 years. I also refer to the articles which I hope you are about to read.

Connecting

Vince Mercer points out how events such as the 9/11, the Brexit referendum and the covid pandemic have disrupted the Forum's conferences. When you add the 2008 economic crisis, it is clear that the first 20 years of this millennium have exposed fundamental faultlines in global economies, politics and social relations. The consequence of these shocks has been to exacerbate disconnection between people and nature, between races, ethnicities and cultures, between genders, between neighbours, and within ourselves. These disconnections manifest themselves through climate change, increased economic inequality, increased polarisation in society, racism, islamophobia, gender-based violence, hate crime, violent extremism and mental illness.

The core of the practices of restorative justice is to bring people together and to facilitate dialogue between them. These skills have never been so needed than now and I believe that they will be even more important in the future. Vince Mercer has elegantly described EFRJ's role as to "circumvent the tendency to division and separation." Petra Masopust Šachová echoes this idea in her poem *Together*. Siri Kemeny hopes that restorative justice can also help us to reconnect with nature.

People

Increasingly people are realising that political and economic systems and ideologies developed in the 20th Century are no longer working for them. Those in power have become too distanced from the lived experience of most people. The pandemic has demonstrated that the important people in society are those who produce and deliver our food, who transport us safely and who care for our health and, of course, our families, friends and neighbours.

Restorative justice is about people, the meaning of their stories, their feelings, their needs and their relationships. In the next 20 years the restorative movement may exemplify human growth rather than economic growth and may enable people find better ways to live together in peace and with respect. We may be able to influence systems to become more humane by putting the people who work for them and whom they serve at the centre of their concerns.

To Restore

Restoration is much more than reparation. It is about the revitalisation of individuals, relationships and organisations after they have experienced unjust acts of harm. Restorative processes are designed to open people's minds, hearts and will to act and they do so through releasing people's curiosity, compassion and courage.

Robert Shaw's article on Shakespeare contrasts the masculine view of justice as laws and processes which must be followed even when they cause more harm than the original crime and the female and more restorative approach to justice which focuses on consequences and an ethic of care. Such restorative values are demonstrated in practice in the article written by Tatiana Laysha.

Just Relations

Injustices, and the harm and suffering they cause, undermine, weaken and destroy relationships. Undoing injustice alleviates suffering and rebuilds relationships. Justice is the glue that binds the cracks in society and sustains solidarity. The outcome of good quality restorative justice is the restorative of justice. These simple ideas can be applied to environmental, gender, racial, social and criminal justice in practical ways through restorative processes.



The first 20 years in the life of a European wide association means endless efforts and forthright innovation of an endless number of people. It has been humbling to get to cooperate with all the contributors to this Jubilee Magazine. Many of them have played a crucial role in the development not only of the European Forum for Restorative Justice (EFRJ) but also to the idea of restorative justice in Europe. Equally many are equally willing to carry the torch forward to the future. The EFRJ could not have done without the determination and vision of the first pioneers. But it neither could do without the generation 2.0 of the contributors to restorative justice. To highlight this vital interplay of different perspectives, skills and positions, we have grouped the contributions in the Jubilee Magazine into three different sections.

Looking back and walking into the future

The first section looks back and gives a tribute to all the forerunners who believed in the cause, no matter when and where. The second section looks around today, and witnesses to the importance the EFRJ has played for many of the newer contributors to the field. The third section introduces some potential new areas for restorative justice to excel in, and visions for the next 20 years of the Forum. Together the contributions, in different shape and style, point to a core feature of Forum as a focal point of academics and practitioners.

The articles in the Jubilee Magazine provide many examples of how the EFRJ supports cutting edge and innovative restorative justice in Europe and beyond. As we go forward, Diletta Stendardi urges us to build a different future or, as Patrizia Patrizi puts it, to continue “imagining alternative realities.”

Tim Chapman (Northern Ireland) is the chair of the European Forum for Restorative Justice.



After thanking the contributors to the Jubilee Magazine, I wish to express my appreciation also to all those who reached out and told me that they regrettably are not just now in the position of contributing to this edition. An even so deep gratitude goes to the whole Editorial Committee of the EFRJ Newsletter. I was by far alone in editing the Jubilee Magazine. Robert Shaw became somewhat a co-editor to me, the rest encouraged me forward, and the staff team, Emanuela Biffi, Bálint Juhász and Julia Barjau were invaluable. The layout owes entirely to Julia's bold playfulness. In line with the picture on the cover of this Jubilee Magazine, the European Forum for Restorative Justice has been on the upswing since the very early days, still reaching higher and higher, quite globally.

So, whether you are an old fox with restorative justice, or somewhat a newcomer, as myself, enjoy the walk down the memory lane, and towards new heights with the European Forum for Restorative Justice.



Heidi Jokinen (Finland), is the Editor to the Jubilee Magazine, Member of the EFRJ Newsletter Editorial Committee.

OUR MILESTONES



**EUROPEAN
FORUM FOR
RESTORATIVE
JUSTICE**

1998

A small group of people with a strong commitment to mediation and restorative justice obtained a non-recurrent funding from the European Commission, granted by the Grotius programme. A coordinating group with representatives of 8 European countries worked together with a secretariat in order to prepare the launching of the European Forum for Victim-Offender Mediation and Restorative Justice.

2000/12/08



Official launch of the European Forum for Victim-Offender Mediation and Restorative Justice with 24 founding members (14 individuals and 10 organisations)
First Chair Ivo Aertsen (Belgium)
First Executive Director Jolien Willemsens

2000/06

First Newsletter of the European Forum for Victim-Offender Mediation and Restorative Justice

1999/06

First European RJ conference in Leuven

2001/05

Launch of the Editorial Board (now called Committee)

2002

The organization registered its 100th member

2004

The 200th member

2005

Change of name: from European Forum Victim-Offender Mediation and Restorative Justice to EFRJ

2009

New Chair Niall Kearney (UK)

2008

The 400th member

2008

First change of logo

2006

New Chair Siri Kemeny (Norway)



2009

New Executive Director Karolien Mariën

2012

Establishment of the Criminal Justice Platform Europe (EFRJ, Europis and CEP-probation)

2012/06

New Chair Michael Kilchling (Germany)

2012/10

New Executive Director Monique Anderson

2016/11

New Chair Tim Chapman (UK)

2016/09

New Executive Director Edit Törzs

2016/01

New Executive Director Daria Nashat

2013/10

New Executive Director Kris Vanspauwen

2018

Establishment of the European Restorative Justice Policy Network

2020/01

Change of logo



2020

The 1000th member. REstART Festival

2020/12/08

We count 460 active members. EFRJ Jubilee Party

TWENTY YEARS YOUNG

By Ivo Aertsen

A new born

Towards the end of the 1990s, the time was ripe to bring people together working in the field of 'restorative justice' in various European countries. Re-thinking justice, breaking through the insulation, creating a new space. First the encounters in Council of Europe and other settings, and then with a little help from the European Commission ... Preparatory year, first meeting of 8 countries, broad consultation, soon the contours appeared of what became the 'European Forum for Restorative Justice'. December 2000.

It takes a village...

So many years, with so little resources, sometimes completely alone. But how strong the persistence and commitment across borders. Indispensable support from some national governments, crucial help from KU Leuven.

The repeated success in applying for European grants, acquiring special skills, the relationship built with the European Commission, public institutions and NGOs. COST Action A21. The consecutive European projects, strategically conceived, to broaden the field step by step, to develop new models, to train legal and other professionals, to build social support, to evaluate and to do research. Reports, books and practice guides. The red-brown newsletter, the changing logo's. The warm Summer schools. So many participants, partnerships, leading practitioners,

policymakers and researchers, from literally all European corners. The Forum's staff, the Board, the chairs, the innumerable project steering committee meetings, the bi-annual conferences – Where have you been, my blue eyed son? Human connection, deep friendships, much more than just a job. But also deep concerns: the eternal fight for funding, the ongoing efforts to keep the secretariat livable. Some years of crisis, but growing steadily, adolescence. Structural European funding, ensuring stability and further development. And in the background, always this: people working in silence, without their names on journals and websites, 'my English is not so good', just perfect.

Adulthood

Twenty years, finishing the Bachelor degree, says the professor, congratulations, up to the postgraduate level. More expertise in the house, committees and working groups, advanced explorations, broad implementation. Strong people, professional environment, care. Focus, orientation, the landscape, where is the path? At the end of the day: making a difference. ●

Ivo Aertsen (Belgium) is Emeritus Professor of the KU Leuven Institute of Criminology, one of the founders of the European Forum for Restorative Justice (EFRJ) and its first Chair, and now Editor-in-Chief of The International Journal of Restorative Justice.



RESTORATIVE IDEAS IN SHAKESPEARE

By Robert Shaw

A thousand years ago English justice involved locally based negotiated and potentially restorative settlements between victims and offenders. But Henry II of England (1133–89), seeing that the share of any compensation that was being received by local lords and bishops for brokering settlements between victims and offenders was increasing, decided to nationalise the system, abolishing private settlements, restricting the powers of the church and converting compensation to victims into fines to be paid to the Crown (Strang, 2002).

Two plays about restorative processes

Just over four centuries later William Shakespeare wrote two plays which contrast the new justice system with a restorative process. The first, *The Merchant of Venice*, uses *reductio ad absurdum* to contrast a civil outcome with restorative outcomes; the second, *Measure for Measure*, contrasts a criminal sanction with a restorative outcome.

In *The Merchant of Venice*, Shylock reluctantly grants a loan to Antonio, his enemy, with the proviso that, if it is not repaid, he can have a pound of Antonio's flesh. His friend, Bassanio, on whose behalf Antonio has raised the loan, succeeds in marrying Portia by giving the correct answer to a test which Portia had set her suitors while Bassanio's friend, Gratiano, manages to wed Portia's maid, Nerissa.

When it appears that Antonio is not going to be able repay the loan, Shylock takes him to court demanding the pound of flesh. Meanwhile, Portia, having been alerted to the situation by Bassanio, turns up at court disguised as a judge, with her maid, Nerissa, disguised as her clerk, and with a recommendation that she is eminently suited to try this case.

Portia grants judgement to Shylock but rules that he must only cut one pound of flesh, neither more nor less. After various twists and turns Shylock admits defeat and Portia and

Nerissa each persuade Bassanio and Gratiano to reward them for helping Antonio by giving them the rings they had received when they were wed. The men reluctantly agree. The next time Bassanio and Gratiano meet Portia and Nerissa, the women accuse them of faithlessness for giving away the rings but eventually reveal all and the play ends with a paeon to love. As Gilligan (1993) points out, the logic of male morality ('the pound of flesh') is demonstrated by a woman (dressed as a man) to be unworkable; that same woman demonstrates in the matter of the rings a care and responsibility towards the men which their own morality would explicitly deny they were entitled to. Or, as Sen (2009) might argue — but does not because he does not cite Shakespeare, Shakespeare contrasts the justice of process with the justice of consequences. Portia takes the justice of process to its absurd conclusion and then, in the reconciliation over the rings, shows that a justice of consequences can lead to a far better conclusion for all than the justice of process. Bassanio had been her only suitor to make the correct decision and, had she followed the justice of process, the consequence would have been to nullify Bassanio's earlier correct decision.

In *Measure for Measure* the Duke hands over his dukedom to the upright Angelo while he ostensibly goes aboard but in fact takes the disguise of a friar to see what is really happening to his people. Angelo embarks on a campaign of law enforcement, reviving laws which have been ignored for some time, including one which sanctions death for sex outside marriage.

Robert Shaw (UK) is a retired management consultant who also taught for many years in higher education in the course of which he became a freelance academic copyeditor and, later, typesetter. He came into contact with those working in the criminal justice system throughout his career and became aware of modern restorative justice at the start of the twenty first century. He joined the EFRJ Editorial Committee to check the English of articles where English was not the author's first language and has copyedited and typeset the EFRJ Newsletter since 2013 when it became a digital publication.



When Isabella approaches Angelo to ask for mercy for her brother who has got his girlfriend pregnant before they were married, Angelo agrees as long as Isabella will sleep with him. With the help of the friar, Isabella is able to substitute Mariana, a former girlfriend of Angelo, at the dark rendezvous agreed with Isabella. However, Angelo reneges on his undertaking and orders Isabella's brother to be executed — an event which the friar is able to prevent, unknown to Angelo.

When Angelo's behaviour is eventually unmasked following the 'return' of the Duke, the Duke condemns him to the same punishment as he had ordered for Isabella's brother because he also had had sex with a woman outside marriage.

Not knowing that the Duke has saved her brother, Isabella and Mariana both plead for Angelo's life to be spared which the Duke does provided he will marry Mariana.

Once again the judge, in this case the Duke, follows the logic of the justice of process but Mariana appeals against this on the grounds that she loves Angelo and executing him will deny her the opportunity to be his wife (and, hopefully, the father of their child). Though Shakespeare does not explicitly say this in the play, executing Angelo would also deny both women the answers they want from the offender about his behaviour; however, Shakespeare does suggest that Angelo sees execution as more desirable than having to answer uncomfortable questions from the women.

Transcendental Justice

In the century after Shakespeare, transcendental justice, as exemplified in the more recent work of Rawls (1971), came to dominate Western ideas of justice but, as Sen argues and as Shakespeare would appear to believe, transcendental justice is intellectually interesting but not practically useful — certainly not to Shylock or Angelo, Bassanio, Gratiano, Portia, Nerissa, Mariana and Isabella.

Many non-European cultures have had restorative processes at the heart of their justice systems, only to see them supplanted during the colonial period by European ideas of transcendental justice. Strang (2002) and Gilligan (1993) remind us that ideas about restorative processes existed in European culture before they came to be pushed out by the ideas of transcendental justice while Sen (2009) argues that both these ideas of justice have been apparent throughout Indian history.

Restorative justice is not fundamentally a white Western concept but one which has been present in a wide range of cultures including pre-modern European ones. ●

References Gilligan, C. (1993). *In a different voice: psychological theory and women's development*. Cambridge MA/London: Harvard University Press. With a new introduction. Rawls, J. (1971). *A theory of justice*. Cambridge MA: Harvard University Press. Sen, A. (2009). *The idea of justice*. London: Allen Lane. Strang, H. (2002). *Repair or revenge: victims and restorative justice*. Oxford: Clarendon Press. 4

DEDICATION TO THE EFRJ AND ITS PEOPLE

By Dobrinka Chankova

This dedication is coming from the depths of my soul. Although at prima facie it might look just as a glorification, it is an account what has been the European Forum for Restorative Justice (EFRJ) for me through the years and now. It is also a promise for future actions for the EFRJ and restorative justice.

"I have had already plenty of opportunities to admit that my personal destiny is closely linked to the history of the EFRJ"

The idea to "be born" an umbrella organisation for the promotion of victim-offender mediation (VOM) and restorative justice (RJ), arose with the end of the Terms of references of the Council of Europe Expert Committee developing the landmark Recommendation 99/19 on mediation in penal matters. At that time I was a young expert, grateful to the fortune to be in one committee with the leading RJ experts in Europe - future founders of the European Forum for Victim-Offender Mediation and Restorative Justice (now EFRJ).

The governmental formats, always pre-determined by terms and tasks, are quite narrow space for the free, broadminded and farseeing academics such as were most of the Committee members. It was more than natural to prolong and extend the established collaboration functioning fantastically.

In the autumn of 1999, the Catholic University of Leuven was the host of the first conference and the preparatory meeting for the establishment of the new organisation the speed of whose future development can be compared only with the recent pandemic. There were such good vibes, energy, desire in most participants, who had the presentiment that something significant will happen. And this occurred, although one-year latter. I personally, and many other conference participants were wondering why it was not in 1999, there was support more than enough. Later I found an answer for myself - for the people of the future Forum nothing was good enough if it is not perfect. By now it has been the motto of the Forum.

I clearly remember my first participation in a Forum conference. During that time, I was still mixing the good wishes with the opportunity/reality. The well-prepared paper received an unexpected "compliment": "Congratulations, you did not say anything significant, but you made it excellently". This lesson was learned forever.



To be a founder and already 20 years member of this remarkable in every aspect organisation is a privilege and source of pride, no doubt. I owe my career as a university professor, my books, other publications, international expertise to a great extent to the invaluable support and inspiration coming from the EFRJ and its people. Because the Forum's people are its most significant capital.

To start with Prof. Ivo Aertsen - the first chair of the EFRJ, AGIS and COST projects that paved the way of VOM and RJ in whole Europe, and beyond. This tireless guy contributed tremendously to the Forum's establishment on the European and the global scene, generously offering his ideas, expertise, work capacity, etc. to whom who has raised questions. I was one of the big beneficiaries, too. Even now, he is playing my mentor, advisor, anchor point in every complicated situation. Dr Martin Wright - the next RJ pillar, not only in a European context, Laureate of the European RJ award, has received me several times at his home to discuss and correct my books and to check my "Bulgarian" English. He is doing that even now. From him, I have received not only knowledge; thanks to him, I have been changing my modus operandi and modus vivendi substantially. Christa Pelikan, Siri Kemeny, Borbala Fellegi and many, many other Forum members have an extraordinary contribution to the successful development of our RJ projects - personal, institutional, national. I should also mention Jolien Willemsens - the first Administrative officer of the Forum - knowledgeable and responsive friend and colleague. Unbelievable, but in the Forum's galaxy only very, very classy people could be met. Smart scholars, bright thinkers, risk-takers, winners! Thanks, acknowledgement, bow!

I dare say that this partnership, nearly "love story", with the Forum and its people, was shared, reciprocally. I have also tried to contribute to the numerous Forum's activities - conferences, projects, journals, happenings. Some of them took place in Bulgaria. When, for different reasons, I was not very active, even "undercover" (not literally, of course) I have continued to think, write and work for restorative justice and my Forum. I was spreading (and I am doing it now) the gained knowledge, hopes, optimism for RJ relevance and progress in Bulgaria, Japan, South Africa, Hong Kong, India, etc. In Bulgaria, to my most profound regret, my success was moderate, but I have enjoyed great receipt in the rest of the countries. During the 9-month stay in Japan, considered to be the "Mecca" of traditional restorative approaches, the discovery was that the European doctrine and practice, thanks to the Forum too, is much more advanced in comparison to the Japanese one. This was repeatedly verified in many other places.

It was uneasy running on the same track with the Forum and its managing team. They were ahead not only of others but of events. There were no insuperable obstacles for them. Each project was more ambitious than the previous ones, and the results were better. For me, the Forum is a source of scientific audacity, brave planning and courageous policy.

Martin Wright

received the European Justice Award in 2012 for being one of the first scholars in Europe who had substantial influence on the development of restorative justice and its subsequent proliferation.



THE PAST

However, now the question is what more I can do for the Forum? In my humble opinion, the achieved results from my side for the benefit of the Forum are far from sufficient. Happily, after some consideration I have already decided - I will do what I can do best - teaching. And I will try to mobilise more restorative justice proponents to teach their societies on restorative justice ethos, its high added value and immense potential. For the 20th anniversary of the Forum, I have a "gift" - an idea to launch a campaign for transforming the university, school, college, etc. of every member into a restorative one. It is hard, but not impossible - I know it from my personal experience. So, we will make a chain/network/whole universe of restorative justice institutions, until the globe is entirely ours! Next, I find it appropriate that more educational activities be introduced in the daily life of the Forum.

We already have the top world restorative justice experts in a pool; we have the fantastic background of several more than successful Summer schools, now a Winter academy is forthcoming. Why not upgrade the Forum to a restorative justice Academy or a University, spreading knowledge permanently through distant or other forms of education? It has been done for more than 20 years, by the way. In a legal language, it is an alignment of the legal situation with the facts. It is doable, if there is a will, despite some hurdles - legal and others. It could bring a financial underpinning, but more important is the great satisfaction that we are transforming the planet climate to a more restorative one. Yes, I see the future of the Forum as a Global initiative, preserving the pulsating European heart. I believe that we all possess the energy and expertise to be a part of this endeavour. ●

Dobrinka Chankova on the left



Dobrinka Chankova (Bulgaria) is a Professor of Criminal Procedure Law at South-West University, Bulgaria. She has served as an expert of the Council of Europe Committees on Crime Problems and Mediation in Penal Matters, which developed Recommendation 99/19 on mediation in penal matters. Founder member of the EFRJ, a convinced restorative justice proponent.



OUR PROJECTS

RESTORATIVE JUSTICE AND NETWORKING	
2002 – 2006	COST Action A21: 'Restorative justice developments in Europe'
EXTENDING THE FIELD OF APPLICATION: GEOGRAPHICALLY	
2003 – 2005	Meeting the challenges of introducing victim-offender mediation in Central and Eastern Europe
2006 – 2008	Restorative justice: An agenda for Europe Part 1. Meeting the challenges of introducing restorative justice in Southern Europe
2007 – 2010	Restorative justice vs juvenile delinquency: The Baltic states in European dimension
2006 – 2008	Promoting the practice of victim-offender mediation: Turkey
2006 – 2008	Restorative Justice: An agenda for Europe Part 2. European Union policies and regulation
PROMOTING THE FIELD OF APPLICATION: TYPES OF CRIMES	
2007 – 2008	Developing standards for assistance to victims of terrorism
2013 – 2015	Restorative Justice in Cases of Domestic Violence
2013 – 2015	Developing integrated responses to sexual violence: An interdisciplinary research project on the potential of restorative justice
2017 – 2019	Victims of road traffic offences
2020 – 2022	LetsGoByTalking - Protecting and defending the rights of victims of anti-LGBT hate crimes: innovative paths through restorative justice
IMPLEMENTING RESTORATIVE JUSTICE EFFECTIVELY	
2013 – 2014	Accessibility and initiation of restorative justice
2008 – 2011	Restorative justice and crime prevention
2013 - 2014	Desistance & restorative justice: Mechanisms for desisting from crime within restorative justice practices
2008 – 2010	Building social support for restorative justice
2009 – 2012	Mediation and restorative justice in prison settings in Europe
RESTORATIVE JUSTICE AND VICTIMS	
2011 – 2012	Victims & restorative justice: An empirical study of the needs, experiences and position of victims within restorative justice practices
RESTORATIVE JUSTICE WITH CHILDREN	
2017 – 2018	Implementing restorative justice with child victims
2019 – 2021	i-RESTORE- Protecting Child Victims through Restorative Justice
RESTORATIVE JUSTICE METHODS	
2008 – 2011	Conferencing: A way forward for restorative justice in Europe
2011 – 2013	Implementing peacemaking circles in Europe
JUDICIAL TRAINING FOR RESTORATIVE JUSTICE	
2003 – 2004	Working towards the creation of European training models for practitioners and legal professionals in relation to restorative justice practices
2013 – 2014	Developing judicial training for restorative justice: Towards a European approach
2019 – 2021	RE-JUSTICE: Judicial training in restorative justice
RESTORATIVE JUSTICE AND INTERCULTURAL DIFFERENCES	
2012 – 2016	FP7 project ALTERNATIVE - Developing alternative understandings of security and justice through restorative justice approaches in intercultural settings within democratic societies
2017 – 2019	PREPARE – Preventing radicalisation during probation and release
2017 – 2018	Enhancing Cross-border Mutual Legal Assistance and Recognition of Decisions in Countering Terrorism and Preventing Radicalisation in Prisons
TRAINING AND RESTORATIVE JUSTICE	
2018 – 2020	KINTSUGI – Exchange of European Good Practices on Restorative Justice
2020 – 2022	PROTECT - Exchanging good practices on restorative justice and promoting the victims' rights protection
2020 – 2022	MEDIAREJ – Training in mediation and restorative justice

In purple the projects where the EFRJ was/is a partner
In green the projects where the EFRJ was a coordinator



UNDER THE RAYS OF RESTORATIVE VALUES

By Tatiana Laysha

In this article I want to share my experience of how restorative values are very important as a basis for the teachers' and carers' professional competencies. Where the restorative process creates an atmosphere of trust, sincerity and safety, restorative justice has significant potential for the healing of psychological trauma.

People understand restorative justice processes better as a result of their own experience of participating in a restorative justice programme but more effort is needed from the restorative justice community to overcome law enforcement officers' mistrust of the restorative justice process. The EFRJ is a unique international community of people adhering to restorative values and principles and is a resource centre for all who shares and applies ones in social life.

One fine day a tiny laddie came and asked his dad: 'Could you tell me, Daddy, what is good and what is bad?'

- Vladimir Mayakovsky

A good and necessary thing

In 1999, when I was working as a psychologist at the Human Rights Center, the director of this centre, Emma Feldstein proposed me to go to Moscow to participate in the training on restorative justice, organised by the Interregional Public Center 'Legal and Judicial Reform' and conducted by Dr Marian Liebmann (pg. 17), a trainer from the UK. My director wanted to know what was the restorative justice method and whether it was applicable to our practice. By this time, being already an accomplished psychologist, I took part in the meetings of the city Commission on Juvenile Affairs. Children who committed some kind of offence and their legal representative (parent or person substituting for him) were summoned to these meetings. The disrespectful and threatening communication style of the chairman and her aides towards the teenagers and their parents evoked a feeling of protest in me. Unfortunately my words that they should not be treated this way usually caused

bewilderment and resistance from these officials. Therefore, at Marian's training 'Basic ideas and practices of Restorative Justice,' I got the feeling that we were learning about something very correct and important.

I have not yet understood much, but I feel that this is a good and necessary thing.

After my return from this training, Emma Zakharovna asked me: 'What is the restorative justice?' I honestly answered: 'I have not yet understood much, but I feel that this is a good and necessary thing.' Later, when I started to conduct restorative justice programmes on juvenile offences, I realised that I was attracted to Restorative Justice by its values.

Tatiana Laysha (Ukraine) is a psychologist in Developmental Psychology, she started working as a restorative justice mediator/trainer in 2000. Experience as a restorative practitioner is connected with some international and local projects in Russia and Ukraine in the criminal justice and social care areas. Working out and implementation of the training programmes on restorative practices and mediation in public, social — protective and school services of conflicts resolution.

It is about values and healing

My research work on a dissertation in psychology was called, 'An axiological approach to the study of the personality of a teacher.' I tried to identify the main 'building blocks' in the construction of humanistic pedagogics through the prism of a school teacher's personal value profile.

Interesting results were obtained regarding the social intelligence of the teachers. However, I was not able to find what seemed to me most important: those principles of the teacher's attitude to his students, like the rays of the sun by which children's best inclinations and abilities flourish. When, at the meetings of offenders and victims, I saw how people turned from enemies into good acquaintances (or even into friends!),

began to understand the truly divine power of restorative values such as: respect for human dignity and freedom, solidarity and responsibility, truth and justice. If these values are not just declared but they are embodied in concrete actions, the process of healing from fear, anger and depression takes place here and now!

One day, when I met my former lecturer of group therapy, Dr Galina Isurina, I told her about our restorative justice programmes and, as an example, about one case of a victim-offender mediation. This case is presented here in the form of descriptions of five scenes that could be imagined:

Scene 1. Ten-year-old Natasha goes to the store to buy bread and holds in her hand a 100 roubles banknote that her mother gave her. At the entrance, 15-year-old Lyuda runs up to her and snatches the money from her hand. Natasha is very scared and runs home in tears.

Scene 2. A few days later, the offender Lyuda is detained on the street. This is her first offence. Mediators learn about this offence from a court social worker on the basis of a cooperation agreement on the implementation of restorative justice into law enforcement practice for juvenile. The mediators contact the mother of the victim Natasha and suggest a programme of victim-offender mediation. Natasha's Mum indignantly refuses such a meeting. The coordinator leaves for her the contact details of the mediator and asks her to remember that the opportunity for the meeting remains.

Scene 3. A month passes and suddenly Natasha's mother calls the mediator of the restorative justice programmes and says that she agrees that her daughter meets with the offender. She explains her decision by the fact that her daughter has been afraid to leave home for a whole month, that she does not attend school and that visits to a neurologist and psychologist did not give any positive results. her hand. Natasha is very scared and runs home in tears.

Scene 4. Mediation process. Participants of the meeting: Natasha and her mother, Lyuda and her mother, two mediators. The first part of the meeting goes rather formally. Girls are rather silent but mothers speak. Lyuda looks very closed and sad. Natasha, feeling safe, looks at the older girl-offender with interest. The mediators show respect to all participants, try to talk about their feelings. After some time, Lyuda bursts into tears and begins to speak. She says that she had quarrelled with her mother,

ran away from home and lived on the street for two days. On that day she took the money away from Natasha because she wanted to eat very much. She asks Natasha to forgive her.

Scene 5. There is a courtroom of the city court. A robbery trial is underway ... When the judge gives the floor to the victim Natasha, she boldly stands up and says that she has forgiven Lyuda and asks the judge do not punish her too harshly. Now this 10-year old girl is in control of her life again and her fear is replaced by courage and generosity! The next floor is given to the mother of the victim. She says that she regrets that she did not immediately agree to participate in the restorative justice programme and that now she will recommend such programmes to all her friends. closed and sad. Natasha, feeling safe, looks at the older girl-offender with interest. The mediators show respect to all participants, try to talk about their feelings. After some time, Lyuda

My teacher-psychotherapist Galina Lvovna listened carefully to this story and then told me about her neighbour, a young girl, who was attacked by a teenager with a knife. She was not injured physically but suffers from Post Traumatic Stress Disorder and conventional therapy does not help her to get rid of her chronic fear. And then she added: 'I think this programme of yours could help her to recover.'

Trusting the recovery process

Face to face meetings enable participants to feel and understand each other's emotional state without words. The mediator does not decide whether the offender's apology is sincere, whether they should believe in his repentance or not, but he asks the victims about this. Usually victims understand very well whether the offender's remorse is sincere and whether to believe him or not. However, law enforcement officers very often express their doubts about the sincere remorse of a juvenile offender who was

involved in the restorative process and do not trust his decision not to commit crime in the future. This mistrust of the law enforcement officers is understandable in the context of their usual professional practice. Probably we, as promoters of restorative justice have to look for some ways to build trust in the restorative process from the side of law enforcement agencies.

Perhaps the following situation could be an illustration of the differences between the effects in restorative and formal justice:

Scene 1. Victim — an offender meeting is taking place between a 14-year old boy who committed the theft of a bicycle and the victims, a 12-year old girl and her mother with the participation of the boy's grandmother as the minor's legal representative. The meeting is conducted by a public mediator. The lawyer of the offender does not participate in the meeting. Victims talk about their feelings, grandmother apologises for her grandson ... The boy-offender lowered his head, sniffs, his hands are trembling. All the participants of the meeting understand that he is very ashamed and that he regrets about what he has done. And although no one stigmatises or humiliates him, he cannot squeeze out just one word 'Forgive me.'

The victims do not insist on a formal apology as everyone perfectly sees and understands his condition. The mediator knows that verbal apologising is very difficult for many teenagers; so he suggests the guy nods with his head if he is really sorry. The boy nods and sighs in relief. The next step concerns the discussion about compensation for the damage.

Scene 2. Courtroom. The judge is considering a bicycle theft case. The offender sits next to the state lawyer — an elderly woman. At some point, the lawyer whispers loudly to her client: 'Apologise.' The guy seriously and calmly says to the victims: 'Forgive me, please.'

Scene 3. Courtroom. The judge continues considering a bicycle theft case. The offender sits next to his lawyer. The lawyer whispers to his client: 'Apologise.' The guy easily, almost cheerfully, says to the victims: 'Forgive me, please.'

Scene 4. Courtroom. The judge continues considering a bicycle theft case. The offender sits next to his lawyer. The lawyer whispers to his client: 'Apologise.' The guy, trying to be serious, says to the victim: 'Forgive me, please.' In the courtroom loud laughter is heard from all people present: the victims, the judge, the secretary, etc. Only the lawyer doesn't laugh and looks with astonishment at everyone.'

In 2010–2011, I worked in the project 'Cooperation between the European Union and Russia on the legislative support for the implementation of the methods of minors in courts of general jurisdiction and juvenile justice commissions and the protection of their rights' (Ref. Nr.: Request n° 2009/212428, Lot 7 — Culture, Governance and Home Affairs). Among some of the activities (interviews, focus groups, case studies) I had to describe the best international juvenile justice practices. It was a rather difficult and responsible task that required a lot of time to find the necessary information. This situation gave me cause for concern ... And one day a miracle happened: suddenly I received a package with the book *European Best Practices of Restorative Justice in the Criminal Procedure* (Gyökös and Lányi, 2010) sent to me by Hungarian colleagues from the EFRJ! Fantastic!

Taking into account the data from this book, I described the best juvenile practices, and also compiled restorative questions for focus groups of juvenile offenders that I conducted in two correctional colonies in Russia.

Moreover I am grateful to the EFRJ for the unique opportunity to use the achievements of colleagues — researchers and practitioners, for my preparation of seminars and training for current projects of my colleagues in Ukraine. ●

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MY EUROPEAN JOURNEY

By Marian Liebmann

the first European restorative justice conference I attended took place in October 1999 in Leuven, even before the founding of European Forum for Restorative Justice (EFRJ). At that conference there was a fringe meeting one evening: 'The European Forum for Victim-Offender Mediation and Restorative Justice: Discussion on a European Association,' and of course everyone said, 'What a good idea!' A Technical Seminar followed in June 2000 setting up all the details and the first constitution was adopted on 8 December 2000. The rest is history, as they say.

My contribution to that first conference in 1999 was a workshop on mediation in serious crimes and in the prison context. Together with Stephanie Braithwaite I had just completed the first survey of Restorative Justice in Custodial Institutions, sponsored by a Quaker group in Northern Ireland. Up till then, few people thought of restorative justice as being applicable in prisons. I also contributed to a workshop on the situation of victim-offender mediation in the UK and Austria.

The second conference was in Oostende in 2002. I again contributed on restorative justice and the prison system in the UK, as this was still seen as a novel application. I covered such topics as victim awareness courses, community service projects, victim-offender groups, victim-offender mediation, restorative adjudications and whether there could be a **'restorative prison.'**

**Inmates queued
up for our
workshops.**

Marian Liebmann



For the third conference in 2004 in Budapest I was still involved in prison work, but more specifically in a project in Bristol Prison, with my colleague Lindy Wootton. This project started with victim-awareness groups and aimed to move on to taking victim-offender mediation cases — but the funding was cut just after we had trained 20 mediators. Lindy had designed and printed explanatory leaflets for prisoners, but these were not needed, because a drama workshop early in the project had so touched one prisoner that he decided to confess to many more crimes, so that the goods could be returned to the victims. As news of this flew round the prison, inmates queued up for our workshops.

I had just started working on a

big restorative justice training project in Serbia and Montenegro, and one of the first courses was in a young people's prison. As Hungary borders on Serbia, I was able to persuade Serbian colleagues working there to come to that EFRJ conference and present their work.

Meanwhile EFRJ Summer Schools had started in the years between conferences and I went to the first one in 2005, in Plzeň, Czech Republic, of beer-manufacturing fame — and we did indeed have dinner within its halls. The theme was training for mediation and restorative justice, and was relevant to me because of my training work in Serbia and Montenegro.

By the time of the fourth EFRJ conference in 2006 in Barcelona,

THE PAST

I was just completing my work in Serbia and Montenegro (the latter newly independent from Serbia) and was keen to reflect on the issues. I ran a workshop outlining my experiences of the six sets of training I had delivered, to different geographical areas and different organisations within Serbia and Montenegro, including issues such as cultural differences within the country (for example, Roma, Albanians, Hungarians) and the relationship with the youth justice system — there was a new law with restorative justice as one option. I had hoped that Serbian colleagues would accompany me again, but by this time their funding had finished, and Barcelona was further away.

The fifth conference in April 2008 in Verona had the theme 'Building restorative justice in Europe: cooperation between the public, policy makers, practitioners and researchers' and I ran a workshop bringing together these elements: 'Building restorative justice: a journey through practice, organising, training and writing,' drawing on my work in the UK and visits to five countries in Africa (Uganda, Nigeria, Ghana, the Gambia and South Africa) to help groups start restorative justice schemes.

I didn't lead a workshop or presentation at the sixth conference in June 2010 in Bilbao, but chaired one session and made sure to attend the two workshops on MEREPS (Mediation and Restorative Justice in Prison Settings) run by the Foresee Research Group from Hungary, led by Borbála



Restorative Circle

Fellegi. I needed to be informed about MEREPS as they had invited me to provide training for their mediators/ facilitators later that year. This took place at Balassagyarmat Prison in northern Hungary, and went well. I remember being amazed at how easygoing and friendly the prison was, quite unlike UK prisons. They even had a clay workshop for inmates with special needs, who were unable to work in the shoe factory that was part of the prison. This would be seen as much too risky in the UK!

Sadly I wasn't able to attend the next two EFRJ conferences, in Helsinki in 2012 and Belfast in 2014, because my husband was ill and actually died a month after the Belfast conference. I was particularly sad to miss that conference because of the theme (Beyond crime: pathways to desistance, social justice & peace-building) and because I had several connections with people in the city. It was also easier to reach from Bristol (my home town) than some of the other venues.

The ninth conference in Leiden in June 2016 was memorable for a very sad reason. It was the time of the referendum on Britain's membership of the European Union. We woke up on 24 June to find that Brexit had won! All the Brits at the conference were devastated. We couldn't believe it! To show solidarity the whole conference held hands around the plenary lecture theatre — not easy or comfortable to achieve, but some comfort in a desolate place. And the sadness continues as the UK takes ever more steps towards social isolation from Europe.

At this conference I gave a presentation on my new restorative justice interest — as part of a small group promoting the idea of Bristol as a Restorative City, following the example of Hull, the first city to declare itself a restorative city. We had been working on it since 2012, and I outlined the steps we had taken so far. Through this I met others also interested in this concept, and a few who were already on the road.



'Traffic congestion and road rage: a restorative approach to road sharing,'

And so we come to the last conference I attended, the tenth one, in June 2018 in Tirana, Albania. For this one I provided a workshop on 'Traffic congestion and road rage: a restorative approach to road sharing,' in which I replicated the restorative circle model we used in Bristol to gather groups of people to share issues encountered on the clogged roads of Bristol.

We proposed these groups as a restorative contribution towards 'Bristol: 2015 European Green Capital.' Amazingly these short two-hour sessions produced changes in participants' thinking, which they hoped to translate into different road behaviour. However, the funding was short-term; so the project did not continue past the pilot stage. Nevertheless the report (Liebmann et al., 2016) and video (Cox, 2016) are available for anyone wishing to develop a similar project in the future.

I also contributed to a session on Restorative Cities. By now there were more cities working on this and, shortly afterwards, a Working Group was set up on which I represent Bristol. This led to a meeting in Como in January 2019 and collaboration on an article in the International Journal of Restorative Justice (Liebmann, 2019). And we should have been gathering at the eleventh EFRJ conference in Sassari right now, but we managed to meet on Zoom instead.

So far I have concentrated on my participation in the work side of the conferences. But they have been memorable also for their social aspects — the dinners, the informal conversations, the connections made and the tours of local interest arranged at the end of each conference.

For the first conference I stayed with Katrien Lauwaert (an extra bonus), and for others I often stayed with Servas hosts (international peace and friendship organisation) to feel part of the city and country I was visiting; in Leiden my hosts lent me a Dutch bike to reach the conference venue as I had hurt my foot and couldn't walk very far. Cycling along the canals was a special experience, and I enjoyed arriving at the conference venue by 'local transport.' The Verona dinner remains in my mind for the impromptu fully-clothed swimming session that took place in the lake afterwards! In Tirana I won't forget the tours of Communist relics and the visit to an outer crumbling suburb where young people were trying to involve the local community in restorative gatherings.

THE PAST

So what comes next? I had made all the arrangements for the Sassari conference in good time and so was disappointed that it had to be postponed due to Covid-19. But I am busy preparing a presentation and workshop for the REstART Festival to celebrate the 20th anniversary of the EFRJ. And I hope to attend the eleventh conference in Sassari if Covid-19 permits!

This article has shown how my journey around Europe to different conference venues has run parallel to the development of my journey through different applications of restorative justice. It has also run parallel to the journey undertaken by the EFRJ in developing its thinking and scope of its activities. I have felt really glad to be part of that, and hope to see the EFRJ go from strength to strength over the next 20 years. ●

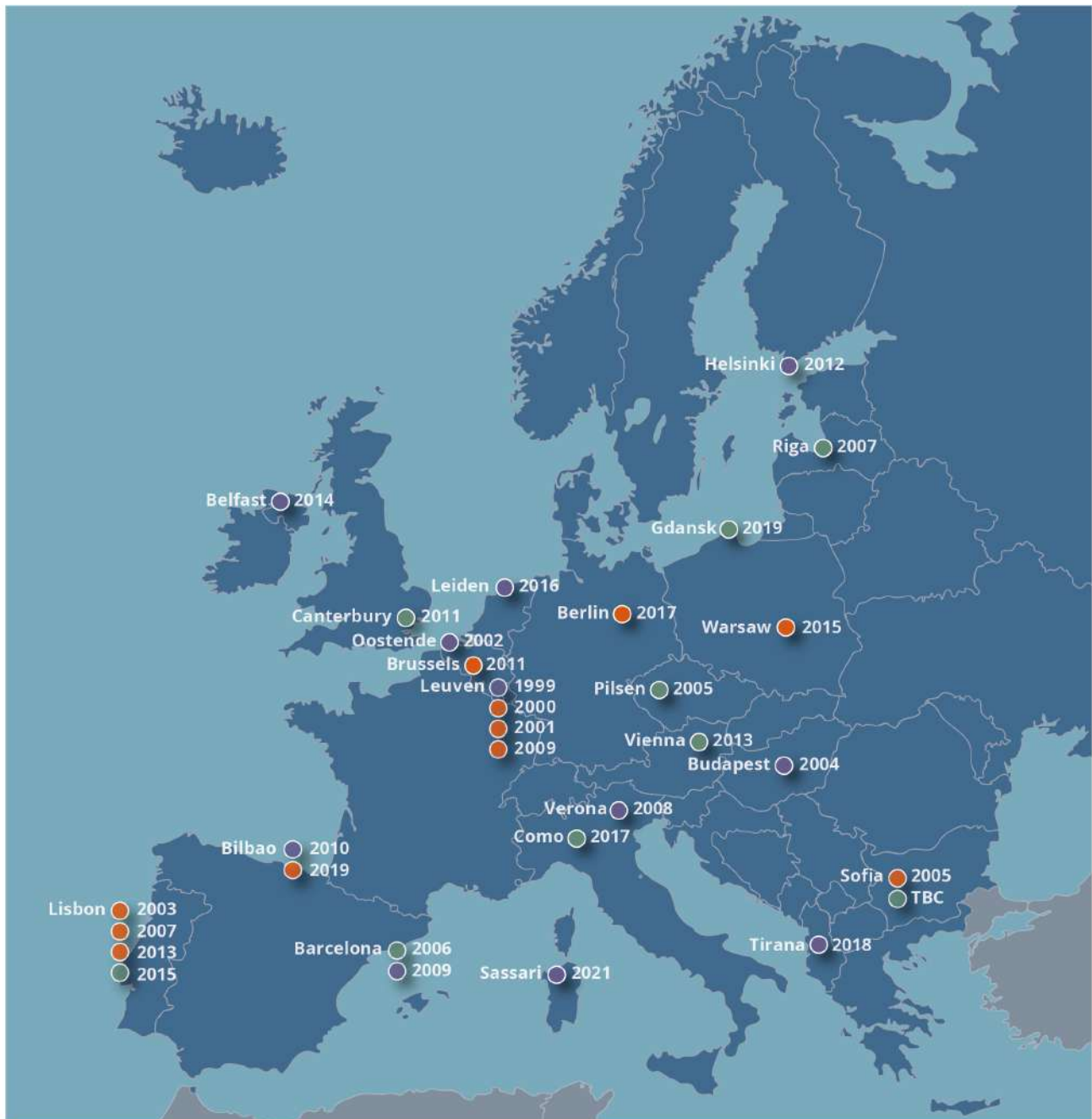


Marian Liebmann (UK) was director of Mediation UK, and now works as a restorative justice practitioner and trainer; she has worked in several African and East European countries. She is involved in helping Bristol to become a restorative city. She has written/edited thirteen books, including *Restorative Justice: How It Works* (2007).

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OUR EVENTS



Summer
schools

Conferences

Seminars

The EFRJ organises every year an international event hosted by one of its member organisations. Our events provide cutting edge content, various formats of contributions from different perspectives such as practice, research, policy, arts, activism and a forum for professional exchange and development of partnerships. We also celebrate the European Restorative Justice Award during our conferences and we create opportunities to get in contact with local experts and initiatives.



LEARNING, EXPLORING, RETHINKING AND DRINKING: THE CURIOUS ALCHEMY OF EUROPEAN RESTORATIVE PRACTICE AND LIFE GETTING IN THE WAY ...

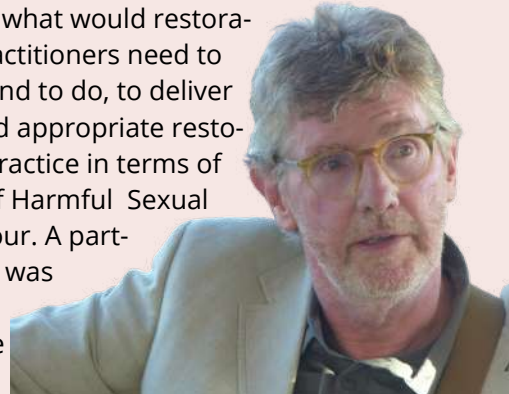
By Vince Mercer

In observing that 'Life consists of retellings', Bruner (1986, p. 12) very simply encapsulates the power and significance of narratives and stories we tell and hear to illustrate and describe our lived experiences. The telling of the development of the AIM Project's experience of restorative work in the field of harmful sexual behaviour (HSB) is a narrative of progression, reflection, learning and sharing, which closely parallels the story of the establishment and development of the EFRJ. I feel there is a strong affiliation in the timeline of the progression of both the EFRJ and the AIM Project's experience of restorative work. Moreover, in reflecting back on the passing of these two decades, it has also struck me how time has been punctuated, and perhaps part defined, by major international events which either coincided with or disrupted the annual gatherings of the EFRJ members.

So, in this brief retelling please allow me the indulgence of weaving three separate but interwoven threads together leading us to the eventful spring and summer of 2020.

In 2000 I was the Project Manager of the Restorative Family Group Meetings Project for Greater Manchester in the UK, one of only three such projects in the UK offering restorative processes in cases involving serious harm by young people. We were responding to offences of aggravated assault, burglary, arson, robbery and death by dangerous driving but never for cases of sexual assault. Until the day when a Police Officer from a town to the north of Manchester rang to ask advice on a case of a young man who had sexually assaulted two young children that he had been babysitting. Whilst the young man and the families of the victim wanted to hold a facilitated face to face meeting, the Police Officer's Manager could only foresee difficulty and potential danger and so forbade it going ahead.

That single 'case' that never progressed began us on a pathway of reflection and exploration around what would restorative practitioners need to have, and to do, to deliver safe and appropriate restorative practice in terms of cases of Harmful Sexual Behaviour. A partnership was formed with the AIM



Project, a specialist charity working in the field of children and adolescents who sexually harm, and a small exploratory and developmental caseload of harmful sexual behaviour cases was started to answer those two fundamental questions. Right from the start the intention was to be cautious, reflective and to proceed incrementally, respecting the fundamental restorative principles as we understood them and focussing upon gaining practical experience, practice knowledge and enabling practice sharing.

For the last element one key organisation was to become instrumental in gaining and sharing practice knowledge. In 2001, with a colleague, I attended the second conference of the European Forum for Victim Offender Mediation and Restorative Justice in Leuven, Belgium. This I believe was only the second such annual conference and the first major restorative justice event that I had the opportunity to attend outside of the UK. Our initial excitement was very much tempered by the numbness and shock we felt on the journey to Leuven, being accompanied by the relentless news accounts of the attack on the Twin Towers of the World Trade Centre in New York only days previously on the 11th September.

THE PAST

The overall experience of that conference was one of two very distinct opposites of emotion ... the process of absorption of the awful reality of 9/11, the gathering fear and trepidation of what that would hold for the peace of the world and the optimism and excitement that inevitably is generated when restorative practitioners gather to exchange stories of hope and reconciliation.

I presented to an appreciative and attentive audience of peers an outline of our plan to explore restorative practice in cases of youth and adolescent harmful sexual behaviour.

I distinctly remember that I put up a sign in the workshop saying 'Work in Progress ...' I don't think I really recognised how much that phrase would be true for the next twenty years.

On a lighter note, I do also remember the hangover the day following the reception held for delegates of the conference at the magnificent Town Hall in Leuven at which we were generously provided with a fantastic selection of samples of locally brewed beers and ales ... Leuven being the premier brewing city in Belgium and therefore having world significance as a consequence of the quality and variety of its products ... which we all graciously acknowledged each time we refilled our glasses.

Beer also featured quite significantly in my next direct experience of the EFRJ, attendance at the first Summer School, held in Plzeň, Czech Republic, in the summer of 2005. At the delegates dinner, held in the cellar of the famous Pilsner

Urquell brewery, I began to develop the fantasy that the EFRJ's activities were a means to combine the creative exploration of restorative practice powerfully fuelled by the consumption liberal quantities of mysteriously fermented European beers and ales ... as a strategy for creative practice development it appealed enormously to me.

AIM Project restorative practice was certainly developing apace; contacts with colleagues from Denmark, Belgium and Ireland led to AIM running its own European Conference on the topic of Restorative Practice and Harmful Sexual Behaviour in Manchester and the publication of its first practice guidance and assessment framework in 2007. This was revised and updated in 2014 and again in 2016 subsequent to the learning

gained from the involvement of the AIM Project in the DAPHNE study on 'Developing integrated responses to sexual violence; an interdisciplinary research project on the potential of restorative justice' (JUST/2011/DAP/AG/3350),² coordinated by the Leuven Institute of Criminology, University of Leuven, between March 2013 and February 2015. More visits to Leuven and more beers to sample.

The year 2016 saw the EFRJ Conference descend upon yet another nation famous for the quality of its brewing industry ... Leiden in the Netherlands. This afforded me the opportunity and pleasure jointly to present a workshop on the topic of restorative justice and harmful sexual behaviour with Karin Sten Madsen from Denmark. We were able to offer the

Image from Lee Anderson

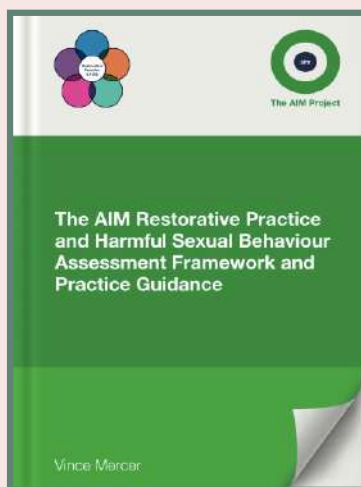


"After three days of experiencing the benefit and joy of international practice exchange and networking, not to mention some excellent Dutch beers, the prospect of the UK's European role and engagement diminishing seemed very difficult to adjust to"

Once again this conference coincided with another major international seismic event: the result being announced of the United Kingdom's referendum on continued membership of the European Union. The general sense of the UK delegates on the final day of that conference was disbelief and despondency. After three days of experiencing the benefit and joy of international practice exchange and networking, not to mention some excellent Dutch beers, the prospect of the UK's European role and engagement diminishing seemed very difficult to adjust to.

I returned to the EFRJ Summer school the following year in Como, Italy, this time not as a delegate but co-presenting as a trainer on restorative justice and serious crimes with Kristel Buntix from the Moderator restorative justice service in Belgium. Over the five days of the Summer School we covered topics such as access to restorative justice for parties involved in serious crime, preparatory meetings, facilitation issues, training implications for practitioners, support needs and dealing with values and emotions in cases of serious crime.

Again this experience demonstrated the benefit of sharing a broader European perspective on how restorative workers can effectively address the implications and impacts of serious harm, from cases of murder in Belgium, internal terrorism in Spain and Italy to a case of rape in the UK. Como was a beautiful setting in which to consider some quite disturbing and ugly behaviour; always in restorative justice we see and witness the contrast between the best and the worst in life. The final celebration of summer school took place in the surreal garden of a supportive local judge on the shores of the stunning Lake Como ... I seem to remember both grape and grain contributed to the relaxed and languid pace of the evening.



The AIM Project

For the AIM Project, 2020 marked a very significant milestone in our restorative journey. Finally we have brought together all of the AIM practice experience and learning from nearly two decades of exploring restorative work in the field of Harmful Sexual Behaviour in the publication of The AIM Restorative Practice and Harmful Sexual Behaviour Assessment Framework and Practice Guidance.

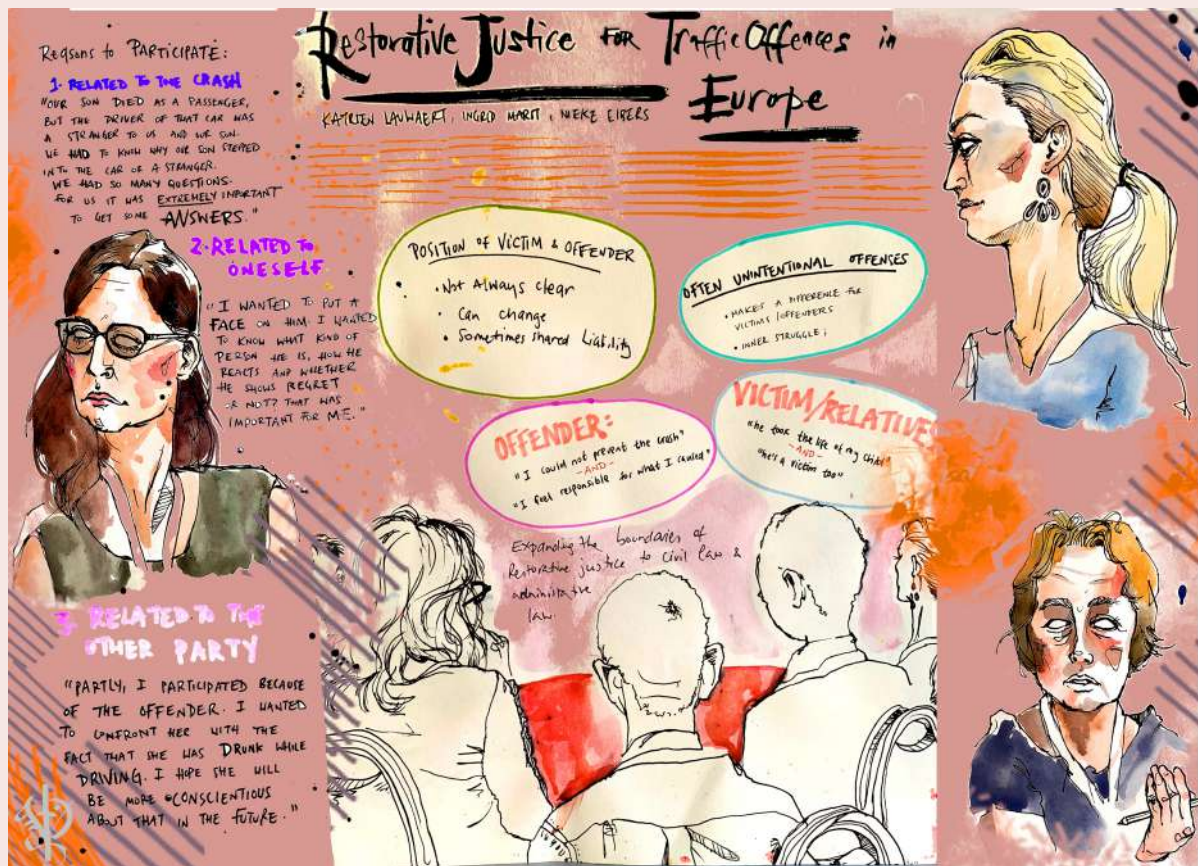
The publication lays out in eight chapters the underlying principles/theoretical frameworks and international research which underpins 'The AIM Approach' to restorative practice in cases of harmful sexual behaviour, considering issues in relation to trauma and impact, the relational/familial context and the revised and detailed Restorative Assessment Framework to enable comprehensive and appropriate preparation necessary to lead to safe and inclusive restorative meetings in harmful sexual behaviour cases.

The launch of the book was to be in April in the UK with a two day training event and a series of supporting workshops in Barcelona as part of the Criminal Justice Platform Europe (CJPE) 4th International Criminal Justice Summer Course, bringing together professionals from different fields to consider restorative justice and sexual violence, as well as a presentation at the EFRJ conference in Sassari, Italy, in June.

But once again major international events intervened. The Covid-19 emergency saw the UK go into lockdown in March this year, meaning the postponement of the London launch and training until 21st/22nd October, 2020, The CJPE event was cancelled but in its place was a series of webinars.³ The full event will hopefully be run again next year as indeed will the 2021 EFRJ Conference in Sassari.

Restorative justice practitioners are experienced in being adaptable and flexible in meeting the unexpected challenges and this is of course reflected in the organisations that represent them.

The EFRJ is celebrating two decades of invaluable work in 2020 — a year marked by the full realisation that borders and boundaries are artificial constructs which we cannot allow to act as barriers to exchange, communication and co-operation. Barriers which if not overcome will limit and constrict our vision and understanding, impacting upon our capacity as human being to engage, to share



stories and experiences of both pain and hope — stories and experiences which are universal and connecting, not nation specific and dividing.

We need organisations like the EFRJ to circumvent the barriers and to provide us with both challenge and validation. So I'll raise a glass of good beer, maybe British, Irish, Belgian, German, Dutch or Czech ... and toast the EFRJ and say cheers for the past two decades and look forward to what is still to come. ●

Vince Mercer (UK) is the Restorative Practice Lead for the AIM Project.

He trained as serious case mediator with Prof. Mark Umbreit at the University of Minnesota and is also trained as a restorative conference facilitator and family group meetings facilitator. He is the author of the 2020 AIM Restorative Practice and Harmful Sexual Behaviour Assessment Framework and Practice Guidance.

Notes

- <http://www.aimproject.org.uk/>
- <https://www.euforumrj.org/en/developing-integrated-responses-sexual-violence-interdisciplinary-research-project-potential>
- <https://www.euforumrj.org/en/criminal-justice-webinars-sexual-violence>

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A 21 YEAR OLD GIRL'S WELCOMING BY THE FORUM FAMILY

By Borbála Fellegi

It is 2002. As a university student from Hungary, I am sitting in the audience of the Forum's conference in Oostende. I still hardly can imagine that I am here. That I could make this two-days long train trip from Budapest following the advice of my supervisor saying, **'Go there, darling. Who knows, you might hear something interesting by those people about the potential of restorative justice in Europe'**.

And how right she was! I am hearing some thought-provoking presentations, but most of all, seeing wonderful people: Ivo, Christa, Siri, Johann, Martin, Jolien etc. — people who have ideas on how to make justice more humane and how to use the power of communication to heal, even after the worst conflicts.

Then someone, maybe Rasim from Albania, comes to me during the coffee break asking: 'Are you really from Hungary? Would you mind giving an overview on the state of the art of restorative justice in Hungary during our panel about Central and Eastern Europe the next day?' 'Oooo, you mean me?' — and I am looking around myself — maybe someone else was addressed, not me. 'Yes, you!' 'I am sure that there is someone who is more competent than my 21 year old mind!' I told to him. But apparently, I realised that that day there was no one else from Hungary. So then, without much hesitation, I said, 'Yes.' Great people, great theme, why should I not do this?

Then, going back to my (very budget!!!) little hostel in the evening I have realised what I had just done: promised to give a presentation of a theme that I hardly know ... to be more precise, that doesn't even exist in Hungary! How could I be that stupid?

Anyway, now I have to say something. I still have about twelve hours. So let us think. What can I say about restorative justice in Hungary in front of this audience within twelve hours?

I asked for four overhead projector folia and two coloured pens (yes, the technology of that time!) from the organisers and asked myself: if I can make four statements about our country within five minutes, what would they be?

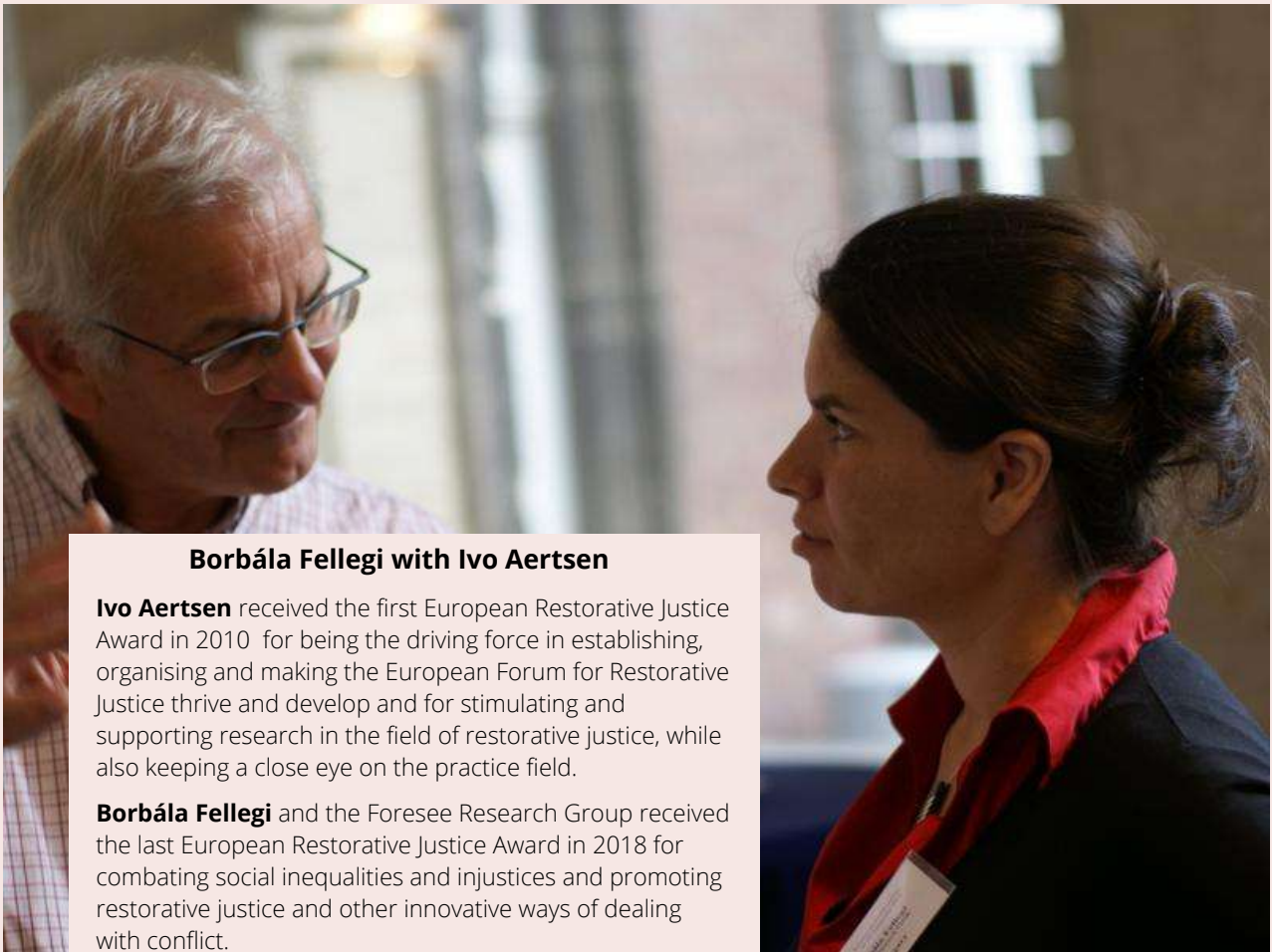
So from 11pm-1am in the night in my little room I

was planning, drawing, thinking, reading, preparing like crazy — I had never been that stressed for five minutes than during that night.

And the day came. We all sat on the stage: colleagues from Bulgaria, Albania, Romania, Czech Republic, Russia etc. and me. Each of us had five minutes to describe their countries. And it went wonderfully! I just felt that I am amongst friends — people who, similarly to me, believe in the future of restorative justice, who are full of energy, who are ready to show their imperfection, share ideas about how to find alternatives to the mainstream ideologies in society, and ready to show their emotions (humour, passion, gratefulness etc.) — even at a 'scientific' event.

What I felt there, at the stage, stayed with me for the next 18 years: being surrounded by uniquely smart, humble and innovative people who are not just highly competent scientists, but most of all, wonderful people. I found my professional family there, in Oostende in 2002. And it has not changed since then, although I am not a 21-year old girl anymore. The caring and supportive attitude of the Forum-founders stayed with me throughout these 18 years. And I believe, it stayed with many others in Europe, who have been working on supporting restorative justice initiatives in their countries. The EFRJ is the people who are in it. I am grateful that I could join this community 18 years ago and I wish a Happy 20th Birthday to this wonderful Family! ●

Borbála Fellegi (Hungary) is the Founder and Executive Director of the Foresee Research Group (www.foresee.hu/en/).



Borbála Fellegi with Ivo Aertsen

Ivo Aertsen received the first European Restorative Justice Award in 2010 for being the driving force in establishing, organising and making the European Forum for Restorative Justice thrive and develop and for stimulating and supporting research in the field of restorative justice, while also keeping a close eye on the practice field.

Borbála Fellegi and the Foresee Research Group received the last European Restorative Justice Award in 2018 for combating social inequalities and injustices and promoting restorative justice and other innovative ways of dealing with conflict.

Would you like to become a member of the European Forum for Restorative Justice?

Our membership has been continuously growing in the recent years. Currently, we have almost 400 individual and more than 80 organisational members from 40 different countries in Europe and beyond. We are proud that our members come from many professional fields and backgrounds and that we create a uniquely diverse platform for researchers, practitioners (mediators, facilitators, trainers), policy makers, lawyers and other criminal justice professionals, as well as for students, artists and activists. Our membership is not only about receiving information and other benefits, but also an opportunity to be involved in making decisions regarding the organisation, to engage in thematic committees and working groups, contribute to our activities, host our events and to connect to many others interested in developing further restorative justice.

Membership is open to individuals and organisations who support the general aims of the European Forum for Restorative Justice (EFRJ).

More information here: www.euforumrj.org >> +32 466209112 >> info@euforumrj.org

THE NEWSLETTER TAKES SHAPE

By Christa Pelikan

How everything started

It might seem strange but it is difficult for me to remember how everything began regarding the Newsletter. After pondering the question I arrived at the conclusion that at that time — 2000 — the goings-on in relation to the foundation of the European Forum for Victim Offender Mediation and Restorative Justice were so exciting and all-absorbing that the decision to have a Newsletter was just part of it and did not receive special 'separate' attention in my memory.

Yes, we did decide on this and I remember that I was a bit sceptical and did also voice my scepticism: 'There are so many Newsletters!' Quite often I myself just push them into the waste-basket; they are just a bother. But then, thinking further:

I remember that the steering committee did invest quite some thought in these questions and that we came up with a kind of clear 'business plan.' Ivo Aertsen's editorial in the first issue of Volume 2 outlines the main points of this plan:

- **three issues a year;**
- **an Editorial Board;**
- **a platform for communication and participation.**

We went for something more than a regular instrument of information about the internal events of the EFRJ; it could and should become a means of informing members about the wider variety of developments in the field of

Christa Pelikan (Austria) is a researcher, working in the field of theory of law and restorative justice. She was awarded with the European Restorative Justice Award in 2014 for her invaluable research on the application of restorative justice in cases of domestic violence and for her influential role in the development of restorative justice in Europe and Austria.

Thinking further

- **How should a Newsletter look like in order not to share this fate?**
- **What will it contain?**
- **Whom will it address?**



restorative justice in Europe and beyond; it could also contain some basic articles dealing with questions of theory, of research and of policy.

Looking back I have to say that it was the commitment of the first Editorial Board and of the Secretariat that succeeded in implementing these ambitious goals. And very soon it became clear that the Newsletter 'we' produced is an excellent piece of communication, truly worthwhile reading — and worthwhile to consider having a contribution placed within it. ●



The Restorative Blog

Until today we have sent out 65 Newsletters (three issues a year). While the EFRJ keep up this tradition, we also share important materials more often in an online space within our website to share reflections, interviews, articles and other materials from the field of restorative justice: The Restorative Blog. All the articles curated by the Editorial Committee are published there.

You can find the collection of all our Newsletters and the articles in the Restorative Blog under the section "News" on our website (www.euforumrj.org). You can also write here (newsletter@euforumrj.org) for more information.

MY FIRST ENCOUNTER WITH RESTORATIVE JUSTICE

By Karin Sten Madsen



Alex Dukhanov

Ooestende 2002

The second conference of the European Forum;
I was a newcomer to restorative justice.
From the back row I watched and listened.
The British were articulate and very loud;
I moved closer.
The conference dinner. Too excited to eat;
The dance — a ritual of initiation.
The next morning in tears in the rainy streets of Ooestende,
I had been touched.
When asked I call The European Forum my union
Not to get too emotional.

Karin Sten Madsen (Denmark) is a social worker, psychotherapist, mediator and MA (Restorative Justice). She introduced restorative approaches at the Centre for Victims of Sexual Assault in Copenhagen in 2002 and has since been engaged in projects on developing and appropriating restorative practice for victims of sexual violence and historic sexual abuse.

RESEARCHERS ON A MISSION: A RESTORATIVE JUSTICE JOURNEY THROUGH THE EFRJ

By Marit de Haan

When, as a researcher, one decides to take the pathway towards restorative justice, the European Forum for Restorative Justice is an invaluable partner on this journey. This column describes my personal experiences with the EFRJ on my journey to become a restorative justice researcher.

I had my first introduction to the European Forum for Restorative Justice in 2016, when I attended the International conference in Leiden. As a student in my early twenties I was carrying out my master thesis in Criminology about the institutionnalisation of penal mediation in Argentina and the Netherlands. Through the expert interviews I conducted for my thesis, I started to notice that most of my respondents belonged to this community called “the European Forum of Restorative Justice”.

Ten conferences in twenty years. Every second year a member organisation hosts a EFRJ international conference.

Attending the conference, that happened to take place in my home country that year, therefore seemed a crucial research activity. I was happy to see some familiar faces there through the interviews I had conducted and my previous contacts at Restorative Justice Nederland, but remember to have felt very new to this community.



Marit de Haan

Although I still feel quite new to the field of restorative justice at this early stage of my academic career, when I saw this call for contributions I realised that I have been working on the topic of restorative justice already for more than five years. The group of ‘familiar faces’ when attending events of the EFRJ has thereby grown considerably.

Over these years it has turned out that restorative justice minded research assistants are on high demand, as the connections made at this and later events of the EFRJ resulted in various smaller and larger research collaborations in the Netherlands and abroad. Recently I was contacted myself by a master student working

on the topic of restorative justice, who asked to interview me. At first I was thinking about to whom I could refer this student, but I noticed that due to the specific theme of her thesis, I might actually be the right person for her to speak to.

While in the meantime I had become quite experienced in conducting interviews with people in the field of restorative justice, the role of respondent was completely new to me and definitely needs some more practice, especially regarding my surprised reaction to the question whether I considered myself an expert in the field of restorative justice.



International Conference in Leiden, 2016.

The 9th edition of the EFRJ international conference title was "Realising Restorative Justice: Human Rights and Personal Realities".

Our conferences provide cutting edge content, various formats of contributions from different perspectives such as practice, research, policy, arts, activism and a forum for professional exchange and development of partnerships

It was, in fact, through a call shared on Facebook by the EFRJ that I first heard of a research project at Ghent University that was so closely related to my interests. With our project team Justice Visions we investigate the question of how to serve justice to victims of human rights violations in transitional societies.

The EFRJ has definitely been an invaluable source of inspiration and a network of both knowledge and kindness on the journey to become a restorative justice researcher.

My PhD focuses on the perceptions and needs of justice of the victims of the Chilean military dictatorship, looking specifically at the potential for restorative justice. While focusing on violations that occurred in the past, they are also inevitably connected to the present. How do the needs of victims evolve over time, can we find more (time) sensitive responses in restorative justice, and how are current issues in Chile linked to these violations of the past? Can we, in fact assume such a clear distinction between past, present and future, and how could restorative justice operate at this intersection of time?

While transitional- and restorative justice have mutually influenced each other on several levels, I think there is still much more to learn regarding how these fields connect, or could benefit from doing so. The question how

restorative justice could operate at this intersection of past, present and future is not only a relevant one in cases of large scale human rights violations. Issues of structural violence and structural inequality also endure on the long term and could benefit from a more restorative point of view.

For me, 'restorative justice in Europe and beyond' does not only relate to opening up the forum for practices from different regions. It also relates to other 'beyond' questions: such as how to develop restorative justice methodologies in research, and how restorative justice could be meaningful beyond existing contexts, times and places.

Many years to come for the EFRJ and I am thankful to have become part of this community, with so many valuable critical voices of which I hope to become one in the future. I hope my first restorative justice interview was not my last and that my journey as a restorative justice researcher will continue alongside the journey of the EFRJ. ●

Marit de Haan (The Netherlands) joined the EFRJ in 2016. She worked as a researcher in the Netherlands and Chile and is currently a PhD student at Ghent University. Her project is about perceptions and needs of justice of the victims of the Chilean military dictatorship, with specific attention to restorative justice.

A POSSIBLE TRUCE: A RESTORATIVE JUSTICE EXPERIENCE ACCORDING TO THE MEDITERRANEAN MODEL

By **Ilaria de Vanna** and **Damiano Francesco Nirchio**

Comune di Ricerca per l'Immaginazione Sociale Inclusiva (C.R.I.S.I.) used a Mediterranean model to carry out a pilot project of restorative justice after the murder of a fifteen year old boy. This reconstruction of mediation between a young murderer and the victim's parents is based on the memories of the mediators involved.

The 'right to the truce'

Among the inalienable rights of each human being there should be enshrined the 'right to the truce,' that is the possibility to choose a truce from pain, anger, desire for revenge, a need for vindication. The possible truce is to embrace, in our soul, the strength to recognise the other not as an enemy but as a different human being, with his/her own specificities — this, by removing the rubble of caused or suffered affliction.

The worth of mediation

In 2014, after about a year of preparation, thirteen years after the incident about which we are going to tell you, we undertook a very significant mediation, not only for the direct protagonists, but for the entire city, which had been deeply shaken by the event: the death of a teenager,

who was hit by mistake during a showdown between two criminal clans of the city.

We are particularly attached to this mediation for a number of reasons:

- it was the first mediation between adults,
- it concerned a crime of murder,
- the offender had already served a long period of detention,
- the act had been committed in one of the city's neighbourhoods, symbolising the difficult balance between the need for redemption and a subculture of illegality — a neighbourhood in which the victim's parents and the offender would return to cohabit at the end of the imprisonment — and,
- last but not least, for the strong resonance with our Mediterranean mediation model.

As we know, we cannot report the contents of this mediation, but we can share and witness its beauty and pregnancy through the words of the mediators who took part in the experience.

We choose to speak about this mediation also because it represents, according to one of the leading principles of the

EFRJ that has always inspired our work, a strong proof of the restorative impact of a mediation meeting, not only on the people actually involved but also on the wider community.



Ilaria De Vanna (Italy) is a mediator and trainer in mediation and restorative justice in Italy at C.R.I.S.I. Mediation Centre, with experience in the field of penal mediation since 1996 for the Civil and Penal Mediation Office.



Damiano Francesco Nirchio (Italy) is an award-winning playwright and writer, a mediator and restorative justice expert.



Borges, J.L. (1981). La cifra.
Buenos Aires: Emecé.

A terrible death

In 1981 it happened that Italian readers finally had the pleasure of being able to meet the poetry of Jorge Luis Borges thanks to the publication of *La Cifra*, a collection in which it is possible to reread **one of the most beautiful and intense legacies of love dedicated to the whole of humanity**, namely: 'Los Justos' (The Righteous).

In 2014, thirty-three years after the publication of this text and thirty years after the death of its author, we had the privilege, as people and as mediators, to witness a prodigy; we had the good fortune and the honour of participating in **one of the most beautiful and difficult mediations that we had ever done**.

An event only apparently unrelated, both in time and space, to the words of Borges — a human occurrence, so powerful and miraculous, whose echo will never cease to reverberate within us.

The story, very simple in its dynamic, begins one evening, like so many: a boy, coming home, is killed by mistake by a group of boys, little older than him.

Another innocent victim of the Mafia clan war.

That evening in the neighbourhood many doors were closed so as not to see, many windows where tightened so as not to hear; for years the truth about the facts was sought without ever obtaining it; for years the boy's mother and father passed in front of those doors and those stubbornly mute windows, surprisingly hostile.

Then, one day, something happens.

After so many stumbles and setbacks finally the names of those responsible were known; even with different roles and responsibilities, everyone had in common the fact of being very young. Some of them couldn't be punished because they were victims themselves of another mortal fate, others were in prison.

The restorative justice project

Years went by.

Many years later the prison gates began to reopen and one of those boys could cross the odious threshold in the opposite direction, but as a 'man'; it is not just a matter of age, or related to the fact that on the pavement in front of him already awaited him a future wife; his being a 'man' was a concrete fact made of study, readings, passion for writing nourished by introspection, thoughts, tears, sleepless nights, willingness to reread, review, repair.

In the small old white stone district where he would return to live, the mother and father of the slain boy still lived. In the meantime, they had not ceased to believe in the 'windows and open doors,' as it once happened.

And here is the prodigy: we crossed and knew these two worlds together in a pilot project for restorative justice. Meetings cadenced, dense, mutually expected, first in prison and then in that 'outside' that had become so different, difficult and foreign in the meantime. And then the talks with the two parents to propose the impossible: a meeting with those who had participated in the most terrible of stealing, to try to say the unspeakable, to try what no one would ever do, to openly challenge the immobility of resentment, hatred, revenge.

To demonstrate concretely that the same need for 'repair,' still disregarded, despite the end of the obligatory judicial paths,

could find a common answer in the 'eye to eye' encounter between victims and offender.

It was crazy? It was too much of a risk?

Both sides, after a period of preparation, gave us their consent and we had the pleasure and honour to witness the moment when we finally put them seated in front of each other. It was three very nice hours, very difficult, very dense. When you find yourself there, sitting in the middle, in the difficult role of guarantors for both sides, suspended thousands of meters high between two soaring peaks and only a thin tightrope on which to walk all together — falling seems a moment that could add failure to the tragedy.

And instead ...

It happens that an incredible discovery was made: there is no place for fear in the hearts of those who are thirsty for justice, especially for those who are not afraid to lose anything because nothing has more to lose — not youth, not trust in others, not dignity, not a child — and it is immediately clear that this piece of truth just gathered has the taste of a universal and undoubted rule.

During the meeting the story allows each to represent the consequences of what happened and to give voice to the meaning of the event in their own lives. Something unspeakable finds the form to become shareable, maintaining the rawness and intolerability of the inevitable; broken lives are reflected in the memory of passed moments that upset the future.

The need for justice is affirmed as one of the main contents of the story of both.

In the mediation room it happens that the glances cross and support themselves; these looks can show the pain and take care of it. Sometimes you only need to cross the glances to free yourself from the darkness of prison, that is not made of bars, but of incommunicability, sense of guilt, despair.

The courage, the dignified admission of its own frailties, the sense of uselessness in front of irreparable damage, the desire for a different and better future, the unpredictable compassion arise thanks to the dialogue,

drawing in the room invisible but perceptible traces of priceless beauty.

The mediators have the role of redefining the contents of the narrative, searching for the most balsamic words to welcome, reflect and soothe the pain.

The Righteous

In the end that young man and those two parents met and for almost three hours they spoke, with emotion, but with hope.

Then, they smiled, waved and embraced.

Together. Together is the new paradigm for the neighbourhood that will welcome them no longer enemies.

It is as if, once they have experienced the effects of a symbolic restorative action between them, they feel the need to grow the soil of reparation and seed it in their community, so that most citizens can benefit from it.

In the eyes of the mediators, an extraordinary task has been accomplished: the change of the quality of relations within the context of common life, that can repair any tears, lacerations, for a fairer coexistence.

One thing among all expresses the power of this experience: the mother of the killed boy, during the encounter with one of those responsible for her greatest pain, called him nine times 'Figghie 'mil,' that means 'My Son!'

This, in our community, is certainly considered a colloquial expression, almost automatic and therefore said with 'recklessness,' someone would say.

But I don't think so. I believe, however, in the roar that those words provoked inside each of those who heard them.

A mother who calls 'My Son' one of the men responsible for the loss of her biological child uses a sheltered word, that manages to put together seemingly very different paths.

It is one of those words that manages to repair and protect against pain and, in a very maternal way, it does so — in the same way — for all children and not for one in particular.

And maybe Borges already knew it when he drew up the list of his Righteous, didn't he?

We are sure that in the list of those whom, every day, far from any clamour and, perhaps, without choosing it, are saving the world, Borges would willingly agree to add this other verse. ●

A man who cultivates a garden, as Voltaire wished.

He who is grateful for the existence of music.

He who takes pleasure discovering an etymology.

Two employees at a cafe in the South play a silent game of chess.

The potter, contemplating a colour and shape.

A typographer who sets this page well, maybe not like

A woman and a man who read the end of a singing trios.

He who strokes a sleeping animal.

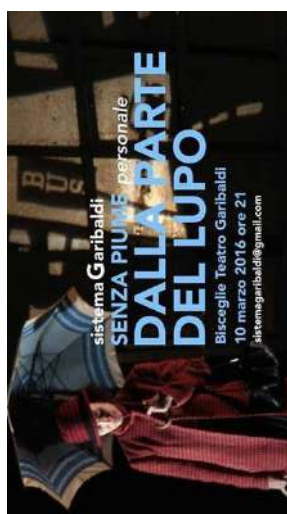
He who justifies, or wishes justify a wrong they have done himself.

He who is grateful for the existence of Stevenson.

He who prefers others to be right.

These people, unaware, are saving the world.

Borges: The righteous



Poster 'From the side of the Wolf'

Spreading the beauty

In 2015, starting from this experience of restorative justice and the mediation, thanks to its suggestions, a training event entitled: 'A possible truce. A (extraordinary) tale through images, words, music and mediation of a too true story' was organised by C.R.I.S.I. Then, it saw the light in a theatrical show entitled '**From the side of the Wolf,**'

written and directed by Damiano Francesco Nirchio. In 2019 this experience was narrated in the book *Repairs: repairing the pain and social ties, the challenge of restorative justice* by Anna Coppola and Ilaria De Vanna.

INSPIRED BY THE CREATIVE THINKERS OF THE EFRJ

By Lindsey Pointer

I had long watched and admired the work of the EFRJ from afar, first as a restorative justice practitioner working in Colorado and later as a PhD student studying restorative justice in New Zealand, but my first opportunity to really engage with the community came in 2018 at the conference in Albania. I was there to present on the ritual aspects of restorative justice (my dissertation research) and also my work teaching restorative practices through games and activities. I have an interest in developing symbols and experiences that help us to better understand restorative practices; so I was particularly excited to attend a presentation by Christa Pelikan, Brunilda Pali, and Claudia Mazzucato titled 'Re-enactment in restorative justice: the limitations of language.'

In their presentation, they noted that the challenge of describing restorative justice and how the philosophy and approach differs from the conventional justice system is one that practitioners and scholars have grappled with since the beginning of the movement. **The retributive approach to justice is so culturally ingrained that it can be difficult to fully communicate the restorative paradigm** and the impact of



Image from Phil Dickson and Lindsey Pointer

of this different way of understanding and responding to wrongdoing.

Images play a powerful role in communicating complex ideas. The best images are capable of conveying meaning more effectively than a lengthy description. So how can we use the power of images to help communicate the concept of restorative justice?

The most common image used is of a group of people seated in a circle, which does not communicate significant conceptual depth to someone new to restorative justice. In her article on this topic, Pali notes that 'art can mediate, enhance, and make tangible new and alternative understandings of the notion and practice of justice' (2017, p. 11) and laments the fact that restorative justice scholars have been latecomers to grasping this power of images.

When we consider the complex concept of justice, the most common image encountered is that of Lady Justice. Lady Justice is generally depicted wearing a blindfold and carrying scales and a sword. The blindfold is meant to represent impartiality, the scales signify fairness and the weighing of evidence and the sword symbolises the authority to punish. Restorative justice challenges the concept of justice communicated by the Lady Justice image in almost all of its elements. As Pali notes, from a restorative justice perspective, the sword, the scales, and the blindfold mainly represent the limitations of formal justice, where justice is seen as harsh, rigid, and unable to see the injuries imposed in her name (2017, p. 5).

This presentation at the EFRJ conference and Pali's article inspired me to think about how I would visually portray the restorative concept of justice. Because of the strong association of the word 'justice' with the image of Lady Justice, I felt that an effective restorative justice image would need to be in conversation with the Lady Justice image. How could the Lady Justice image be modified to communicate the ways in which the restorative concept of justice differs from the punitive justice she personifies?

I began to wonder about a Lady of Restorative Justice, who has taken off her blindfold in order to see the complex humanity and individual needs of each person involved in the process.



She would have hung up her sword and scales and taken her place as an equal member of circle, leaning in, intently and compassionately listening to the stories of the people present and what each person needed to repair the harms and make things right.

I reached out a local artist named Phil Dickson who agreed to illustrate the idea (see image on previous page).

I applaud the EFRJ for 20 years of wonderful work promoting restorative justice and serving as a bridge between research, practice and policy. I am personally very grateful to continue to be inspired by the creativity and insight of EFRJ community members. of the strong association of the word 'justice' with the image of Lady Justice, I felt that an effective restorative justice image would need to be in conversation with the Lady Justice image. How could the Lady Justice image be modified to communicate the ways in which the restorative concept of justice differs from the punitive justice she personifies? ●



Lindsey Pointer (USA) is the Assistant Director of the National Center on Restorative Justice at Vermont Law School. She has a PhD in restorative justice from Victoria University of Wellington in New Zealand and is a former Fulbright Fellow and Rotary Global Grant recipient. Lindsey has worked as a restorative justice facilitator, community programme manager, educator, and researcher. She is co-author of *The little book of restorative teaching tools* (Pointer et al., 2020) and author of *The restorative justice ritual* (forthcoming 2021).

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Pointer, L., McGoey, K. and Farrar, H. (2020). *The little book of restorative teaching tools: games, activities, and simulations for understanding restorative justice practices*. New York: Skyhorse Publishing.

A RESTORATIVE JUVENILE JUSTICE JOURNEY FROM BELGIUM TO VARIOUS DEVELOPING COUNTRIES IN DIFFERENT REGIONS

By Ingrid Van Welzenis

An interview with Ingrid van Welzenis

The knowledge on restorative juvenile justice that Ingrid van Welzenis acquired during her academic career in Belgium has been widely used by UNICEF Country and Regional Offices for the benefit of girls and boys in conflict with the law. Initiating restorative juvenile justice approaches in line with international standards in developing countries, especially in countries where both formal and informal justice systems are functioning in parallel, is challenging but has proved to be beneficial not only for children in conflict with the law and their parents and families but also for (child) victims and local communities.

In developing countries, restorative juvenile justice approaches are mainly used at the pre-trial stage to prevent children in conflict with the law from getting involved in formal court proceedings (called 'diversion'). In countries with a mixed formal and informal justice system, restorative juvenile justice initiatives build upon informal justice practices, while strengthening international principles and standards. Professionals who are actively involved in the design and/or application of restorative juvenile justice programmes often become strong advocates of restorative approaches in cases of children in conflict with the law.



When did you first come into contact with restorative justice?



Just before the turn of the century, the Research Group on Juvenile Criminology of the University of Leuven in Belgium, of which I was a staff member at the time, explored the possibilities of restorative justice approaches in cases of children in conflict with the law within the Belgian juvenile justice context. I spent one month in New Zealand to study and observe what is called 'family group conferencing.' I was particularly interested in restorative justice as an alternative to institutionalisation and deprivation of liberty imposed by the juvenile court.

Shortly after my study tour, I left the academic world and started working for the United Nations Children's Fund (UNICEF) in the area of juvenile justice.



I understand that you have implemented restorative juvenile justice projects for UNICEF; is that correct?



Yes, indeed, UNICEF is mandated to advocate for the protection of children's rights and to expand children's opportunities to reach their full potential. Within the juvenile justice context, that implies, among other things, ensuring that deprivation of liberty is a measure of last resort and only used in exceptional circumstances. In actual practice, this means that several UNICEF Country Offices design, pilot and implement programmes focussing on alternatives to formal court proceedings, alternatives to imprisonment and restorative juvenile justice approaches.

Personally, I have been involved in restorative justice pilots in Sudan, South Sudan, Jordan, Egypt, Uzbekistan, Bangladesh and the Maldives. All these restorative justice initiatives were initiated at the pre-trial stage, that is, either the police or the prosecution office was the competent authority to refer cases of children in conflict with the law to the restorative justice programme. The main aim of the pilots was to prevent children from

getting involved in formal court proceedings, called 'diversion' in the international juvenile justice context. Currently, I am supporting UNICEF-Liberia to strengthen the existing diversion programme of the Ministry of Justice. It is the intention to incorporate a more explicit restorative justice component in line with international standards and to expand the kinds of offences that are eligible for a restorative juvenile justice response.

I have also conducted two regional studies on alternatives to detention for children in

conflict with the law including restorative justice approaches. The research for UNICEF Middle East and North Africa (2017) involved ten countries and the research for UNICEF East Asia & Pacific (2017) covered twenty-six countries. For example, the study conducted in East Asia and the Pacific showed that the vast majority of the countries use restorative justice approaches in cases of children in conflict with the law and mainly as a diversionary measure and/or non-custodial sentence (UNICEF East Asia & Pacific, 2017, p. 71).

Use of restorative juvenile justice approaches at the various stages of the juvenile justice process in East Asia and the Pacific				
	Diversiónary measure:	Alternatives to pre-trial detention:	Alternatives to post-trial detention ('non-custodial sentence'):	Early release from post-trial detention:
12 East Asia Countries:	8 Cambodia, China, Indonesia, Lao PDR, Mongolia, Papua New Guinea, Philippines, Thailand	1 China	5 China, Lao PDR, Mongolia, Papua New Guinea, Thailand	2 China, Papua New Guinea
14 Pacific Island Countries:	13 Cook Islands, Fiji, Kiribati, Marshal Islands, Micronesia, Nauru, Niue, Palau, Tokelau, Tonga, Tuvalu, Samoa, Vanuatu	0	13 Cook Islands, Fiji, Kiribati, Marshal Islands, Micronesia, Nauru, Niue, Palau, Tokelau, Tonga, Tuvalu, Samoa, Vanuatu	0
East Asia & Pacific Region:	21	1	18	2

Formal restorative justice initiatives need to build on existing informal practices



Can you tell us one or two of the main challenges you have faced while implementing restorative juvenile justice programmes in developing countries?



It is always a challenge, but at the same time the most interesting part of the work, to tailor the international restorative justice concept and good practices to the specific needs and circumstances of the developing country and the children who come into conflict with the law — especially without being too rigid when it comes to international standards.

More specifically, I personally find it rather challenging to promote and implement restorative justice approaches in a justice context where children and their parents have access to both formal and informal justice mechanisms. For example, in South Sudan and Liberia, many cases of children in conflict with the law are handled by informal justice providers, such as community chiefs, tribal elders and religious leaders. They have huge experience of settling all kinds of disputes in their communities and are very much respected by the general public, particularly in rural areas. Formal restorative justice initiatives need to build on existing informal practices, but at the same time ensure that child rights and international restorative justice principles and standards are respected as much as possible. In particular, guaranteeing equal treatment of girls and boys in conflict with the law and active participation of children in restorative justice processes is far from obvious in countries with a mixed formal and informal justice system and requires long-term awareness raising and capacity building initiatives. In many, if not most, informal justice processes, girls as well as boys are not present during discussions and decision-making processes, let alone

allowed to express their views and concerns and have their opinions taken into account by informal justice providers.

For example, in Liberia community leaders explained that children may be present during settlement proceedings, but they are not allowed to talk in front of adults. Parents speak, apologise and decide on behalf of their children (UNICEF Liberia, 2019, p. 177).

Also, confidentiality is often not respected during informal restorative justice processes. For example, in Papua New Guinea I observed sessions of 'Village Courts' that mediate in offences committed by children, such as theft and physical assault. The sessions are conducted by community leaders and often in the open air, like in a park (UNICEF East Asia & Pacific, 2017, pp. 86–87). Also, in developing countries where the formal justice system is the mainstream forum, like Bangladesh, Sudan and Jordan, implementing restorative juvenile justice programmes in line with international standards requires long-term support in terms of awareness raising, capacity building and intersectoral collaboration and, very often, legal amendments as well.

However, the various UNICEF-pilots have shown that most justice actors, both informal and formal, who are actively involved in the design and/or application of restorative justice programmes become strong advocates. They promote restorative juvenile justice approaches that respect international principles such as privacy, non-discrimination, informed voluntary consent, right to legal advice, presence and active participation of children and monitoring children's compliance with their agreement.



Will you continue promoting restorative juvenile justice projects in developing countries?



Sure! Not only because restorative justice is an internationally promoted approach in cases of girls and boys in conflict with the law, but especially because the various UNICEF restorative justice pilots and programmes have been very beneficial for children who have participated, their parents and families as well as the victims. Let me give a concrete example.

The very recent evaluation of the restorative conferencing pilot initiated by UNICEF-Egypt in close collaboration with the Public Prosecutor's Office and Terre des Hommes has shown that none of the children who successfully completed their restorative justice agreement have reoffended within a period of seven months (UNICEF-Egypt and Terre des Hommes Egypt, 2020). All children restored the harms caused by their offence to the victims and the relationships with their relatives and they participated in reintegrative and rehabilitative programmes organised in their local communities, such as

(re-)attending school or vocational training, counselling and constructive leisure time. The victims emphasised that they would participate in restorative conferencing again if another offence would be committed against them. The restorative justice pilot has also strengthened the intersectoral collaboration between the Prosecution Office, Probation Service and Child Protection Committees, which can be considered a great result for the juvenile justice system in general.

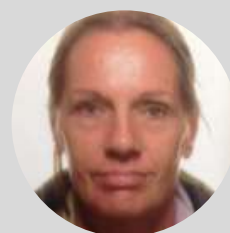
Currently, the main stakeholders are discussing amendments to the Child Law so that restorative conferencing will be incorporated and become a nationwide available measure for children in conflict with the law at the pre-trial stage and maybe also at the sentencing stage of the juvenile justice process. Such positive results are of course very encouraging for all partners involved in the implementation of restorative juvenile justice approaches. So, yes, I will for sure continue promoting restorative juvenile justice in developing countries and beyond! ●



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Ingrid van Welzenis (The Netherlands) is a member of the EFRJ since its commencement. She has a PhD in juvenile criminology and worked as researcher and docent at the University of Leuven (Belgium) from 1988 to 2003. Afterwards, she became consultant and, till today, assists UNICEF with implementing alternatives to detention.



4th European Restorative Justice Award Laureate (2016)

John Blad is an emeritus professor in Criminal Law science at the Law School of Erasmus University Rotterdam (The Netherlands). He was awarded for his moral commitment, his theoretical reflection and his engagement in all sorts of practice that has made him one of the leading European pioneers in the search for a better and more civilised way of doing justice. He received the award from the Vice-Chair of the European Forum for Restorative Justice (EFRJ) Board, Annemieke Wolthuis, during the 9th international conference of the EFRJ.

A PRACTITIONERS JOURNEY TOWARDS RESTORATIVE JUSTICE

By Rozwana Begum

Social Worker with Pertapi's Children Home.

In January 1999, equipped with a law degree, I started my career as a social worker in a children's home. The home looked after children below the age of 16, in need of care and protection. Most of them were abandoned or abused by parents or guardians. Some of them grew up in the Home and almost half of the children were not in contact with their parents. Their parents were either missing or were incarcerated.

As a social worker, I was performing the duties of a case manager as well as a counsellor. The children lacked emotional connection. The lack of bonding and permanent relationship affected their development, resulting in some of the children experiencing traumatic nervous breakdowns. Working with those children, it was clear to me that children grow in a nurturing environment and it was important to work with their family towards reunification and reintegration.

Determined to perform my duties effectively, I wanted to achieve the main objective of case management reunifying children with their parents or guardians.

Rozwana Begum (UK) is the Head of the Public Safety and Security Programme with Singapore University of Social Sciences. She has 20 years of experiences working with the criminal justice system. A firm believer of restorative justice, she championed the cause as a Probation Officer. In 2015, Rozwana completed the doctoral degree in restorative justice with Monash University, Australia.



Rozwana Begum

I started working with parents in prison while supervising their children in the home. One parent changed my perspective on rehabilitation and had significant impact on my subsequent career and educational choices. The parent spent more than 30 years in prison. He started getting into trouble with the law at the age of 12. He shared that he spent his childhood in a children's home, moving on to a young offender institution and eventually prison. His parents rejected him, his girlfriend and wife rejected him, his children rejected him and he felt lost outside of prison. His story stayed with me.

I did not discover restorative justice then but I was interested to examine the causes of criminality. On hindsight, restorative justice would work well with children in need of care and protection. The children in the home are victims. They should not be isolated, instead, reintegrated with their parents and the community. The use of family group conferencing and restorative justice measures to address the harm done by the parents towards their children can prevent the parents from evading their responsibilities or drifting in the system. The home could also adopt measures to

curb misbehaviours by adopting restorative practices that promote greater self-control and awareness. Since 1999, there have been changes to the children-in-care system in Singapore. There are other options such as family therapy and fostering instead of placing children in care.

Restorative justice practices are incorporated in some homes to address children's misbehaviours.

Probation Officer with Probation Services Branch.

To pursue my interest in working with offenders, I joined the then Ministry of Community Development as a Probation Officer in September 1999. I worked with both young and older offenders. To increase my level of competency, I studied criminology, social work and counselling. In that process, I discovered restorative justice in 2001. The transformational nature of restorative justice captured my interest when I was pursuing the Master of Law (LLM) programme with the University of London. It was interesting to note between 1998 to 2000, there were several changes made to the legislation on youth crime in the United Kingdom. The political parties were debating the effect of youth crime, the cost and budgeting involved in the rehabilitation process and the need for a tough outcome to crime and causes of crime.

The changes in the political arena played a significant role to the development of restorative justice in the United Kingdom. It also brought about many negative reactions to the theory. Some opponents highlighted the approach as a soft option, easy way out for the perpetrators especially the young people who may not necessarily be remorseful about their action but may choose to plead guilty for a restorative outcome.

Graduating from the LLM programme prompted me to re-consider my responsibilities as a Probation Officer. I wanted to continue supporting probationers and their family members. The probationers who breached their probation conditions had one common factor — they were following the rules during the course of the probation without truly understanding how their action affected the victims or the larger

community. The moment there was an opportunity to offend, they did so willingly without considering the implications. The lack of awareness and the limited efforts placed on creating this opportunity to learn from the mistakes made resulted in some cases breached in Court and subsequently sent to prison. These cases were part of the re-offending statistics but they were also individuals who required greater support to desist from criminal activities.

From my perspective, restorative justice can support the process of desistance. The theory focuses on outcomes. Rather than highlighting the past action or conflict between individuals, the restorative justice process looks at the harm done and ways to make amends. It is future oriented, seeking solutions for the harm or damage done. Restorative justice creates space for all involved in a conflict to come together and discuss the possible future oriented solution. This opportunity not only offers the affected individual a chance to voice the impact of an action or a conflict, it also offers the perpetrator a platform to reflect and learn from the conflict. In my work with offenders, I followed these principles. Restorative justice is not a panacea for all offenders but it worked for some of them. Within the criminal justice system, there were changes that contributed to the development of restorative justice.

- Greater acceptance from the judiciary of community based rehabilitation options such as probation. That led to discussion of the establishment of restorative justice practices. Singapore introduced restorative justice programmes for young offenders in 1995. In 2004, Project Heal (short for 'Healing, Empowering And Linking'), co-developed with the Juvenile Court and Probation Services Branch, introduced a hybrid version of victim offender mediation.
- The establishment of the Progress Accountability Court (PAC) in 2014 for high-risk probationers to take on greater accountability for their own rehabilitation. A PAC review offers the probationer support post-sentencing, motivating the individual to take ownership and make positive changes. Probationers involved in this review were able to reflect and discuss the impact of their offences on their family members and community.

Probation Service Branch introduced several new programmes as well, to divert younger first time offenders away from the criminal justice system. The diversionary programmes build on a case management model that incorporated risk assessments and family therapy. In 2015, greater emphasis was placed on training Probation Officers in restorative justice and the principles and practices of restorative justice adopted to address misbehaviours and breach of probation conditions. The changes were incremental but, over time, led to positive outcomes. In 2018, the team under my leadership received an award for their effort and commitment towards championing restorative justice practices. This recognition highlighted the shift in rehabilitation and the focus on restoration and reintegration.

Doctorate Student with Monash University, Australia

Considering the wider acceptance of restorative justice, I wanted to explore the theory further in the context of corporate crime. I was an adjunct lecturer, teaching contract and company law at the then UniSIM (now known as Singapore University of Social Sciences). Teaching those courses made me consider the implication of corporate crime on the victims and the larger community. I wanted to explore the option of voluntary compliance with a corporate governance framework and if business entities can adopt a restorative justice perspective to unethical business practices.

With that perspective, in 2010, I decided to pursue the doctoral programme with Monash University. My research question looked at the potential of restorative justice in commercial organisation. My hypothesis was based on a hunch that the 2008 global financial crisis could have been resolved differently if commercial entities had adopted some element of restorative justice. Conducting the study, however, was hard. The word restorative justice was not an acceptable term within commercial organisations. I struggled to gather data. Despite sending out close to two hundred applications to invite participants to join the research study, I only received one positive respond. However, with support from my



Rozwana Begum

supervisors and classmates, I managed to gather information from five commercial organisations based in Singapore.

Presenter: European Forum for Restorative Justice

Documenting my journey to mark the 20th anniversary of the EFRJ allowed me to reflect on my presentation in 2012. I shared my preliminary research outcome at the 7th International conference of the EFRJ 'Victims, Offenders and the Larger Community' held in Helsinki, Finland. The theme of the conference resonated well with my research study which focused on the implication of unethical business practices on the community. My thesis argued for incorporating restorative justice measures in commercial organisations and for organisations and its leaders to be held accountable for their decisions.

It was my first major international conference and I received favourable feedback from the attendees. I had the opportunity to share my research proposal with the Norwegian Professor Nils Christie. His famous argument about stealing conflicts was applicable to commercial organisations as well. Instead of action taken in the context of a corporate governance framework and company law, commercial organisations should be given the opportunity to address their misconduct with all affected parties including consumers and the community.

For someone who did not have the opportunity to participate in mainstream tertiary education, attending the conference at the University of Helsinki was significant. It was not just about presenting the paper in the seminar room.

The space that came with that arrangement allowed professors, established researchers and students to come together, to share ideas and perspectives. I was part of a panel and the discussion between the panellists with the audience further developed my ideas. The conference looked at several different themes that allowed me to re-examine my own thesis and its arguments. The critical feedback I received from my presentation and interaction with other esteemed speakers allowed me to strengthen my argument and increased my confidence, to persist and complete my research study. The experience renewed my attitude to keep searching for organisations to participate in my research study. I am truly grateful for the opportunity as the conference strengthened my belief in restorative justice.

I graduated in 2015 and my research study revealed the possibility of incorporating the values of restorative justice in addressing non-compliance conduct within commercial organisations.

Senior Lecturer with Singapore University of Social Sciences

The completion of my research study prompted me to consider introducing the theory of restorative justice to other sectors and, in 2018, I was given the opportunity to join the University as a full-time academic. I was given an important task to develop a new undergraduate programme, focusing on public safety and security. The programme was launched in 2019 and I am pleased to highlight that the programme includes a course on restorative justice.

My journey towards restorative justice started in 1999 and I am still on that journey, to promote restorative justice. Moving forward, restorative justice is applicable in many contexts. It is not just a theory applicable in the criminal justice system. It is an archetype and a way of life that can address the grievances of individuals and the community even in the context of an ever-changing disruptive environment. ●



EFRJ IN THE EUROPEAN RESTORATIVE JUSTICE SCENE TODAY

By Edit Törzs

In this special and challenging year, 2020, we celebrate the 20th anniversary of the EFRJ. It was about twenty years ago, when, as an about twenty year old law student, I heard for the first time about mediation. The perspective it opened for me, to involve and empower people affected in a conflict to find their solutions and justice, was life changing. I know that many of you in our restorative justice community have had the same experiences, remembering the exact moment when you got to know about restorative justice and how that moment changed your professional and even personal path.

The EFRJ for me, most importantly, is a community — a community of people from different countries, age groups, professional backgrounds at different stages in their carrier. What brings us together is the commitment to work for a more humane justice system and a more humane Europe through practising,

researching, promoting, teaching or supporting restorative justice. We are not in the mainstream, and in many cases we face not only inner doubts, but also walls, scepticism, incomprehension, disparagement. The EFRJ is a community where we understand each other, where we feel at home, where we inspire each other. Our events are not only important for their professional content, but also for creating space for encounters, for valuable conversations and for developing friendships. Our members, I believe, don't join the EFRJ only for the membership benefits, but to be part of this professional community and to contribute to it.

I am grateful for all the 'founding fathers' of the EFRJ and the many people who built this community with hard work and heart in the past 20 years. It is a challenging, but beautiful, task to walk in their path ... ●



Edit Törzs is the executive director of the EFRJ since 2016. She is a trained mediator and facilitator of restorative conferences. She worked for the Hungarian Probation Service and was responsible for the field of victim-offender mediation.



HOW IS Restorative Justice FOR VICTIMS?

What is it? RESTORATIVE JUSTICE

"Any process which enables those harmed by crime, and those responsible for that harm, if they freely consent, to participate actively in the resolution of matters arising from the offence, through the help of a trained and impartial third party."

(Council of Europe Recommendation, 2018)

Motivations to participate

VICTIMS Why do OFFENDERS
choose to participate?



- to meet the offender
- have questions to the offender
- to look for reparation (emotional, financial)
- are concerned about the offender



- to offer reparation
- to express their responsibility and remorse
- are concerned about the victim
- (in some cases) benefits in the criminal justice process

What is it like for victims?

THE RESTORATIVE JUSTICE
PROCESS



- feeling of involvement and empowerment



- fair process



- apology or other symbolic reparation can be more essential than material compensation



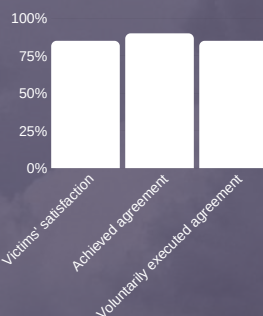
- faster than the traditional justice system



- financially attractive (lower judicial and medical costs)

The outcomes

OF RESTORATIVE JUSTICE PRACTICES



- victims receive material and symbolic restitution



- victims' reduced anxiety about further harm by the offender



- reoffending rates are lower



- offenders appreciate to actively express remorse



- when community members are involved, it reinforces social bonds

This leaflet was created by the European Forum for Restorative Justice. The information is based on research evidence. Further reading and resources: [European Forum for Restorative Justice. \(2017\). Effectiveness of restorative justice practices: An overview of empirical research on restorative justice practices in Europe. Leuven: European Forum for Restorative Justice.](#)



LEUVEN RESTORATIVE CITY: TURNING CONFLICTS INTO OPPORTUNITIES

By Lies Van Cleynenbreugel

Conflicts are part of everyone's personal life, every relationship and every society. Opposite desires, disagreements, incomprehension, escalating fights, polarisation, abuse of power, inequalities in society, discrimination, ... everybody is confronted with it.

But who says conflict, says connection too. These are two sides of the same continuum. In conflicts the connection with oneself, with others and/or with society is temporarily interrupted. Temporarily, because every conflict contains the seeds of connection. When we learn how to handle it, every conflict becomes an opportunity to learn. New insights can lead to a deeper connection with oneself, others and the community or society. Conflicts at societal level give insight into structural problems and inequalities. This can lead to new ways of problem solving.

To turn conflicts into opportunities, a restorative approach is needed.

Internationally, Leuven is known for its contributions to the development of research and practice in the field of restorative justice and also for building social support for the use of restorative approaches.

Restorative practices are not only supported in criminal justice but also in society overall. KU Leuven's Institute of Criminology (LINC) [i] and Leuven Restorative City project (LRC) [ii] make Leuven the symbolic town for restorative practices, offering a fertile soil for today's endeavours and ongoing projects about non-violent responses to crime and conflict.

Leuven is also the home and heart of the EFRJ. The EFRJ is supporting the development of a European wide network of restorative cities.



Image from Canva

The EFRJ created a Working Group [iii] where different restorative cities can meet and inspire each other. By exchanging ideas and practices between experimenting cities, the concept of a restorative city is growing and becoming more concrete. The EFRJ Working Group also aims to inspire other European cities to focus on restorative approaches to handling all kind of conflicts in the city and to become a restorative city too.



Image from Balint Juhasz

Leuven Restorative City

The mayor of Leuven, Mohamed Ridouani, wrote a book *Connecting instead of dividing* (2018). He is asking the question how we can move forward all together without leaving anyone behind. The network Leuven Restorative City supports this idea by making this ambition concrete and effective.

Restorative means: restore connections that are broken or lacking. We start from the idea that as human beings we are all connected (one by one and one by society and altogether by society). With the baseline turning conflicts into opportunities Leuven Restorative City supports citizens, companies, educational institutions, organisations and city services to use conflicts and diversity to connect more with each other and with society and to achieve new ways of collaborating and living together.

We distinguish two types of conflicts:

1. disagreements, prejudices, smaller and bigger fights without visible physical, financial or psychological harm, and
2. conflicts with a clear physical, financial, social and/or psychological harm: mistreatment, bullying, smaller and bigger crimes.

Working in a restorative way: what does that mean?

In a nutshell working in a restorative way starts always by creating recognition for the story, the feelings and the needs of every stakeholder as a person or as a group.

Our common way of handling conflicts seems to be getting stuck into our own ideas and defending our own opinions. We harden our positions, often without being conscious of it. Only our own arguments and feelings are at stake. The consequence is a yes-no discussion and a black and white reality. In the end there is only one winner.

Things change once we take conflicts as opportunities to get to know other ways of seeing, other ideas, opinions or sensitivities. Once we learn to listen — we can learn to really listen to each other — we discover that 'black and white' can co-exist. Often even new colours appear. It's no longer or/or but and/and/and. The pie of possibilities gets bigger and more diverse. That is what happens during mediation and deep democratic decision making processes.



Bernard Hermant

Does this also apply to situations where a major crime has caused big harm? Also in these cases results are positive: when a person, after having committed a major crime, gets recognition for his side of the story, he will be inclined to take responsibility and will search for ways to compensate the damage or to make amends much easier. Victims from their side can often only start dealing with the crime after having gained recognition for their story, feelings and needs. In criminal justice processes less attention is paid to this while it takes a central place in restorative justice.

A Restorative City

In a restorative city citizens and organisations get educated and become competent to perceive and handle all kinds of conflicts in a restorative way — whether smaller or major conflicts are at stake, whether there is damage or not, whether it's taking place in a work setting, in the city, in a school, in a shop, in the neighbourhood or in a family.

Leuven Restorative City is a growing network of 28 organisations and services that support different target groups in Leuven to handle conflicts in a restorative way.

Leuven Restorative City is a growing network of 28 organisations and services that support different target groups in Leuven to handle conflicts in a restorative way.

A central steering committee meets monthly. In addition to these meetings there are different working groups. Discussing concrete situations and exchanging experience and ideas take a central place.

In addition the network focusses on 'training and coaching,' by giving training for free to citizens (for example, neighbourhood mediation and family conferencing). Training is given also to organisations to learn how to work with clients in a restorative way. Some partner organisations are offering coaching to schools and work places. Nevertheless, the city will have to invest much more in training and coaching during the next few years to make the city of Leuven a real restorative city.



Leuven Restorative City is communicating about its mission and vision to the citizens of Leuven through, for instance, a website to:

- inform more people, organisations and companies about restorative ways of handling conflicts;
- contribute to a shift in society to handle disagreements and other conflicts in a restorative way.

The network of Leuven Restorative City is working closely together with the city council and different city services. In this way a wide audience can be reached. The enthusiasm, the belief and the drive of the different partners of the network are strong. The aim is to find more financial support to guarantee the coordination of the network, to start a broader and better communication and to initiate new training and coaching. A more considerable financial support is needed to turn this innovative network into a sustainable network with a meaningful impact on society. ●

Lies Van Cleynenbreugel (Belgium) is the project officer of Leuven Restorative City on behalf of LINC (Leuven Institute of Criminology).

Notes

- [i] <https://www.law.kuleuven.be/linc>
- [ii] <http://leuvenrestorativecity.be/nl/voor-jezelf>
- [iii] <https://www.euforumrj.org/en/working-group-restorative-cities>

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RESTORATIVE JUSTICE: A FORUM FOR SECOND CHANCES

By Nikita Opal

As children when we make mistakes, we have our parents and guardians to guide us. This personal intervention practises a certain essence of restorative justice processes. From realising their mistakes to developing empathy and facing the consequences of their act in a protective environment, these children are placed in a much better position to deal with conflict and harm as opposed to those outside its ambit.

Now, when it comes to children placed under the protective custody of the state, in child care institutions, they are often alienated from such personal interventions. The current system focuses towards counselling and psychotherapy. However, efforts toward reform, or dealing with conflict in such a set up, work best when coupled with the active use of restorative justice processes. This intention should be to restore peace between parties and make amends for the damaged relationships. The field today is in dire need of direct legislative backing and trained practitioners to regulate and facilitate Victim Offender Conferences, Family Group Conferences, Circles and Peace-making processes to help children everywhere learn about reconciliation, peace and forgiveness.

The international legal framework, that is the United Nations Convention on the Rights of the Child (United Nations, 1989), and the Indian framework, that is the Juvenile Justice Care and Protection Act, 2015 (Ministry of Law and Justice, 2015), have some essence of restorative justice practices. However, restorative justice practices aren't being used to their maximum potential owing to the lack of experts and specialised institutions in India to regulate their functioning. Hence, a forum like EFRJ can extend restorative justice practice through an Indian wing or create a Forum wherein such practice can be regulated in India.

The UN Convention and the Juvenile Justice Act legal framework cover all children under the age of 18 years. These are children in their family

These are children in their family homes, with guardians, in schools, on the streets, under the protective custody of the state, in child care institutions and children in conflict with the law, basically children everywhere. In all such cases, whether a child is a victim or in conflict with the law or is a part of a classroom fight, in any of these instances of conflict, parents, guardians, teachers, members of child care institutions and police officers whilst interacting with the criminal justice system can use restorative justice practices.

This is backed by the UN Convention, which is founded upon the remarkable commitment the world has made to safeguard the rights of children between birth and 18 years old. It deals with the entire gamut of child rights from the holy trinity of the right to eat, play and study to protecting the complex intersectionality that children from marginalised and vulnerable groups face.

Along with the legal framework, the practice of restorative justice also owes its existence to the traditional customary law practice of the Zweekhemba (South Africa), Shalish (Bangladesh) and the Maori (New Zealand). In India, we have the Nyaya panchayat (Village courts) that resolve conflict through dialogue.



We have also tried to resolve years of ethnic conflict in the North-East by the Nagalim forum in which small Naga tribes as well as others are given due recognition. This has helped develop a collective consciousness towards the idea of justice and built a much more holistic response towards conflict and harm.

This is also evident in customary law practices, where the members of the tribe come together in case of conflict and help mediate and come to a conclusion together.

Together, the UN Convention, Juvenile Justice Act and customary law practices comprehensively cover how states parties can use restorative justice practices whilst dealing with children. Principles such as the right to participate, enshrined under Article 9.2 of the UN Convention, state that, where a child is separated from his/her parents against his/her will, in any such proceedings before a competent authority, 'all interested parties shall be given an opportunity to participate in the proceedings and make their views known.' This same principle is extended in the Juvenile Justice Act. Section 3(iii) of the Act deals with the principle of participation, wherein every child has the right to be heard and to participate in all processes and decisions affecting his/her interests and the child's view shall be taken into consideration with due regard to their age and maturity. This is also evident in customary law practices, where the members of a tribe come together in a case of conflict and help mediate and come to a conclusion together.

Now, the applications of these practices are fairly common at home/with parents and guardians. The same can be extended to schools, where circle processes and peace-making processes can be explored to resolve conflict. Such interventions give every child a feeling of being involved. They also promote peer mediation and encourage the engagement of every child in monitoring and compliance. Together, they help to promote an idea of justice amongst children. Children outside the ambit of parental/guardian control and conventional schools, that is those based in child care institutions, can receive some form of intervention by restorative justice processes.

This will help them address their emotions and sustain just relations in society. Here, other than children in conflict with the law, even those children who are orphans or missing, who are placed in homes and face conflict there, can and should avail themselves of the benefit from restorative justice processes. This can be practised in the form of a circle process or peace-making process to promote the involvement of all children and build affirming community values.

Within the criminal justice system, the law enforcement and police officers dealing with children in conflict with the law can provide immediate intervention in cases of conflict. As restorative justice processes are non-adversarial and non-threatening, they create a child friendly environment focusing towards restitution, reparation and a restorative outcome for children.

Further, within the judicial system restorative justice processes create a tailored mechanism to deal with both the victim and the one who is harmed. After the investigation phase, prosecutors and judges along with the correctional facilities can use restorative justice processes to complement and strengthen the existing justice system. The cases where such practices are utilised can also act as models for studying its impact on case pendency and recidivism.

After such intervention within the criminal justice system, the practice can also be extended to children who are now out of the criminal justice system and have also undergone correctional treatment. A circle process for such children together can help understand the true reasons for crime and address the pitfalls in the system.

The only challenge in India for such processes to be practised is the lack of institutional backing, trained practitioners, and rules to regulate its implementation.

Lastly the reality is that there is a dire need to have an alternate response to crime. The only challenge in India for such processes to be practised is the lack of institutional backing, trained practitioners and rules to regulate its implementation. Institutions like the EFRJ can help in establishing such frameworks.

In the **academic sphere**, the EFRJ can particularly provide:

- access to reading and training manuals for students, law enforcement personnel, child care institutions, parents and the criminal justice system on interacting with children;
- trained professionals, to regulate the qualifications of practitioners and

establish a regulated framework for restorative justice processes;

- collaboration with schools and colleges for internship opportunities;
- help to understand and relate to the justice system;
- capacity building programmes for key stakeholders;
- short-term and long term continuing professional development programmes, online and at the EFRJ headquarters for children, parents, child care institution, members of the judiciary and law enforcement.



In the **practical sphere**, the EFRJ can:

- create an institute to regulate the functioning of restorative justice processes; this will help stakeholders and parties to manage the challenges of management and the costs of such processes as well as help to deal with practical challenges around restorative justice processes, such as avoiding backlash, unwillingness from parties and other unforeseen circumstances;
- work with the government and other key stakeholders such as detention centres, prisons, police stations etc.;
- create in-prison mentorship programmes, which are dedicated towards rehabilitation and reform of offenders.

In the **sphere of community** participation and acceptance, the ERFJ can:

- organise conferences to encourage capacity building, cooperation and discussion to build awareness and acceptance; this can act as a platform to bridge the gap between religious teachings, traditional practices of the tribes and new age development in reform and rehabilitation;
- encourage the resolution of small disputes at the village Panchayat level by engaging in restorative justice practices.

In the **sphere of research** and development, the ERFJ can work on promoting research in the field of restorative justice practices including:

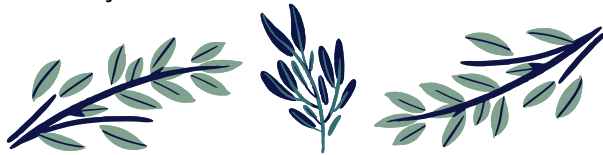
- studies to see the long-term benefits of restorative justice practices and its psychological impact, amongst other benefits;
- studies of pilot projects to see the impact of such interventions and the future of such practices.

In the **sphere of international** affiliation, the ERFJ can help establish and build up comparative restorative justice practices including impact assessments of its reformatory impact in India versus its impact in Europe.

In the **sphere of restorative economics**, the ERFJ can act as a resource to truly help rehabilitate prisoners after a prison sentence, as most people find it hard to enter the mainstream of society and find occupations that engage them and benefit them financially; restorative

economics can act as a platform where the EFRJ can step in and work towards financially empowering them.

Such a framework and institution can also foster the need for special legislation, mobilise and sustain government support and help best practices to emerge for the continuing development of such processes. The involvement of such a forum can hope to achieve sustainable restorative justice practices in an unjust world. ●



RESTORATIVE JUSTICE TOWARDS 2040

By Siri Kemeny

The world and with it the EFRJ have changed since I was active in the EFRJ. As the EFRJ is celebrating its 20th anniversary, I feel like looking to the future rather than being nostalgic about the past. More than ever, the future is uncertain.

What role can restorative justice play? Could restorative justice become more of a helpful tool to counter humanity's crime against nature?

As humans are part of nature, we are at the same time talking about crime against our own species.

Nikita Opal (India) is an alumnus of Tata Institute of Social Sciences, Mumbai where she pursued her LL.M in Access to Justice. She is a human rights defender and is actively working in the area of rights and development.

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It is time to listen carefully to their wisdom, to help develop and refine restorative justice to become a tool that could, however modest, take on its share to help save our planet, our home. I wish the EFRJ will have this high on its agenda for the 20 years to come!

Valuable and respectful knowledge about nature and the human species as part of it is still inherent in the world views and cultures of indigenous people that have inspired the contemporary development of restorative justice. ●



Siri Kemeny

(Norway) is the Deputy Director of the Norwegian Mediation Service Konfliktraadet. Here with Ivo Aertsen and Martin Wright.

RESTORATIVE JUSTICE AS SIRSASANA: WE CAN CHANGE PERSPECTIVE

By Diletta Stendardi

Sirsasana is considered to be the king of asanas (yoga poses). The inversion causes increased blood flow to the brain and this provides energy, clarity of thought and ease of concentration. Symbolically, Sirsasana tells us about the possibility of changing our perspective and view of the world. For this reason, I associate Sirsasana with restorative justice and I think it can inspire us in reflecting on the past, the present and the future of the EFRJ.

Restorative justice is able to shed light on the dynamism among the past, the present and the future of people, relationships and communities.

Restorative justice allows people who were harmed and people responsible for that harm to acknowledge the truth and the injustice of the past; at the same time, restorative justice allows them to acknowledge that the

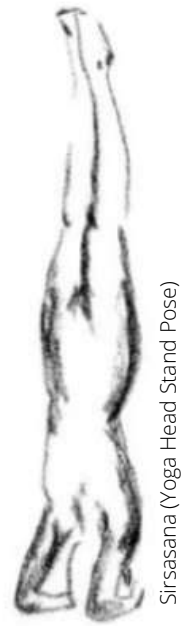
present offers them the possibility of taking responsibility for undoing that injustice and restoring relationships to build a different future, which can be safer as far as it is more inclusive and more supportive.

Our present is not an easy one.

2020 saw the eruption of the pandemic, which is affecting everyone's daily life, education, the economy and relations between countries. It is further exacerbating inequalities.

Our previous cardinal points seem lost.

But this dark present is paradoxically making it clearer than ever how others are indispensable and that solidarity is the only way to reach a new balance. Just as, when trying to reach Sirsasana, all the preparation to get there requires the practitioner to abandon previous cardinal points and to visualise that new balance



Sirsasana (Yoga Head Stand Pose)

inwardly, before reaching it, so restorative justice can be immensely helpful in this search.

It is meaningful to me that I've reached Sirsasana also thanks to the support of a person I met during the restorative justice experience told in *Il libro dell'incontro: vittime e responsabili della lotta armata a confronto* (Bertagna et al., 2015) which I spoke about at the EFRJ Symposium in Bilbao in 2019. ●

Diletta Stendardi (Italy) is a Criminal Lawyer and Mediator.

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ΦΙΛΟΔΟΞΙΑ

By Katerina Soulou

Φιλοδοξία is an ancient Greek word meaning 'ambition.'

The restorative justice movement is 'growing up' and getting more mature. The EFRJ, currently a reference point on restorative justice in Europe, is also growing and connects people from all over the world. People who share the same vision: a better world with justice, in its broad meaning, and just relations.

I joined this amazing community of people in the beginning of my research on restorative justice in France and through it I also 'grew up.' I met wonderful and so inspiring people, beautiful minds full of energy and positive ideas from both Europe and other continents of this world. I also met my second PhD supervisor from Brazil.

Fine years later, as a Board member, and being at the end of my doctoral research on restorative justice in both France and Brazil, I have a 'φιλοδοξία' and it is all about the power of connection. I am dreaming of the EFRJ becoming the leading and the model Forum for other similar Forums in all over the world: The Latin America Forum for Restorative Justice, the African Forum for Restorative Justice, the Asian Forum for Restorative justice ...

Franz Kafka wrote that 'paths are made by walking' and I believe that the EFRJ can be the leader for these paths. ●

Katerina Soulou Katerina Soulou (Greece) is a member of the EFRJ Board and PhD Candidate at the Aix-Marseille University in France.



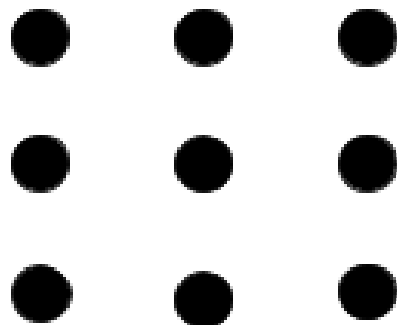
IMAGINE A NEW ALTERNATIVE REALITY

By Patrizia Patrizi

Anyone, like me, trained in psychology, has certainly found her/himself faced with a puzzle so challenging as to transform the lens with which to look at reality: 'the nine-dots problem.' This is the request: the nine points must be connected by four straight lines without lifting the pencil from the paper. Try it before turning the page.

It is very rare that someone will be able to solve the problem the first time they try to do so. Generally, we remain trapped in the hypothesis of a square, and it is only within that hypothesis that solutions are sought.

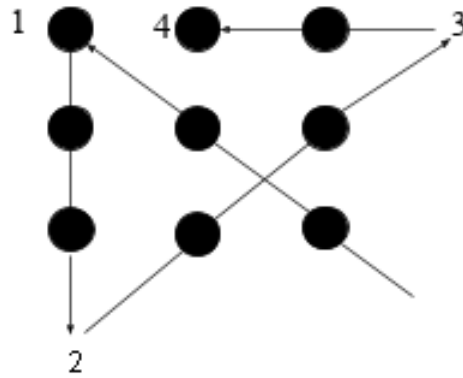
Now turn the page.



THE FUTURE

The simplicity of the solution is surprising, but it is necessary to get out of the cage of known reality (the square). The solution is a second-order change which consists in leaving the field and which cannot be contained within itself (Watzlawick et al., 1974); this is the lesson of the Palo Alto group on change.

So I see what the EFRJ has been doing for 20 years: getting out of the cages of the already known, from that separative and punitive perspective that always seeks the same solutions internally (more punishment, more care, more control etc.). Exactly so I imagine EFRJ in 20 years: an increasingly large group of activists, less and less 'alien' in our life contexts where, together, we will have experienced transformative solutions. Finally, in 20 years we will be imagining ever new alternative realities and making new alternative dreams come true! ●



Patrizia Patrizi (Italy) is Professor at the University of Sassari and Member of the Board of the EFRJ.

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TOGETHER WE SHARE A VISION

By **Petra Masopust Sachova**

Together we share a vision,
where darkness entered life.
Together we act,
where pain and desperation are sitting in one's heart.
Together we stay to let it happen,
to give the power into the hands of those who are hurt by the past.
Together we never give up,
to make justice a healing process and let others stand up again.
Together we can make it happen.

With all my gratitude to EFRJ for being our home, where we hope, act, think, dream, believe, talk, search, fall and stand up again — together, in order to change the notion of justice. Happy Anniversary, EFRJ! ●

Petra Masopust Šachová (Czech Republic) is a EFRJ Board member and chairperson of the Czech Institute for Restorative Justice.



EXTRACT OF A CONVERSATION WITH KRIS VANSPAUWEN

By Brunilda Pali

BP Kris, you are currently a mediator with Moderator, but carry an intense academic background and an important experience of management as director of the European Forum for Restorative Justice (EFRJ). I would like to know about all these different experiences in comparison, how does it feel to embody them all, and in which way you treasure each of them (or perhaps not)?

KVSP I see all this from a somewhat different angle. It is maybe a treasure to be able to look back at all these “experiences” – as you put it – but obviously a mere series of experiences doesn’t necessarily lead to a fulfilling quest for a happy life. Therefore I have always tried to take certain steps in my life as part of a life-long strive for personal growth and transformation. What I did in life has been for me always less relevant than why I did it.

In my 7 years at the KU Leuven I have been researching with a critical eye the possibilities of bringing together victims and offenders of gross human rights violations in the aftermath of Apartheid in South Africa. At the same time I witnessed in my own country the gradual process of instrumentalisation of restorative justice practices, and I was particularly disturbed and astonished by the way the restorative paradigm was merely recuperated for widening the net while the more significant cases were being neglected. At that time, that was for me the main reason to make under-researched aspects of the practice of mediation. In recent years I have increasingly become a researcher of my own behavior as a mediator, and it is fascinating to see how certain skills and techniques can turn an adversarial and hostile situation between two parties into a setting where common ground is gradually established and a future perspective for both becomes possible.

BP That is absolutely unique, to be embodying research, practice, and policy, and each with great skill and dedication. I agree with your assessment I must say, as I have witnessed you ‘at work’, indeed it doesn’t seem to matter what you do, you give the same amount of passion to your work (and to the people around you). You know I am not a practitioner, but practitioners are what motivate me to keep doing my work and as you say, there is plenty of important work to be done at all

levels. That means I am mostly curious about your practice. What is it like to be a mediator?

KVSP As a mediator, you bring together victims and offenders, sometimes of the most horrendous crimes. It speaks a lot to the imagination of people. Being a mediator is a highly reflective practice, where one facilitates a process whereby you carefully seek ways to find a common ground between two or more realities. It is a reflective practice in the sense that you continuously scrutinize your own behavior, first and foremost as an active listener, but then gradually as a careful challenger, and so on. This way experiencing the job of a mediator as a reflective practice is for me a very fruitful method of creating knowledge and hence also accumulating expertise in the phenomenon of bringing together victims and offenders.

In the more than 10 years as a mediator I have seen many researchers passing by our services trying to observe the different aspects of victim offender mediation. All very promising, but there was no single research – except for Judith Leest’s work perhaps on a deliberative ritual – that managed to capture properly the attitude, the thoughts, the behavior (or their interplay) of the mediator. I am increasingly convinced that these aspects are important and under-researched aspects of the practice of mediation. In recent years I have increasingly become a researcher of my own behavior as a mediator, and it is fascinating to see how certain skills and techniques can turn an adversarial and hostile situation between two parties into a setting where common ground is gradually established and a future perspective for both becomes possible.



Kris Vanspauwen

BP This is fascinating Kris. I have also noticed that not much attention has gone to the figure of the mediator, who is indeed so central in restorative processes. You also mention that you have witnessed and created some remarkable processes. Can you tell us something about them?

KVSP I appreciate that question Bruna. And I also recognize your curiosity and your attempt as a critical academic to stay engaged with the practitioner. Stories are in that sense powerful modes of a transferring knowledge from one field (practice) to another (academia). To begin with, let me be clear about “remarkable cases”. They aren’t always the successful textbook examples where a remorseful offender meets the victim and they sign a binding agreement in which a full restitution plan is agreed upon. I remember a face-to-face encounter where a victim literally refused to be compensated for the loss, but on the contrary demanded the offender to meet again in June to prove he had managed to obtain his diploma at school, and hereby showing the victim that he is back on track with his life. So a truly remarkable case is where some degree of (restorative) justice is established. And for me that goes a step further than the broadly accepted definitions of either simply “bringing parties together to resolve the conflict”, or “restoring the harm caused by crime”. What is the restorative justice value when a victim of robbery is fully compensated and it turns out the offender commits crimes afterwards? For me a remarkable case means that there is a general sense of justice established after a process.

I remember that case of a perpetrator convicted for raping multiple victims under the age of 14, including one of his own children. An indirect mediation process developed slowly and with difficulty between the perpetrator and his ex-partner (and mother of his child victim). At first, there was no perspective at all for the victim as to how some sense of justice could be achieved for her and her broken and traumatized family. How on earth could a mediation process with her ex-husband establish some sense of justice or satisfaction to her family and her child in particular? That was for me a challenging question as well. So I made abstraction of what we had learned so far about “setting up a successful mediation process”. I put the victim in the seat of the expert (a deliberate reflective intervention) and asked her: “Imagine an ideal world, how would justice and satisfaction look like for you and your family”. I ran the risk of ending up in a situation where I needed to apply some unknown resources and tools as a mediator outside of my comfort zone. In the months that followed, and long hours of conversation with her, she drew that image of how a nearly ideal world could look like. It became crystal clear for me that it wasn’t about bringing the victim and offender together, let alone involving the child victim in this encounter. It wasn’t about establishing a form of restitution plan or agreeing on a payment scheme. It was about creating an environment in which the victim and her family could start a new life where safety and guarantees for non-repetition could be established, that this would never happen again. Not to her, not to the ten other families, not to anyone in society.

EFRJ Secretariat in Belfast, 2014



This is a shortened version of a conversation by Brunilda Pali with Kris Vanspauwen originally published on 20 February 2019 on the blog “Restorotopias”. The full conversation can be read here: www.restorotopias.com/2019/02/20/a-conversation-with-kris-vanspauwen/

She was convinced the time serving in prison would not make him a better person, but at least his punishment meant a period of safety for the victim and the society. Therefore, it was of key importance for her that they both agreed during the mediation process to communicate openly about the entire detention process, i.e. the parole board meetings, the early release procedure, the switch to a rehabilitation center for treatment. Originally very suspicious about benefits offered by a restorative process, the victim slowly but surely regained power about the uncertain situation, and more importantly she regained some hope and trust for her future and that of her family.

For me it was an eye-opener to take distance from our often taken-for-granted framework (of bringing parties together and setting an agreed agenda), to set aside my so-called expertise (what do I know what a victim of such crime needs!), and to lay the process in the hands of the victim with the approval of the offender. Starting from “the ideal world situation” defined through the eyes of the victim has proven to be a powerful intervention. Giving her the steering wheel was key. Further in the process, it was a challenge for me as a mediator to explore and create tangible and realistic options that work for both parties. It is cases like these that have taught me a lot. I find this remarkable.

BP It is indeed remarkable. And this is the reason why we need qualitative and respectful research into restorative processes, as this case exemplifies so much of what I think are the depths of these encounters. (...) I am curious to know based on your experience from practice, how is in fact the relation and flow between what goes on within the restorative processes and the criminal justice system. On the one hand, the independence from the system has opened these possibilities of constructing restorative processes as a right offered to everyone, regardless of what they have done, but on the other hand this might be criticized then for renouncing the desire and the aim to shrink criminal justice, including imprisonment. What are your thoughts on this?

KVSP (...) Restorative justice – as stipulated in the Belgian Mediation Act (2005) – is a private process complementing the criminal proceedings whereby the professional secrecy and confidentiality of the process is highly secured and regulated. Nothing – unless the parties agree differently – can be disclosed in the framework of the criminal proceedings.

I do however have a slightly different view on this element of ‘secrecy’. Inspired by my work on the South African Truth and Reconciliation Commission in South Africa, which was a very public process, I would plea to make an restorative justice process more public. Crime and its aftermath concerns or should concern a broader society. At the same time there lies a responsibility with the society to engage with, to be more caring for its harmed victims and harming offenders. So in my mediation cases I often advocate to get the state and the society more involved or at least informed about what is happening in the mediation process.

For me that the dilemma you pointed at, is not about a monopoly game between the criminal justice system and restorative justice. ‘We’ and ‘them’ should not be fighting over ownership of the victim and the offender. It is instead about seeking complementarity and giving ownership to the victim and offender over a process. So in the particular case of the perpetrator I described earlier, I have tried to involve the Victim Assistance Program (the State service that protects victims’ rights during criminal proceedings) as well as the Sentencing Court (a court that decided on the early release of the offender) in the process by informing them about what victim and offender have agreed upon. It gives me a chance to reflect and see what I am doing in a ‘private mediation’ is in line with victims’ and offenders’ rights and duties. At the same time it is an opportunity to make the mediation process complementary with the justice system. Clearly for me, it is not a question of how much ground can restorative justice gain at the expense of the criminal justice system. We will always need a criminal justice system to publicly denounce a reasonable amount of criminal acts. At the same time we need to see victims and offenders as responsible citizens taking up the talking piece. So, yes, a restorative justice process should at least become a right for every citizen that has become a victim or an offender. And I think Belgium is a good example for the rest of the world in that regard. (...)

BP All that is very interesting Kris. You have also been Director of the EFRJ for some years. What do you carry from that experience?

My passage at the EFRJ was rather short but intense. I was one among the three directors that the EFRJ had in a period of 9 years, a period in which the organization went through a transition. After a pioneering phase of 10 years after its establishment, in which the EFRJ initiated quite some important research projects for Europe, the organization has become increasingly a network organization that focuses on mutual learning and bringing people together. During the transitional phase as I witnessed it, the focus was primarily on organizational restructuring and becoming more sustainable as an organization. I still remember the first day at work, I was the only permanent staff member working with a half-time volunteer. The others were researchers working on projects. When I left the organization three years later, we were staffed with 5 permanent members in a framework of a 3-year operating grant from the European Commission. Apart from the excellent Belfast conference, that was certainly a major achievement, I had little experience in managing people, but I look back at this experience with fond memories. I left a group of good friends at the EFRJ, and I am quite confident about the next phase.

EFRJ team on the dance floor after the 10th EFRJ conference in Tirana





BP I think the EFRJ has recovered to its full potential thanks to your contribution Kris, it is not just an intuition, but a conviction. They are many people in the EFRJ who are very close to you, appreciate you enormously, but also at the moment are worried about you and your health Kris, if I may. You and your family are going through very hard times, but I personally want to bring to light something I have noticed since we have received the news of your illness, for which you were offered a palliative treatment for about a year. Differently perhaps from the medical world, I remain someone who believes in fate and in the unknown, convinced, due to my Albanian (but also perhaps my Turkish) upbringing, that no one can know his or her death, and therefore no one can announce it. Nevertheless, it seems to me that this proximity to death, whether real or imagined, can bring a new intensity to the act of living. Since what you have been going through cannot be didactic, but only lived, I think it allows for a very precious, perhaps even sacred, however extremely painful experience. I think of it perhaps as something of a supranormal dimension, not in line with the time and place of others, not outside, not inside either. How do you look at everything from this special 'place' Kris?

KVSP I take your feedback on my role at the EFRJ as a compliment. The achievements were only possible thanks to a brilliant group of people, and I am grateful for the friendship that grew out of it. The support and friendship I received from them in the past year was truly remarkable. I remember well our gathering in my garden the past summer where we held an improvised circle. This experience in itself was such a powerful happening that spoke volumes about the essence of life. Life after all is not about pursuing big dreams only. When one becomes ill – and life is suddenly not giving you a long perspective anymore – you suddenly realize that the essence of life is to be sought in the small things, often in human relationships. The past year has been intense in all respects, but the quality of my life was sometimes better than the years before. You call it sacred or supranormal. I think for me it was about transcending the rational, the cognitive and the emotional dimension and reaching a certain spiritual level. I have no other option than to focus on the day that lies ahead of me. But I have a choice to cease the day or not. And in choosing for life I realize that it offers meaning, and it creates possibilities. In the path I am walking since a year some small miracles have occurred. Even in situations where there seems no road ahead, I have seen that we can actually make the road by walking.

KVSP I would like to refer to only one of these small miracles. Some years ago I established the Ride 4 Peace initiative[i] with my son. Last year we decided to bike from Stevoort to Bastogne. Since I became ill this second edition was quite challenging and moving. I never thought this bike trip was possible. My oncologist thought I was crazy. But in life you have to take some risks and not be afraid to make choices. Choosing one path, inevitably implies leaving others behind. Being deadly ill I could opt for the safe choice, stay in bed and mourn about all I have lost in my young life. Or I could choose the bike and suffer physically with chemo in my veins while conquering 250 km of the Ardennes with my boy on my side. I haven't regretted my choice. I will never forget the life-changing conversations with my son Klaas. They helped me to find peace with my situation.



BP Kris what I am feeling right now is love and gratitude. It's always been a blessing to have you as a friend, as you are an incredibly generous human being, profoundly so. Of course because you give and share a lot, but most important of all, because you share that precious gift of presence. And that presence of yours feels pretty sacred to me, and I am sorry if this doesn't sound rational or cognitive, I just do not care. Paradoxically it seems as if in that process of needing healing, you have also become yourself a healer.

Kris Vanspauwen (Belgium) holds Master degrees from both Criminology and Social Work. He has worked at Modeartor (the restorative justice service in Flanders), Institute for Law and Society at the KU Leuven and Leuven Institute for Criminology. Between 2013 -2015 Kris was the Executive Officer (Director) of the EFRJ and he is still nowadays a member of the EFRJ Secretariat with an advising and supporting role reflecting on the future of the organisation.

Brunilda Pali (Albania/Belgium) is an FWO funded postdoctoral researcher at the Leuven Institute of Criminology. She is also a board member and Secretary of the EFRJ. Brunilda has studied Psychology in the University of Bosphorus, Gender Studies in the Central European University, Cultural Studies in Bilgi University, and Criminology in KU Leuven. Her areas of interest are feminism, critical social theory, social justice, restorative justice, and arts.



[i] The Ride 4 Peace initiative explained on Kris Vanspauwen Facebook blog: "We are Klaas and Kris. Father and son. Two men with a small dream. Everything starts small. Who knows. We will cycle from Stevoort to Ostend. With a goal: to meet people on our way. Famous people, unknown people, big people, small people, our language people, non-native people, working people, unemployed people, strong people, vulnerable people. All people with a story. In return, they also get our story. Stories bring people together. We find solutions in stories, we find peace through stories. We christened our trip into "Ride 4 Peace"! Who knows we meet you somewhere along the route!"

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

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30 NOVEMBER - 5 DECEMBER 2020

To celebrate our 20th anniversary, on 30 November - 5 December 2020, the European Forum for Restorative Justice (EFRJ) organised the online REstART Festival bringing together arts, research and practice with the aim of offering a forum to discuss justice, solidarity and repair in today's societies.

The year 2020 marks **the 20th anniversary of the European Forum for Restorative Justice (EFRJ)**. As the organisation has been in contact and often in collaboration with a number of artists exploring and reflecting on restorative justice, the concept of the REstART Festival emerged as a pertinent form to celebrate this anniversary and facilitate the debate of innovative justice approaches.

2020 has also proven to be an extraordinary year with the unfolding crisis around the Covid-19 pandemic and its multiple consequences in our societies. As restorative justice focuses on the reparation of harm, the REstART Festival aimed to offer a platform to account the harm our societies are experiencing in this crisis and to explore ways of reparation, through the key values of restorative justice: human dignity, solidarity, truth and responsibility to encourage a dialogue over a "restart" of our communities and the way we live in the world.

The REstART Festival proposed a collective reflection on **justice, solidarity and repair** in today's Europe in the aftermath of personal and societal trauma, conflict, and harm. The Festival was firmly anchored in the values and methods

of restorative justice which aim at connecting people and restoring just relations.

Attention was given to restorative justice responses to societal level conflicts originated and violence escalated during crisis situations, with the aim of giving a voice to the suffering and harm experienced in this period and to "restart" to connect with people.

To encourage reflections and animate the debate, the EFRJ invited **artists, activists and restorative justice professionals** to propose a performance or exhibition that reflected the concept of the festival and aimed to create a reflection on the themes proposed. The Festival took place in the **first week of December 2020**, but some artworks will remain available for a longer period on our website: www.euforumrj.org/en/REstART

The poster of the Festival is based on a window image in Leuven (Belgium) by Lisa Van Der Auwera. During the lockdown in Spring 2020, many residents of Leuven expressed themselves through drawing and writing messages on their windows.

RESTART FESTIVAL

30 November -
5 December 2020



de Bib, 3000 Leuven, Diestestraat 49
online: euforumrj.org/en/REstart

THE ART OF JUSTICE, SOLIDARITY AND REPAIR



EUROPEAN **FORUM**
FOR RESTORATIVE JUSTICE

The festival takes place online and in Leuven, Belgium



Supported by the Justice Programme of the European Union & Leuven City

window drawing: Lisa Van Der Auwera



SCAN ME

European Forum for Restorative Justice - 11th international

CONFERENCE

JUSTICE BEYOND BORDERS

Restorative connections
through space and language

Sassari - Italy
24-26 June 2021

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