



## Editorial

Dear friends and members of the European Forum for Restorative Justice, a warm welcome to the first issue of the newsletter for 2021!

We are happy to welcome you to the New Year, with renewed hopes to bring the community physically together again soon and with new, topical issues to provoke reflections about. Eagle-eyed readers will have noted that this first Newsletter of the year is dated February instead of March. The Editorial Committee have decided on a new schedule for the Newsletters with more even intervals between each Newsletter.

As co-editors, we would first like to acknowledge the contribution and close collaboration of the whole Editorial Committee of the EFRJ. We are also grateful to Robert Shaw, whose role in the newsletter goes beyond the tasks of editing and layout; with the longest experience in the Editorial Committee, he represents the Newsletter's organisational memory.

We are thus excited to introduce you to a thematic issue on restorative justice and its application in the challenging context of racial (in)justices and hate crimes. The topic of this discussion could potentially take us through many more voices to hear and reflections to make. We start though with some inspiring contributions from researchers and practitioners that put the focus on the use of restorative justice in the case of hate crimes against ethnic minorities — with particular attention devoted to the racialised criminal justice system in the US and the UK — and against LGBT minorities.

Hate crimes against minorities are unfortunately nothing new in any country across the globe, but we could say that the collective reactions and the push towards more inclusive, appropriate and effective responses to the harm caused by such acts are growing stronger and stronger — possibly in particular when these acts are perpetrated by the law enforcement system that should instead protect the citizens from violence and injustices. We in fact witness the mobilisation of a massive movement all across countries — both in the US and in Europe — in search of justice for the people, mostly black and from other ethnic minorities, killed and harmed by police excessive use of force, as well as asking for new and fair protection for people belonging to minorities: protection against discrimination on the street, in the workplace and in any other setting, including the family (especially for

what concerns people from LGBT minorities).

Many are the challenges in bringing the restorative justice approach to face these harms and conflicts, but certainly great is the potential that it could bring into the healing of society fractures of which these conflicts are just among the most extreme signs. At the same time, great is the responsibility that restorative justice services carry when confronted with these issues and, when asked to embrace diversity, to be inclusive themselves and really accessible to anybody.

With the articles collected in this issue, we aim thus at starting an exchange about these challenges, presenting some promising models but also emphasising the urgent call that restorative justice practitioners are asked to respond to in these times of profound polarisation and of the spread of questioning the value of diversity in our communities.

Miriam Attias, Independent mediator, opens this newsletter with her dialogue with Branka Peuraca, where she presents [the Forssa approach](#), a model of mediation in polarisation and inter-group conflicts that was successfully applied to deal with neighbourhood conflicts in Finland, where violence arose between citizens of a small town and migrant residents of a reception centre.

Following the interview, Lucy Jaffé, Director at [Why me? Victims for Restorative Justice](#) in London, addresses the value of inclusion that restorative

justice services should uphold and what that exactly means, with particular reference to the work with LGBT people and people with disability. Continuing the reflections about the use of restorative justice in the case of hate crimes against people belonging to the LGBT minorities, Malin Roiha and Ignacio Elpidio Domínguez — researchers at the Department of Social Anthropology of the University of Barcelona — present some initial and inspiring insights from [LetsGoByTalking](#), a current project carried out in partnership with the EFRJ that explores restorative justice strategies for anti-LGBT hate crimes. While emphasising the great potential of restorative justice for a victim-centred approach in these cases, the authors also highlight the urgent need to fill a significant gap — of knowledge and skills — that still keep the LGBT organisations and the restorative justice practitioners too often too far apart.

The journey then brings us to the other issue of focus, racial injustices in the US with the article from Adepeju O. Solarin (Chief Collaboration Officer for the [Minnesota Cooperative Conflict Collaborative](#)), Russel T. Balenger (co-founder of [The Circle Of Peace Movement](#)) and Melvin W. Carter (Executive Director of [Save Our Sons](#)). They combine their experience in research, the police service and the reintegration of ex-offenders to bring to the table their first-hand experiences from Minnesota (US), generated by the death of a black man, George Floyd, on May 25<sup>th</sup> 2020 in Minneapolis, due to the excessive use of force by the police. They reflect upon the way the restorative justice community is trying to position and propose responses that avoid an even greater polarisation — while in the middle of civic unrest and great general discontent.

Monique Anderson, PhD researcher at KU Leuven Institute of Criminology, finally takes us to the echo that resonated in the UK after the events of May 2020 in Minnesota. A great sense of anger and injustice arose in the black British community — as well as in many other countries across the globe — that was expressed in many different ways, including the project *Black Britain Demonstrated* (BlkBritDem), a book soon to be published and presented here by the author.

Finally, to close this issue, Branka Peurača and Branka Vierda briefly present the handbook *How to Apologize for Crimes*, published in 2018 by young activists and addressed to politicians, to help them in appropriately giving their apologies for the crimes committed in post-Yugoslav countries. The moment seems right to mention this handbook in the context of themes covered by the articles in this issue,

as the importance of political representatives taking responsibility for and addressing the harm done by systemic violence is key in the process of applying restorative justice with crimes that have profound societal roots.

We hope you enjoy reading this and, if you have any questions/comments or want to make a contribution to one of the next issues, please do not hesitate to contact any one of us!

With our warmest wishes,

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## **Stepping down**

Dear readers, authors and contributors to the newsletter,

For eight years I have been serving in the editorial committee, and I got in touch with some of you, sometimes asking you whether you read the newsletter and sometimes trying to convince you to write an article.

Dear readers, thank you for your feedback!

Dear authors, thank you for bearing with my comments and suggestions for changes in your text.

With this postscript I am announcing that, from now on, we will be meeting in different circumstances. I am stepping down from the Editorial Committee with a bitter-sweet feeling. On one side, cutting down my voluntary activities is a reasonable thing to do as the commitments and deadlines are pressuring me to focus on other endeavours. On the other, I already miss the routine of e-mails and Zoom meetings with resourceful and committed people from the committee who made me feel connected to their networks, to their countries and to their different fields of interest which I had previously known little about.

I am very proud of our joint accomplishments, and by accomplishments I do not mean just the issues we published but also the creative and efficient way of work that we have established. I am leaving a highly functional team who works well together and who

are successfully sharing responsibilities. For a long time I have believed that a rotating leadership with a group of diverse, yet equal, individuals can produce high-quality outputs without too much strain on one person.

Thank you, my colleagues, comrades and friends from the committee for making it happen. I am look-

ing forward to re-connecting with you in different settings.

With love and respect,

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## The Forssa approach: an interview with Miriam Attias

What do you do when violent crimes arise between locals of a small Finnish town and recent migrants, residents of a reception centre, when the criminal investigations do not defuse the polarisation? How do you restore a sense of security, defuse the polarised situation and prevent further clashes? How do you address the inhabitants and at the same time deal with the out-of-town agitators who are stirring up the conflict?

We are talking to Miriam Attias, who is a trained restorative workplace community mediator and has worked on applying this approach to neighbourhood conflicts in Finland. She used her experiences to address these issues in Forssa, a small town about one hour from Helsinki. She and her colleague, Hanna Vuorinen, contributed to easing the tensions in the town, ending a series of crimes committed by the juveniles who participated in violent clashes and eliminating the influence of out-of town agitators who incited violence. They learned some important lessons in that process and their model, [The Forssa approach](#), has been subsequently applied to similar conflicts in other towns. By following the hyperlink, you can find more about the model and its outcomes in the material on 2018 European Crime Prevention Award which Miriam and her colleagues won.

**What was the problem in Forssa in 2018 that led to your involvement? Whose idea was your intervention, and who were the important stakeholders in the process? How did this intervention in a polarised context differ from your previous work — your traditional victim-offender mediation experience?**

I had been a mediator, working in workplace disputes and neighbourhood and community conflicts for eight years, as an independent practitioner and with a non-formal, NGO status. Before Forssa, I had only been involved with conflicts that affected communities at the scale of one workplace, one house or one neighbourhood. The Forssa approach is the

name we gave to our practice for the mediation of inter-group conflicts and polarisation. Since then, we have conducted several processes that are designed through three steps.

First, gather a network of stakeholders, people and officials that are aware of the conflict, who are affected, for them to be the ‘initiator’ and the process owner.

Second, find out who are the key persons to meet, who is directly involved and who is concerned, listen to them and find out what interests, motives and needs they have.

Third, react accordingly. This means, build connections that build peace. Who should discuss with whom? Who needs support?

The initial process in Forssa was initiated by a municipal social worker who had heard about our work. She called us to participate in a meeting that the mayor had called. They had gathered a group of stakeholders who represented educational institutions, the refugee centre, social workers, the city security and communication officials and the police. My colleague, Ms Hanna Vuorinen, and I listened to the meeting. The inter-group conflict had spread and affected the sense of security largely in the town; it had polarised the population and there were several police cases, and seemingly a circle of revenge. There were not many relationships between the refugees and the locals and those that existed seemed to have frozen, as aggression was targeted not only towards the refugees but also the people working with them. The officials did not know what to do; so we said,

‘We don’t know either, but I know what we could try.’

**Contrary to the beliefs that problems should be solved by the experts who know it all and radiate confidence, your approach to the problem that relevant stakeholders did not how to deal with was rather humble: ‘I might not know either, but I know what we could try.’**

But really, when you explain the idea of restorative mediation, it’s quite simple, and it makes sense, no?

### **How did the people react to that?**

I think they were not prepared for the conflict and they didn’t know much about mediation, or that it can also be viewed as something other than victim-offender mediation. But really, when you explain the idea of restorative mediation, it’s quite simple, and it makes sense, no? So I think, as they didn’t also have another approach that made sense, they were genuinely open to try. They immediately trusted us and, as we gave them our process steps, they started calling the people involved and told them to contact us. We also used Snapchat to find a few people.

**It took you three months of the preparation before the first meeting occurred. What did that preparation include?**

Trust cannot be cheated. You have to be worth the trust.

Lots of listening ... as always. Usually, when there is an escalated conflict with a hate motive, we prepare for several months before we bring people together. This week I had one case which was in preparation for nine months. We talk over the phone, we meet, we listen to the story and we ask restorative questions and we try to start finding out how the parties define ‘peace’ and what that peace in their terms would require. The most important thing is to earn the trust. Trust cannot be cheated. You have to be worth the trust. And patient. And radically listen, meaning, you don’t reply, you don’t explain, you don’t defend or teach anything. Sometimes, when it feels hard, you need to deal with your own emotions and judgements afterwards.

**How did the process go on after that first meeting?**

The interaction changed. Before there was no communication channel, only violent clashes. With that

communication channel the ‘main characters’ could now deal with the conflicts by talking. They didn’t lose their position, but they had a slightly different role. The stressful moment for me is that, with not only this case, often after the mediation of violent acts, there will still be a trial. A few times I’ve been panicking, when someone has called me just before they have to face the legal charges, really angry, saying, ‘I thought we had solved this already!’ (even if I always say that I don’t have a say in what the court will decide). But, also, I’ve seen many times that, in practice, when people felt that the process had been conducted in a fair way and they had been heard, they were more eager to take responsibility.

**If I understood correctly, there was a group of professionals representing various stakeholders, and that group had an important role first in identifying relevant issues and the individuals with whom you should discuss them while pointing to the right direction and then continuing the activities necessary for diffusing tensions and decreasing polarisation.**

**Can you explain in more detail what was, or still is, their role?**

First, as I said, we contacted people and called them and asked to meet. We just said: ‘We are mediators, impartial outsiders, and the city officials have asked us to talk with any people who have been affected by the conflict, so the violence would stop. All talking will be strictly confidential. There have been a lot of things going on and we’d like to hear your point of views.’

Then we met tens of people and asked all of them, ‘What has happened, how do you feel, how did this affect your life, and what do you need and wish for?’ regardless of the origin or the status of the person. Then we also asked whom else we should meet, and very quickly we started to have a picture of who were the central persons. We met everyone once or more; the central persons, the direct conflict parties, we met scores of times during three months and intensively worked together to find alternative solutions to the violence. As there were racist groups trying to come and push the locals for demonstrations, it was delicate.

**You stress the function and the potential of listening, even when there are no formal meetings with different parties present,**

**and you consider listening very radical.**

Sometimes we spend too much energy trying to convince others to learn something ...

**Please, tell us more about that radicality of listening.**

I strongly believe that we all need to own our own stories to live in peace. Sometimes we spend too much energy trying to convince others to learn something, or to do something that we value. The risk is, by doing so, we take away the other's sense responsibility and accountability. To own our own story, we need to have the space and the opportunity to make many drafts of it. Writers don't publish the first draft of their books; so why should we also judge people by the first versions of the stories that they tell? The problem is, usually the first version of the story is never heard properly, because others are too busy or too eager to moralise or teach or have a say on it. Until it comes out entirely, until the end, nothing can be built on it.

**Your intervention had a tangible impact on different actors, for example, on the activist who did not change his opinion, but did change his ways of fighting for his cause. Two years have gone by since your intervention, how is the Forssa community doing now?**

I actually don't exactly know! The weakness of the mediation process is still the lack of resources for proper follow-up and the phase of reconciliation. I still have contact with a few people who are doing OK.

*At the end, Miriam asked me to include in the interview my own reflection, a few words on listening as radical action which I wrote while reflecting on her work, so here they are:*

As it regards the radical politics of listening, I was thinking about Ivan Illich and his warnings about experts who 'know it all' and take the power away from the people; about Nils Christie (1977) who stressed the same danger in regard to conflicts and criminal justice; and about those pointing out the futility of efforts to 'build cultural competencies' as 'the right way' in dealing with all the members of ethnic/religious groups and advocating relationship building instead. Briefly, if you listen, you can deconstruct many of the 'truths' usually explained by the experts in a specific field or by the public figures in positions who have the power to define a discourse. And, by that, you are challenging the *status quo* and the current relationships of dominance and subordination. In my opinion, that is radical.

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## **What does accessible Restorative Justice look like?**

'Restorative Justice is real justice,' someone said to me this year. That person was speaking after a presentation we made to the Learning Disability and Autism Advocacy Group last month. I felt proud and pleased that we had made such an impact and got our message across. At the same time, I was concerned about the accessibility of the [Why me? Restorative Justice](#) service and the wider sector. My concern was not just for people with a disability but those with other protected characteristics, including those who end up being victims of hate crime or those who are discriminated against because of who they are. I was also concerned for people with language barriers who might have difficulties accessing the criminal justice system.

I write as a white woman living in the UK and my own life experience shapes my view of these issues. I acknowledge my privilege in the world and this writing is one part of my commitment to create change and make the world a more equal place.

This article will focus on what inclusive looks like for service users, practitioners and organisations in restorative justice (including those who could benefit but are not accessing it). I will also address the challenges of working restoratively when our fundamental values are in opposition to those in our criminal justice systems. And finally it is imperative to acknowledge structural inequalities which exist in society and how they inform what we do, as well as what we might do next to make a change.

As practitioners, managers, academics and change-makers, we urgently need to acknowledge the wider harm and violence which plays out through every aspect of our lives.

As people who understand that restorative justice offers a positive way to live alongside each other, we may also assume that by simply 'doing restorative' we are doing good. As long as we stick to the processes, we will maintain standards and give everyone a fair chance to participate. However, this assumes that restorative justice is somehow immune to the structural inequalities which inform discrimination across all spheres; this is simply not true.

As practitioners, managers, academics and change-makers, we urgently need to acknowledge the wider harm and violence which plays out through every aspect of our lives. When a young person who has committed a crime comes to us, the context in which they have committed that crime is paramount. In Northern Ireland, for example, where Tim Chapman has undertaken restorative processes with people who have committed acts of terror, the predominant context is sectarian conflict. It is only safe to proceed in these circumstances by acknowledging the lived experience and characteristics of all parties, including the facilitators, and how historical and contemporary politics informs what is happening.

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This should be no different for a young black Muslim man who comes from a deprived area in a

European city who has been arrested for drug dealing. If they are lucky enough to be referred to a restorative service, then does it feel to them like another part of the same system? Delivered predominantly by white people from wealthier backgrounds? Certainly in the UK, leadership of the criminal justice system and indeed of the restorative justice (RJ) sector is majority white, and yet disproportionate numbers of black and minority ethnic people are 'using' the system. So we have to ask ourselves, are we fit for purpose as a sector and what can we do to address it? Guilt does not work, it paralyses. Listening to people with protected characteristics is a good start.

At *Why me?* in the UK we have been making some inroads to this question through our work on the use of RJ for Hate Crime over the last three years.

Hate crime usually affects the most marginalised people in society, has very poor prosecution rates and low victim satisfaction. The criminal justice system is a blunt tool to address the complexities of hatred and also the impact on an individual when their identity becomes the object of attack. During the course of this work, we have identified a number of features of well-functioning RJ services which have the potential truly to address hate crime. These include engaged leadership, well-managed data and referral processes, a diverse staff team that has had up-to-date equality and diversity training and strong community partnerships. In one region, we found that the multi-agency leadership team, including Police and Youth and RJ Services, regularly reviewed outcomes for hate crime in their area, including restorative interventions. This process enabled adjustment of front-line services to meet more people's needs rather than delegating everything down to the frontline and most junior staff.

What we have to be alert to is the needs we can't see or perceive ourselves because of our own perspective and knowledge.

We also identified details about what made a service more accessible, for example,

- not using police numbers or unknown numbers to contact victims;
- contacting people during weekends when they may have more time to talk;
- using appropriate pronouns (ask them!);
- not 'dead' naming a transperson (use their birth name);

- providing interpreters;
- providing accessible meeting places or alternative online meeting places.

These lists can be overwhelming, but if we take a more structural approach, we will enable ourselves to make systematic change within our organisations and services from which the details will flow. Well-trained RJ facilitators make preparatory plans for meetings anyway; so they will understand the need for attention to detail in meeting people's needs. What we have to be alert to is the needs we can't see or perceive ourselves because of our own perspective and knowledge. The experts are the participants; so listening and asking questions play a key role here in equipping us with the essential information to be as effective as we possibly can.

Here I look at three groups of people with protected characteristics and their access to RJ which we have worked on at Why me? These are by no means exclusive and we acknowledge gaps both here and in our work, which we will be addressing.

## Race equality

There is a requirement to examine the way we operate as organisations, in terms of both the people we employ and also the processes we deploy to continually review equality and diversity. For example, it is proven that black people are more likely to apply for jobs where there is a majority black staff. In Sheryl Wilson's 'Calling out Whiteness' in *Colorizing Restorative Justice* (Valandra and Hokšila, 2020), she interviews black practitioners who say they feel routinely ignored and their lived experience undervalued. This cannot be healthy for these restorative practitioners as individuals, nor for the young people they are working with. Her essay provides a highly recommended set of group discussions and workshops for organisations seeking to address racism.

How can we as restorative professionals and organisations challenge rather than replicate the unequal power structures in society? Fania Davis' inspirational *Little Book of Race and Restorative Justice* (2019) explores how race and the US criminal justice system intersect and provides a beacon of hope and ideas for practitioners and policy-makers who are committed to social change.

Both Fania Davis and the twenty authors in *Colorizing Restorative Justice* challenge us to commit to building restorative settings which address racism in everyday policy and practice. This will prevent restorative justice itself from enabling discriminatory

conduct, because that is the default way the justice system and society operate. One powerful example in the UK, but not unique to our situation, is the precondition of admittance of guilt for a restorative intervention to take place, which can be a barrier to many young people from black and minority ethnic (BAME) backgrounds, often called the trust deficit (Lammy, 2017).

Evidence shows that a young person may admit they did something in a restorative conversation which also acknowledges their life experience and the structural violence they live within.

Evidence shows that a young person may admit they did something in a restorative conversation which also acknowledges their life experience and the structural violence they live within. This is not to say the restorative sector should be offering to be the instruments of the state in obtaining guilt confessions, simply that working with young people restoratively can address their needs and can potentially help them avoid getting a criminal record.

During the last few months, the murder of George Floyd on May 25th 2020 and subsequent protests have led to calls for a new approach to addressing racial injustice in the criminal justice system. Alongside this, we have seen calls for alternative approaches, including restorative approaches, to provide a place for people to talk about their needs and to be listened to, and to find ways to move forward. Indeed, Why me? held a [race hate listening forum for BAME people](#) along these lines.

During 2020, I have been part of the [EFRJ Working Group on Violent Extremism](#), which has looked at restorative work with people who commit acts of terror and extremism, including in the Basque country, Norway, Belgium, Northern Ireland, France, the US and Nepal. The global case studies throw up questions about how restorative justice can address wider societal violence which provides the context for these violent acts by individuals and small groups. We will be publishing our findings at a future date.

## LGBT+ equality

Lesbian, Gay, Bisexual and Trans (LGBT+) people suffer from acts of hate on a daily basis. One in five LGBT+ people have experienced a hate crime or incident because of their sexual orientation and/or gender identity in the past twelve months. Two in five trans people have experienced a hate crime or

incident because of their gender identity in the past twelve months.

... many LGBT+ people are not confident about reporting the police or authorities for fear of being re-victimised because of their identity.

Why me?'s London LGBT project provided a restorative service to people referred to us by GALOP, a trusted LGBT specialist provider in the city. Most of the referrals were hate crime incidents which did not reach the threshold for criminal prosecution. But also many LGBT+ people are not confident about reporting to the police or authorities for fear of being re-victimised because of their identity. If you want to find out more about our LGBT project, the main findings and practice guidance can be found in my colleague Linda Millington's chapter for the the European *Safe to be handbook* (Millington, 2020).

For us as a service we need more external indications that we are LGBT+ friendly, such as website and social media feeds; we need to recruit a more diverse group of facilitators, improve our own internal reflective practice and continue to build trusted partnerships with specialist organisations.

## Disability equality

People with LDA do not see the criminal justice system as a safe and friendly place to report to and access justice.

In the UK, under 5% of disability hate crime is reported. Most people with Learning Disabilities and Autism (LDA) absorb the hate, see it as part of everyday life and just want it to go away. LDA hate crime is often repeated and can escalate to physical violence and murder. People with LDA do not see the criminal justice system as a safe and friendly place to report to and access justice. Indeed for many, reporting can add another layer of trauma. While we support higher rates of prosecution for hate crime, restorative justice can play a part in addressing the needs of people with LDA. It can help people tell their story, express their emotions, establish a personal and rehabilitative narrative, and sometimes be instrumental in achieving desistance in the person who committed the crime.

So what do people with LDA need? Simple and direct communication. A fundamental requirement is

to have all the information about restorative consent, data protection and confidentiality in an easy-read format — both online and offline. However you also need the same information in long form for their carers and relatives who may be supporting them. Practitioners need a full understanding of the vulnerability of the person. They may be dependent on a carer or relative who could be the person perpetrating the crime against them and so could also be subject to coercive control. Or they may be lonely and be subject to 'mate crime' — where someone befriends them but may also be stealing from them or move into their accommodation without consent (known as cuckooing).

We have found that it is fundamentally important to work closely with a trusted and specialist organisation, just as we have been doing with Mencap, who also provide referrals and co-produce appropriate materials. In addition to this work, as an organisation, we need landing pages on our website, symbols which indicate our intent, such as Mencap logos, LGBT+ flags and advertised membership of our affiliation to organisations which are led by and for people who suffer discrimination.

## Conclusion

This Covid-19 pandemic has helped me to understand more clearly the inequalities we live with and the structures which support their perpetuation. For me, this has brought home the urgency of taking action to address my own prejudices and to ensure that Why me? is fit for purpose in providing and promoting restorative justice. Now more than ever, the world needs positive solutions and remedies, and I am convinced that restorative justice is an essential and powerful part of that vision.

### Lucy Jaffé

Director

Why me?

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## Innovative paths for victims of anti-LGBT hate crimes

The diversity of legislation on gender and sexual diversity throughout the European Union is currently one of the most debated differences among political stances. Despite the advocacy of the EU for LGBT rights, the 27 Member States display a striking variety of legislative advances and developments. At the same time, the LGBT survey conducted by the European Union Agency for Fundamental Rights (2020) reveals that

- members of the LGBT community across Europe are victimised more often than members of the general population;
- under-reporting of hate crimes is widespread; and
- hate crimes cause more harm to the victim than similar, non-bias, crimes.

Hate crimes do not only undermine the individual victim's dignity and impact negatively but also send a message to those belonging to the wider group: that LGBT persons do not deserve recognition, respect or equality (Godzisz and Viggiani, 2018).

The action-research project *LetsGoByTalking* explored knowledge and beliefs in relation to restorative justice and hate crimes and, using a victim-centred approach, strategies and experiences of restorative justice in relation to hate crimes.

... *LetsGoByTalking* aims to enhance the rights of victims of anti-LGBT hate crimes through making restorative measures more frequently acknowledged, known, and implemented.

Restorative processes constitute a range of methodologies, whose characteristics could make them a priority for anti-LGBT hate crimes. However, these measures are seldom recognised as a way of addressing the harm done to the victims of hate crimes, despite the inclusion of the right to access to restorative justice in the Directive 2012/29/EU, the so called 'Victims' Rights Directive' (European Parliament and Council, 2012), which has been transposed into national legislations to varying extents (Jubany et al., 2019).

To respond to the call for the right to restorative justice, *LetsGoByTalking*: *Innovative paths*

*through restorative justice for victims of anti-LGBT hate crimes*, funded by the European Commission's Justice Programme (2014–2020), aims to explore restorative justice strategies for anti-LGBT hate crimes.

Drawing upon their heterogeneous expertise and experiences, a group of universities (University of Barcelona and University of Girona in Spain, University of Brescia in Italy, Avans University in the Netherlands and University of Wrocław in Poland), LGBT NGOs (Bilitis in Bulgaria and Çavaria in Belgium) and the European Forum of Restorative Justice joined forces to implement this action-research project, coordinated by the University of Barcelona. Through research as well as subsequent workshops and training actions in Belgium, Bulgaria, Italy, the Netherlands, Poland and Spain, *LetsGoByTalking* aims to enhance the rights of victims of anti-LGBT hate crimes through making restorative measures more frequently acknowledged, known and implemented.

In the present article, we will focus on the initial findings based on the interviews with professionals from restorative justice services and LGBT NGOs in relation to the application of restorative justice to hate crimes, with a particular focus on anti-LGBT

hate crimes.

## Research as a necessary backbone to actions

The intersection of restorative justice and hate crimes is an understudied topic, particularly in Europe. To fill that gap and produce evidence on which to build the subsequent actions, the project has conducted a mixed-methods research study across the six countries, including an analysis of the legal framework in relation to LGBT people, hate crimes and restorative justice. A survey collecting the knowledge and experiences of 239 LGBT and civil rights organisations in relation to restorative justice has been conducted, as well as in-depth interviews with 104 professionals from restorative justice services, procedural justice services, public administrations and NGOs. The project's initial plan also involved interviews with victims of LGBT hate crimes and discrimination. However, due to the COVID-19 pandemic and the difficulty in ensuring safe conditions for online interviews with victims, these interviews have been postponed to 2021. Nevertheless, the victims' perspective is present in the findings thanks to the participation in the research of NGOs focused on LGBT rights and victim support.

## Knowledge and beliefs in relation to restorative justice and hate crimes

A common pattern is the gap in knowledge and experience between LGBT NGOs and restorative justice practitioners, ...

The research has unveiled that, despite the diversity among the participant countries in specific legislation for restorative justice, hate crimes and LGBT rights, there are many commonalities. A common pattern is the gap in knowledge and experience between LGBT NGOs and restorative justice practitioners, which translates into different attitudes towards applying restorative justice within hate crimes.

A lack of knowledge of restorative justice among LGBT NGOs, as important gatekeepers, was revealed as one of the most relevant barriers to the promotion of restorative justice practices for anti-LGBT hate crimes. This oft found ambivalence of LGBT NGOs to using restorative justice for hate crimes can be interpreted as an effect of a common misconception of restorative justice as neutral mediation among equals.

One of the objectives of the latter phases of the project will be precisely to address this misconception and showcase the broad range of restorative strategies available, sensitive to the specific vulnerabilities and needs of the victims of hate crimes..

In this regard, the reduction of the offender's recidivism was highlighted as a key effect of restorative justice, as compared to punitive justice measures.

Restorative justice practitioners, on the other hand, highlighted how restorative processes can give the agency back to victims, who in traditional proceedings tend to have a limited and unsatisfactory role. Instead, through the use of restorative measures, victims may feel heard and understood. In addition to the benefits for the victim, restorative justice practitioners underlined further advantages of using restorative justice, related both to the offender and society as a whole. In this regard, the reduction of the offender's recidivism was highlighted as a key effect of restorative justice, as compared to punitive justice measures. Another crucial aspect mentioned was the role of community involvement in restorative justice processes as a way to provide a more satisfactory and effective justice, which was also linked to social change. This could be of particular importance in relation to hate crimes.

... there was disagreement among the professionals interviewed on whether restorative justice should be applied to hate crime cases that involve physical attacks.

Nevertheless, there was disagreement among the professionals interviewed on whether restorative justice should be applied to hate crime cases that involve physical attacks. Representatives from LGBT NGOs were apprehensive about the application of restorative justice in these cases, partly based on their aim of protecting the victim, but also based on a common conception that 'real' justice can only be achieved through court procedures. Restorative justice practitioners, on the other hand, highlighted that restorative justice measures may be applied in parallel with procedural justice and that the application of restorative justice always needs to be done with a victim-centred approach. In this regard, some practitioners argued that victims of physical hate crimes might be particularly helped by restorative measures.

## Strategies and experiences of restorative justice in relation to hate crimes

In countries without sexual orientation, gender identity and expression and sex characteristics (SOGIESC) criteria explicitly mentioned in their legislation, the lack of specific protection means that hate crimes are registered under common categories and as such not visible.

During the interviews across the six countries, no specific restorative justice programmes or protocols were highlighted for anti-LGBT hate crimes. In most countries this absence was extended to hate crimes in general. Nevertheless, general restorative justice programmes still handle hate crimes without the existence of specific protocols or programmes. It should be noted however, in fact, that not all hate crime cases are referred to the services as hate crimes. In countries without sexual orientation, gender identity and expression and sex characteristics (SOGIESC) criteria explicitly mentioned in their legislation, the lack of specific protection means that hate crimes are registered under common categories and as such not visible. But also in countries with SOGIESC criteria, hate crimes are often still not recognised as hate crimes in the justice system. For example, a restorative justice practitioner from Spain explained that cases might be referred to the service as threats or brawls, and only after starting the restorative justice process is the anti-LGBT motivation detected.

This victim-centred approach makes many practitioners feel positive about applying restorative justice to hate crimes.

The inclusion of hate crime cases in general restorative justice programmes is then based on a case-by-case approach used by many services. This approach means that different strategies and methodologies are used for each case based primarily on the needs of the victim. In this regard, one practitioner described their restorative justice processes as ‘handcrafted,’ as a way of expressing how the process needs to be fully adapted to the specificities of each case and particularly to the needs of the victim. This victim-centred approach makes many practitioners feel positive about applying restorative justice to hate crimes. Nevertheless, some necessary requirements when

including hate crime victims in restorative justice processes were highlighted, such as the victim’s willingness and preparedness, informed consent, a safe environment, constant supervision and care and detailed attention to the best timing of the intervention. Another important need put forward by some LGBT NGOs was for the restorative justice professionals involved to be trained on LGBT issues.

Regarding methodologies used, the direct encounter, or victim-offender mediation, is still the most frequent technique practised by the professionals interviewed. However, also other methodologies, possibly more suitable for hate crime cases, were highlighted: for instance, restorative justice circles, which include victims, offenders, other interested parties and members of the community (Zehr, 2002). Here different parties with differing roles share a space, with an important collective element, in an atmosphere of safety and support, which might be especially suitable for victims of hate crimes. In this context some practitioners suggested that LGBT NGOs could play an important role in representing the community within the circle.

... a group of youngsters, who had harassed a gay man and painted anti-LGBT hate speech on the building where he lived, removed the paintings as a restorative measure based on the needs of the victim.

In terms of experiences and examples of concrete strategies used for hate crimes cases, the initial research has brought forward some examples of restorative justice practices applied with hate crimes. For example, Polish practitioners described specific cases with tailored measures adapted to the circumstances of the case: for instance, a sentence for an anti-Semitic hate crime included the mandatory viewing of a specific film for a group of football hooligans, whereas an anti-discrimination organisation oversaw the collective cleaning of hate speech and racist symbols graffitied on the walls of a Nigerian restaurant in Warsaw. Similarly, in a case within the juvenile justice system of Catalonia, Spain, a group of youngsters, who had harassed a gay man and painted anti-LGBT hate speech on the building where he lived, removed the paintings as a restorative measure based on the needs of the victim. Another experience highlighted in Spain included a restorative circle with representatives from an association of Roma women victims of hate speech in the comments section of a digital newspaper, as well as two of the offenders

who had written the comments. As we have seen, these examples concern mainly non-physical attacks. The next phase of the project, which involves a mapping of specific restorative justice programmes for hate crimes within and beyond the EU, will hopefully reveal further strategies used for the broad spectrum of hate crimes.

## Conclusion

... LGBT NGO professionals tend to lack practical experiences and technical knowledge of restorative measures, whilst restorative justice practitioners need more training on the specific needs of victims of anti-LGBT hate crimes.

The LetsGoByTalking consortium has recently concluded the initial research. The data produced with professionals has provided key insights that will be employed to further promote the bridging between professional fields that are particularly distanced as per experiences, knowledge and expectations. Currently, the consortium is conducting a mapping and analysis of restorative justice programmes applied to hate crimes, which will bring forward further examples of good restorative justice strategies in relation to these crimes. Both this phase and the subsequent training phase respond to the different needs of the diverse professionals involved, as the research highlighted that LGBT NGO professionals tend to lack practical experiences and technical knowledge of restorative measures, whilst restorative justice practitioners need more training on the specific needs of victims of anti-LGBT hate crimes.

For further information, please follow the project development on the [LetsGoByTalking webpage](#), where you will also find links to its social media channels for continuous updates.

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## Remembering to restore: dispatches from Minnesota, USA

‘Sorry, I need to cancel our meeting.’ It is likely many people experienced this statement (or some variation of it) in 2020. It is also likely some of these cancellations led to a deeper awareness or insights previously unexperienced.

For me this realisation started with a series of collaborative conversations with a good friend. We had been meeting to explore ideas on Minnesota’s criminal legal system when I received their message stating that they were devastated and heading ‘to the protest at 38th and Chicago at 5PM.’ Snapshot results of the Internet keyword search entered for May 26, 2020, time-stamp 15:49hrs only noted a May 25 online news reporting of a young man who had died on his way to the hospital after being in police custody. Response Participation Protest was yet to be documented at the time.<sup>1</sup>



Figure 1: George Floyd Square

I had been offline all day and came on in time for our meeting. My greeting was what we all now understand as (another) watershed moment in our global history.

Tragedy had struck the night before, resulting in a(nother) young man’s death at the hands of our Minnesota law enforcement (police) officers.

I would receive an onslaught of calls and communications from friends as far as Germany and Nigeria and as close as the Twin Cities (Minneapolis and St Paul) area to make sure I was safe.

I was and I still am. Physically, that is.

### This moment and ones before it

As a restorative justice (RJ) researcher and practitioner, most of my time is spent creating and holding space for differences to unfold, while exploring how to hold our Minnesota community together as we reckon with difficult and painful realities. Two of these realities will be shared below: the first from former St Paul Police Sergeant Melvin W. Carter II (and founder of [Save Our Sons \[SOS-MN\]](#)) and the second from Russel T. Balenger, co-founder of [The Circle Of Peace Movement \(TCOPM\)](#). We three RJ practitioners invite you on a textual sojourn of remembering pains of 2020. Our hope is to foster deeper understandings of the restorative philosophy. And as with any RJ efforts, we welcome your [feedback](#).

... respect is central to restorative practice, no matter the context. And respect ... offers a promise to engage beyond soundbites of labels like defunding, law and order or the like

We start with what we do know: respect is central to restorative practice, no matter the context. And respect — no matter how it is employed — offers a promise to engage beyond soundbites of labels like defunding, law and order or the like. To be clear, we are not subject matter experts on criminal legal matters. What we can speak of are the lived experiences at the intersectionality of Minnesota’s criminal legal system. Carter and Balenger will attest to being on the receiving end of legal practices that disproportionately affect Minnesotans of the Black (OBIC) and Brown colour (OBrC).

(This is an adopted term, serving to equalise the language on race and its asymmetrical power imbalances in Minnesota and the US at large. These terms are only employed to communicate the perception of how we categorise groups of people based on skin pigmentation and not on cultural or ethnic origins. For example, OBrCs (Of the Brown Colour) can refer to individuals, Americans of South-Asian, Southeast-Asian, Middle-Eastern or Indigenous peoples. The same stands for OWCs (Of the White Colour) who are of Russian, Croatian or Iranian peoples.)

The element of respect in restorative philosophy teaches us that community is hugely significant in creating outcomes that meet needs arising from perpetuated societal harms.

The element of respect in restorative philosophy teaches us that community is hugely significant in creating outcomes that meet needs arising from perpetuated societal harms. For example, we know that the crime of burglary in a community causes neighbours in close proximity to question their safety, even if the said harm is addressed by the police. However, this fear can be further reduced if police and non-police citizens<sup>2</sup> have ongoing relations that are positive. Neighbourhood residents are more likely to feel like they have recourse for the negative harms existing in their area, while affording police officers the opportunity to serve and protect the neighbourhood in which they are tasked.

Carter reflecting: ‘Mothers didn’t really want to call the police on their sons, because general policing will run a warrant and find some dope on a “gotcha” and then fuel them into the mass incarceration system.’ For policing — and we must remember that all policing is community-policing — to emerge from its insidious roots of slave patrolling (MPD150, 2020, p. 8), we will have to repurpose it as peacemaking and peacekeeping. After all this is in line with the stated missions of (at least) five police departments in Minnesota’s central city (Twin Cities) areas. Here are those five:

1. [Brooklyn Park Police Department](#) is to ‘enforce[s] the law fairly and impartially to give our whole community a sense of security and respect.’ Of note is the visual and textual categorisation in which BPPD communicates its mandate, where it is filed under the ‘Health and Safety’ tab. This is in contrast to the other four which list their departments under government.
2. The [Minneapolis Police Department](#) is ‘to protect with courage, to serve with compassion.’
3. [Roseville Police Department](#) employs four values statements, two of which focus on respect (for) and service to the community.
4. [St Anthony Village](#) is ‘to improve the overall quality of life by preserving the peace and safety of the community.’

5. And [St Paul’s](#) is to ‘protect the peace and maintain public safety through trusted service with respect.’

Evidently, the theme of these five is to treat all with respect. The actual effects are a mixed bag.

Along with Carter is Balenger whose Minnesotan roots connect several generations to the arrival of the first OBICs to arrive from the South in the 1860s. And in a lesser-known history, these OBIC pioneers received a chilly welcome, not unlike our Minnesota winters (see Pilgrim Baptist Church website, [Long Form History](#)). There is a now growing pattern of undeniable evidence that documents how every state in our United States of America was uncomfortable with OBICs, even as some were less vocal than the southern states.

For our part in Minnesota, we have historical documentary forms such as the Twin Cities Areas’s Twin Cities Public Television (tpt)’s [North Star: Minnesota’s Black Pioneers](#) as well as Duluth Area’s [WDSE-WRPT’s I Can’t Breathe: A CJM Memorial](#).

For my part, as an OBIC-Minnesotan whose roots are directly linked to Nigeria (versus our American legacy of enslavement), the late 1990s college education of ‘US History’ on Reconstruction and the like now appears incomplete, at best. This history is also confirmed by oral traditions of OBICs who are the legacy of enslaved peoples. Carter’s autobiography is an attempt to capture and memorialise some of these oral traditions (Carter Jr, 2019).

Any hope (or impetus) for change might stem from our willingness as Minnesotans to reckon with an exhaustive examination of our ‘Niceness’ or ‘Northstar’ image as a beacon or refuge from slavery and oppression. Balenger’s experience with our criminal legal system is a painful one in which their family literally had to hide their daughter in private school where she would have limited contact with police officers (who are in public schools). And for their grandchildren, they found that sending them to other states, like Florida, allowed them to flourish. It is important to note that Balenger, Carter and myself have somewhat privileged lives compared with other OBICs who we often see in our individual community work. Many of them have no social support or agency and despite the amazing efforts of Carter’s SOS-MN and Balenger’s [TCOPM Minnesota’s OBIC and OBIC youths are still lagging behind](#). The [public accountability thrust on us](#) by the double-edged sword of global interconnectedness provides us with a moment to acknowledge harms that are more than two centuries in the making.

## Remembering to reckon in order to restore

... the response I was given was not dissimilar to what they experienced from legal establishments in their various European countries.

I still remember when I presented my research on peacemaking circles at the 2010 Bilbao conference to a relatively-muted reception. I am forever grateful to a forward-thinking and open-minded Board Member who tempered some of the responses that questioned the value or validity of the Circle process by reminding the audience that the response I was given was not dissimilar to what they experienced from legal establishments in their various European countries. Continued collaboration and a commitment to fostering consensus is what will keep RJ work and its practitioners successful in addressing conflicts (in whatever contexts).

For the time being, we three 'keep keeping on.' Each Monday we and several others gather to end the violence and promote healing, via our virtual Circle meetings. We have everyone from non-police to police members, all OBICs, OBrCs, and OWCs. The problems that provided us with the collective trauma of the George Floyd tragedy have long been present with us in Minnesota, the United States and beyond its shores. If our criminal legal systems can re-assess through a re-humanising of policies maybe we can begin to design an equitable system of accountability that is less about soundbites and more about a deeper respect for each Minnesotan. If we can begin to reckon with our past and reflect on 2020's gift of accountability, we just might begin to heal and build upon a social infrastructure that allows for our present to inform a future that will restore all of us.

### Adepeju O. Solarin

Chief Collaboration Officer

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with the contributions of:

### Russel T. Balenger

Co-founder

The Circle Of Peace Movement

### Melvin W. Carter

Executive Director

Save Our Sons

Minnesota Cooperative Conflict Collaborative

## Notes

<sup>1</sup>Some hyperlinks provided by the authors are not accessible to people living in Europe and have been omitted.

<sup>2</sup>An intentional use of the term non-police (versus community) here is to reflect on our use and definition of the term 'community.' In re-examining RJ philosophy, one will find that 'community' does not (necessarily) delineate between police and the community. In fact, in our early documentations of RJ practices participants in the VOMs or FGCs were often criminal legal (or law enforcement) professionals (see Umbreit et al., 2005; Walgrave, 2008).

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## Demonstrating racism: standing with the protesters and marching forward

On May 25th 2020 in the US city of Minneapolis a 46 year old unarmed black man died following the excessive use of police force. In the hours that followed footage of George Floyd, lying handcuffed on the ground with a police officer's knee pressed into his neck for over eight

minutes, went viral. The sense of anger, pain and injustice at yet another such incident motivated people all around the world to take to the streets in protest. In the UK, and defying the Covid-19 related recommendations to avoid large gatherings, people marched in solidarity with their US cousins and also in recognition of their own challenges around racial injustice.

But the crowds ... showed that a wide cross-section of society had been motivated to mark their opposition to racism.

Across the country a number of photographers, professional and amateur, attended these protests, capturing images of the crowds. The marches were an outpouring from people who felt that the hurt and injustices that they had faced as individuals and as a group had long been ignored. But the crowds, diverse in ethnicity and age, showed that a wide cross-section of society had been motivated to mark their opposition to racism. The images that emerged are captivating, and show how the photographers were clearly inspired by the evolution of the energy in the crowds. First there was hurt and pain as protesters cried out angrily and struggled to repress tears. The collective sharing seemed to be greatly cathartic and protesters appeared to recognise their own frustrations reflected back at them by other demonstrators. A sense of community, safety and strength in numbers, developed and a feeling of hope became palpable. At times large groups of strangers danced joyfully together in the street. Pictures from a number of different photographers have been used as the basis of a book, *Black Britain Demonstrated* (BlkBritDem), that it is hoped will be published in the coming months.

In making BlkBritDem we wanted to capture and the energy of the marches and re-present it in a way that would inspire, and maintain the momentum for change. Motivated by a strong belief that the protesters' concerns should not be forgotten, in our small creative team, we were all keen to draw on the skills from our 'day jobs' to produce a piece that would have strong social capital. Creative director Tatiana Okorie and producer Rochelle Ackie not only bring strong artistic skills and technical knowledge, but also draw on personal and professional experiences around racial integration, women's rights and intersectionality. I have been able to draw on my experiences as a researcher with an interest in restorative justice when working on previous creative work, such as educational packages for schools (film and lesson plans) on violent extremism.

In BlkBritDem we acknowledge the pain but recognise that it is only one part of a much more complex

story. Our work revolves around three central aims. Uniquely presenting the black British experience:

- Re-imaging. Recognising the contributions of black people to British society and re-framing what it means to be black and British;
- Re-imagining. Capturing social history to reduce misrepresentation;
- Re-documenting the future. Readers will be engaging by the bold images and, hopefully, drawn into a conversation about human rights and dignity.

... in BlkBritDem we reflect upon the wider context of the experiences of black people in Britain.

We give a platform to protesters' voices by highlighting their concerns and strength of feeling. Quotes gathered during and after the marches cement the book in the lived experience of citizens and are presented alongside over 200 reportage photographs. Conveying the spirit and energy of the crowds, BlkBritDem has been divided into chapters representing anger, empowerment and hope. As well as portraying these events, in BlkBritDem we reflect upon the wider context of the experiences of black people in Britain. It was considered important, in a book focused on a collective experience, to not lose sight of individual stories. The anger chapter, for example, features a section on 'everyday racism,' for which experiences of casual racism were gathered. One woman shared how she was told, supposedly as a compliment, 'you're quite pretty for a black girl.' Consideration is also given to factors that have contributed to black people, and those from other minority backgrounds, still feeling displaced and disadvantaged in British society. The invisibility of black people in British history is one such example. We attempted to counterbalance this by, for example, highlighting the contribution of people from African and the Caribbean to British military efforts, tens of thousands of whom died fighting in the two World Wars.

The rallies were also places of empowerment and this is reflected in the second chapter. The photographs have a lighter, but still markedly determined



tone. Throughout the chapter members of the African *diaspora* are highlighted for their positive contributions at global and local community levels. Mirroring the courage and strength that was generated when the protesters came together *en masse*, the chapter ends with a list of over a thousand inspiring people, past and present. Achievements in science, literature, philosophy and the arts are all featured.

The influence of Africa and the Caribbean on language, cuisine and music, to name but a few, are presented in a colourful infographic.

The visual and emotional journey of BlkBritDem concludes where we would like the conversation to begin, on a powerful note of ‘hope’. The images in the final chapter are more joyful and even celebratory, portraying the resilience and strength of spirit during the marches. ‘Everyday heroes’ vignettes have been gathered for which people have described a friend or relative who has inspired and encouraged them. Later in the chapter the light is shone on some of the many contributions of black people to British culture. The influence of Africa and the Caribbean on language, cuisine and music, to name but a few, are presented in a colourful infographic. The quotes in this chapter make reference to the power of cross

cultural solidarity and the importance of honouring each other’s humanity.

The effects of the colonial past are experienced as a present day reality by too many people in our society. The protests make clear that past hurt does not easily fall away with the passage of time. Particularly when a group feels wronged, an attack on one member can ripple out and be felt by many. Needs around giving voice to pain and suffering and expressing and being heard are essential for people who feel wronged as an individuals or at the group level. Restorative justice processes, such as circles, could have an important role in giving voice to such hurt. In exercising their individual responsibility each protester contributed to something that became much greater than the sum of its parts. Community level responses are important but we should remember that we are all part of the community and not underestimate the power of our actions, or lack thereof. Through documenting, giving voice to and acknowledging these stories, Blk-BritDem aims to become a part of the community striving for racial justice, ‘I hear you. I see you. I walked with you.’ In doing so the book reflects the protesters’ main message, one of solidarity and hope.

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## How to apologise

In the aftermath of the great atrocities, restorative processes are still rarely strategically used to address the harm and to support people to regain a sense of safety, dignity and respect. Without such processes, the rhetoric of blame and victimisation perpetuate polarisation and shape collective memory of a perennial struggle — of ‘us’ versus ‘them’ — and the verdicts of international criminal justice mechanisms in the mindset of ordinary people become just one more way ‘our boys’ are unjustly accused and incarcerated.

Attempts to address victims’ grievances were rare and far between and, when the apologies were issued, they were half-hearted and did not clearly state the act, the perpetrator and the harm done.

A four-year armed conflict in post-Yugoslav countries which occurred three decades ago has left the newly independent states with visible signs of destruction and with claims of injustice and grievances

fuelled by inflammable rhetoric and by worsening living conditions for most of the population, especially for those in rural areas or belonging to minorities. Although the harm done has been documented thoroughly by the International Criminal Tribunal for the former Yugoslavia, the victims have not received appropriate acknowledgement of their suffering and losses from the elected representatives of those in whose name the war crimes have been committed. Attempts to address victims’ grievances were rare

and far between and, when the apologies were issued, they were half-hearted and did not clearly state the act, the perpetrator and the harm done.

Young activists stepped in and wrote a handbook for political leaders on how to apologise properly. Branka Vierda from [The Youth Initiative for Human Rights](#) explains why a handbook *How to Apologize for Crimes* was published in 2018 in order to help politicians apologise for crimes committed against Croatian Serb civilians during and after the Croatian Army's Operation Storm at the beginning of August 1995:

Symbolic reparations such as apologies strongly contribute to reducing social segregation, mutual intolerance and hate in society by resolutely, clearly and unambiguously condemning perpetrators of violations of international humanitarian law and international human rights law. With these symbolic gestures, the victims get back their dignity and hope that the brutality will not be repeated.

... an apology, as a symbolic gesture, should be publicly offered to victims in their presence at the place where the crimes took place, or one that has a strong symbolic significance, and should also include the recognition of specific crimes committed and acceptance of responsibility for them.

Twenty three years after the end of war, not one senior state official has sent a sincere apology to the victims of the crimes and grave violations of human rights that have been committed by members of Croatian institutions or units controlled by Croatia. The Youth Initiative for Human Rights called on Croatian President and Prime Minister to apologise for the crimes committed during and after the Storm military operation, assessing that the politicians' stance on victims was deteriorating by the year.

The handbook highlights that an apology, as a symbolic gesture, should be publicly offered to victims in their presence at the place where the crimes took place, or one that has a strong symbolic significance, and should also include the recognition of specific crimes committed and acceptance of responsibility for them. It should also include a condemnation of the crimes and all activities that led to them. Youth Initiative for Human Rights also emphasised that in 2005, the UN General Assembly passed the Resolution 60/147, which recommends a public apology, 'including acknowledgement of the facts and acceptance of responsibility' by states for crimes committed by their forces.

The handbook also lists what it describes as good and bad examples of apologies given by statesmen in recent history, domestic and foreign ones.

2020 has provided numerous examples of grievances not heard and not acknowledged, and apologies not issued to the victims and to the survivors, and in this issue of the newsletter we brought some of them to the attention of our readers. The articles highlight some of the challenges in initiating and carrying on restorative processes when the harm transcends individual boundaries and interpersonal relationships. Speaking up to our political representatives and educating them on the importance of and on proper ways of addressing the harm done on our behalf is an important part of that process.

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## Calendar

**EFRJ Conference** June 2022 Conservatorio Luigi Canepa Sassari, Sassari, Sardinia, Italy. More information from [EFRJ](#).

## Call for submissions

### Articles

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

### Book reviews

We very much welcome reviews of books and articles from our membership. If you have published a book and would like to submit it for review, please send it to the [Secretariat](#).

### Events

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

## Not an EFRJ member yet?

Join forces with other RJ professionals throughout Europe and beyond and sign up via [our website](#). (If you are a member but have not yet renewed for 2020, you can use the same link.) The process only takes five minutes. You can also email the [Secretariat](#) or use the address below.

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