12th international seminar of the European Forum for Restorative Justice

Policy Matters in Restorative Justice
Mapping a field in its process of growth and innovation

Pamplona – Spain, 22-23 June 2023
Cultural center CIVICAN, Avenida de Pío XII 2
Local host/organiser: Government of Navarre

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Welcome

**Ongi etorri!**

Welcome to Pamplona, dear participants of the 12th seminar of the European Forum for Restorative Justice.

More than two thousand years ago, the people who inhabited this area of Europe used to place welcome signs and good omens at the entrance of their houses. Recently, this beautiful archaeological piece was discovered, the so-called Hand of Irulegi, which has been interpreted as one of these symbols of welcome. Its main inscription reads “sorioneku”, which has come to mean “good fortune” in Basque ancient language. This hand, therefore, would be wishing good fortune to everyone who entered the town and, therefore, symbolically, I want to place it at the beginning of this introductory text to the Seminar to wish you all a joyful stay in Pamplona.
Navarre is a land connected to its historical past and open to the latest innovations. That is why it is a land in which restorative justice has found fertile ground to grow. Restorative justice is a very innovative way of doing justice and, at the same time, it is a vision of justice that connects us with our deepest and most ancestral human needs: with our need for understanding, connection, bond and belonging.

In this international Seminar, we hope to share the progress that Navarre has made in the field of restorative justice and, at the same time, to establish ties and connections with the advances that are taking place throughout the world.

“Policy matters in Restorative Justice” is the inspiring title of this Seminar. Democratic politics matter and democratic politics are always built collectively and collaboratively. The first experience of restorative justice in Navarre was generated in this collaborative way. It was the initiative of a group of lawyers and other professionals who wanted to transform the justice system. They created a victim–offender mediation pilot project and the Navarresse Mediation Association (ANAME) to make it a reality. This project was consolidated with the support of the Government of Navarre and the judicial and fiscal bodies of this territory, becoming one of the most important in the country. This is an example of how civil society, the public administration and the judiciary knew how to do politics collectively.

The politics that matter is done collectively and attached to the local territory where they are born, but also open to the world. Here in Navarre, the restorative justice policy, a policy of the common good, found allies in other communities, such as Catalonia and the Basque Country, and received an important boost from Europe. In this way, the regulations emanating from the European Union, such as the European Directive 2012 on the Rights of Victims, and the Council of Europe, such as the Recommendation 2018 on Restorative Justice, have helped to strengthen restorative justice in Navarre. Inspired by these norms, this community is the first in Spain to have a Law on Restorative Justice and Restorative Practices and this is one of the issues that we want to share in this international Seminar: the importance of cross-fertilization between the local and the international, between the traditional and the innovative.

This Restorative Justice Law establishes the right of every citizen of Navarre to access a quality public service aimed at achieving reparation for the damage caused, responsibility and reintegration for offenders and the participation of people and communities affected by crimes. Moreover, it promotes a social and community approach: the restorative processes will aim at promoting a culture of peace in the affected community and in society in general, trying to foster the conditions that prevent harmful behaviors from being repeated.
As an important innovation, this is the first European Law including community restorative practices as tools for the prevention and resolution of non-judicial conflicts, as well as the promotion of social cohesion, which seek to generate collective conditions of trust, respect and care, so that conflicts that may arise are managed in their initial stages spontaneously by the community.

With your participation, this Seminar can be a first step to build restorative cities and regions throughout Europe in which peace and dialogue will be the way for a better future. For this reason, from Navarre to Europe (and beyond) we want to continue sharing, learning, creating collective politics, organizing our common home according to the principles of respect and inclusion, support and understanding.

Again, sorioneku to all!

**Jorge Ollero Perán**

Board member of the European Forum for Restorative Justice (EFRJ)

Director of the Penal Enforcement and Restorative Justice Service of the Government of Navarre
Introduction

In the past 10 years, several international legal and policy instruments have been published to support the use of restorative justice in criminal justice matters. Starting from the adoption of the EU Victims Directive in 2012, the first binding EU legislation defining and informing about high quality restorative justice services supporting and protecting victims of crime, until the Council of Europe Venice Declaration in 2021, unanimously adopted by the Ministries of Justice of the CoE, reinforcing the CoE Recommendation in 2018 dedicated to the role of restorative justice in criminal matters, the restorative justice field has rapidly advanced also in its practices. Indeed, the areas of application of restorative justice within the criminal justice system have expanded to the different stages of criminal procedures as well as to the most complex and serious crimes, such as gender-based violence, child abuse and violent extremism. Despite the policy developments and innovative practices supported by evidence-based research, restorative justice remains under-used for different reasons impacting access to these services, such as lack of awareness and cooperation with potential referring bodies (e.g. police, victim support services, judicial authorities) and lack of well-funded high quality restorative justice services in all countries. This international seminar aims at creating a bridge between policies and practices in the field of restorative justice. The focus is twofold:

— Discussing how policy can support the development of restorative justice practices, institutionally and concretely, at the regional, national and international level;

— Reflecting on other emerging policy areas, beyond those directly related to restorative justice, that focus on critical areas of application for restorative justice (e.g. gender-based violence; polarisation and hate; racism; links with victims support, probation and prison work).

The programme includes plenaries and parallel workshop sessions. Plenaries have different focuses: the keynote speech will look at the restorative justice field as a movement influencing public policies; one plenary will reflect on some challenges of the field in terms of access to restorative justice to serious and complex cases; another one will be a dialogue between committed policymakers in the field and will provide a “state of the art” of the EFRJ policy work; the last one will present challenges and ways to move forward in the field. Parallel workshop sessions are dedicated to emerging policy areas and specific practices relevant for access to high quality restorative justice services, presented by participants and/or by representatives of the EFRJ Working Groups and Committees.
Main themes

The seminar primarily focuses on recent policy developments in the field of restorative justice (and related ones in criminal justice), at the regional, national and/or international levels, and it aims at exploring how policy work and decisions influence practice and research. For the parallel workshops, we especially welcomed contributions from members of the “European Restorative Justice Policy Network”, members of the national networks “Restorative Justice Strategies for Change”, and members of the EFRJ Working Groups and Committees. However, all participants were encouraged to propose a workshop session dedicated to their work, main areas of interest, challenges and opportunities in the field of restorative justice.

Reflections and discussions focus on practice developments, quality standards (for practice and training), legislation (regional, national and international), interagency cooperation (including relationship/ trust building with relevant stakeholders), awareness raising (with the public as well as with interested professionals), research (particularly data collection and evaluation), mostly within the criminal justice system (other areas are also explored).

The following questions may trigger some reflections:

- **Practice developments** – Why does it matter to work at the policy level? How can policy influence practice? How can restorative justice values and practice principles influence governance models (in prisons, cities, schools, etc.)? How can we encourage a restorative culture within existing criminal justice systems? How to ensure that restorative justice becomes mainstream in all jurisdictions? How to design and implement a regional and/or national action plan for the promotion and development of restorative justice?

- **Quality standards** – How to be self-critical and still constructive about restorative justice work, also when challenges arise? How to define “success” in a restorative justice case and how to translate all outcomes (even when not successful) in policy strategies? How to encourage its use in specific settings (e.g. in cases of gender based violence, with child victims) and ensure high quality practice standards?

- **Legislation** – How can the EU, the CoE or other international policy instruments influence change at the regional, national and/or international level? How to put into practice policy documents? What challenges and opportunities do you
experience with existing (or not existing) restorative justice legislation in your country? How would you imagine a potential European directive on restorative justice?

— **Interagency cooperation** – How to ensure more mutual support, connections and cooperation between policy work done at the regional, national and/or international level? How to encourage more sharing of experiences within the restorative justice field (practice, policy, research) and with other fields (such as victim support, prison, probation, urban security)? How to establish local partnerships (e.g. with the police, victim support, municipality, health services, research centres) to guarantee better responses to citizens’ needs of justice and security? How to establish dialogue with professionals and organisations showing resistance over the implementation of restorative justice in certain cases? How can the EFRJ support regional and/or national policy work and how can its members and partners support the EFRJ’s international policy work?

— **Awareness raising** – What strategies are in place to raise public awareness, and especially to inform policymakers, the judiciary, legal and social work professionals, and law enforcement, about the benefits and challenges of restorative justice? How to foster cooperation with the media, and introduce restorative justice through the mainstream entertainment and communication channels (e.g. television, cinema, radio)? How to engage with participants (i.e. victims/ survivors and those responsible for the harm) to make their personal justice journeys known to the wider public?

— **Research** – How to propose, deliver and evaluate high quality restorative justice practices and training to increase better access to restorative justice services? What research methodologies exist to evaluate restorative justice services and provide evidence of the efficacy and efficiency of restorative justice? How to align quantitative and qualitative data collection of restorative justice cases to the methodologies used in criminal justice? How to measure the social impact of restorative justice to support policymaking and funding of services? How to translate research findings in advocacy strategies?
Programme

Wednesday 21 June / 18–20h
Venue: CIVICAN – Avenida de Pío XII 2, Pamplona

17:00–18:00 Registrations
18:00–20:00 Annual General Meeting of the EFRJ membership
20:00–21:00 Reception

Thursday 22 June / 9–18h
Venue: CIVICAN – Avenida de Pío XII 2, Pamplona

08:30–9:00 Registrations
09:00–09:45 Welcome (moderator: Jorge Ollero Perán)
   — Patrizia Patrizi, EFRJ Chair of the Board
   — Edit Törzs, EFRJ Executive Director
   — Ana Gallego (video message), European Commission's Director-General of Justice and Consumers
   — Eduardo Santos, Minister of Migration Policies and Justice of Navarre
   — Jorge Ollero Perán, Director of the Penal Enforcement and Restorative Justice Service of the Government of Navarre

09:45–10.30 Plenary I (moderator: Edit Törzs)
   — Diego Galego, Public Policy Expert (Brazil/ Belgium)

10:30–11:00 Comfort break
11:00–12:30 Parallel Workshops I
12:30–14:00 Lunch
14:00–15:00 Plenary II (moderator: Idoia Igartua)

— Carme Guil, Magistrate and President of GEMME (Spain)
— Estelle Zinsstag, Lecturer in Criminology at Edinburgh Napier University (United Kingdom)

15:00–16:30 Parallel Workshops II

16:30–17:00 Comfort break

17:00–18:00 Plenary III (moderator: Laura Hein)

— Annie Devos, Director General for the Houses of Justice, Wallonia–Brussels Federation (Belgium)
— Eduardo Santos, Minister of Migration Policies and Justice of Navarre (Spain)

Restaurant: Geltoki – Antigua Estación de Autobuses, Av. del Conde Oliveto 6, Pamplona

20:00–23:00 Social dinner

Friday 23 June / 9–13h

Venue: CIVICAN – Avenida de Pío XII 2, Pamplona

08:30–9:00 Registrations

09:00–10:30 Parallel Workshops III

10:30–11:00 Comfort break

11:00–12:30 Plenary IV (moderator: Petra Sachova)

— Ivo Aertsen, Emeritus Professor of Criminology at the University of Leuven (Belgium)
— Claudia Mazzucato, Professor of Criminal Law at the Catholic University of Milan (Italy)
— Anna Carrascosa, Criminal Judge (Spain)
— Alfredo Casares, Journalist, Founder and Director of the Instituto de Periodismo Constructivo (Spain)
12:30-13:00 Closing remarks (moderator: Jorge Ollero Perán)

— María Chivite, President of the Government of Navarre
— Rafael Sainz de Rozas, Director General of Justice of the Government of Navarre
— Patrizia Patrizi & Edit Törzs, EFRJ Chair and Director

13:00-14:00 Goodbye lunch

Departure from/ arrival to: Hotel Tres Reyes – Calle Taconera 1, Pamplona

14:20-14:30 Meeting in front of the Hotel Tres Reyes – bus departure at 14:30
14:30-16:30 Optional visit to the Fort of San Cristobal

Visit to the Fort of Saint Cristobal – Mount Ezkaba

The Fort of Alfonso XII, better known as Fort of San Cristobal, is an abandoned military fortress located at the top of the mount Ezkaba, the prominent hill that closes the basin of Pamplona up to the North-West. Initially, it was built in 1878 to defend the city, but since the early 30s was made into a prison and was used for this purpose until 1945. As a jail for political prisoners, inside these walls systematic tortures and executions took place, and it provided the stage for one of the bloodiest chapters of the Spanish Civil War. On 22 May 1938, 795 Republican prisoners escaped from the fort. They all were killed or captured by Francoist troops, except for three men who managed to travel on foot 53 kilometres to the French border. Still nowadays, forensic researchers have found new massive graves around the slopes of the mount and the footpaths to the fort are place of memory and remembrance.

The visit to the Fort is free, offered by our local host, the Government of Navarre. **Registration is needed**: if you did not register via the webform, or if you registered and you wish to cancel your participation, please go to the info desk. A bus will depart from Hotel Tres Reyes in Pamplona at 14:30 on Friday 23 June (7 km/ 25 min bus drive). The estimated time of the visit is one hour. There will be a guide (English speaking) specialized in history and democratic memory, as well as a military police escort. Note that photos can be taken only outside the Fort.
Plenary I

This year, our keynote speaker is an outsider to the restorative justice community: Diego Galego’s expertise is in uncovering the impact of social movements on policy making. He has shown great enthusiasm to learn about the restorative justice movement; his speech will support us in thinking what actions the restorative justice community can take to influence policy making. After the plenary, he will take part in one of the parallel workshop sessions for a short intimate talk on his presentation.

Diego Galego

Public Policy Expert (Brazil/ Belgium)

Diego Galego, originally from Brazil, is a public policy expert focusing on uncovering the impact of social movements on policymaking. In his recent book, Queering Public Policy, he explores the influence of Brazil’s LGBTQ+ movement on public policy. Diego holds a Doctorate in Political Science from the KU Leuven Public Governance Institute (Belgium) and a public policy from the University of Aveiro (Portugal). In addition, he works as a Postdoctoral Researcher at the University of Liège, Belgium.

Social Movements’ Influence on Public Policymaking: Exploring Strategies

Public policy is often created behind closed doors. However, social movements have always deployed various strategies to involve underrepresented citizens in policymaking, challenging the existing socio-political systems and institutions and striving for socio-political change and transformations. However, social movements often face significant constraints when scaling up, constrains which require negotiation skills and political knowledge to influence policy and enact the change they envision. By studying different social movement collective actions in different countries, we can identify patterns of successful strategies and understand possible mechanisms of influence of social movements on policymaking processes and institutions. Hopefully, this repository of ideas, knowledge and practices can provide inspiration for the restorative justice movement in its attempts to change and transform the systems and institutions in which it operates.
Plenary II

This panel zooms in on the use of restorative justice in cases of serious harm against specific vulnerable groups, such as women victims of violence. Starting from the recent Spanish prohibition to use mediation in gender-based violence and sexual violence (adopted in Autumn 2022), we invited judge Carme Guil (Spain) and academic Estelle Zinsstag (UK) to present the potential and challenges of this area of application for restorative justice. This panel is moderated by Idoia Igartua, lecturer in Criminal law at the Faculty of Law of the University of the Basque Country (Spain).

Carmen Guil Roman

Magistrate and President of GEMME (Spain)

Carmen Guil Roman is a Magistrate of the Provincial Court of Barcelona (Section 3) with non-exclusive jurisdiction in Juvenile Justice and is the President of GEMME Spain (European Group of Magistrates for Mediation). In 2019, Carmen received the Medal of Honour of the Generalitat de Catalunya for exceptional services to justice in recognition of the work to introduce mediation in the criminal justice field as a resource for establishing peaceful and constructive conflict management. In 2020, she was awarded the Medal of professional merit of the Spanish School of Mediation and Conflict Resolution for her high standing in promoting the culture of peace, dialogue, conflict resolution and mediation. Carmen co-authored a series of publications, including practice guides, in relation to victims’ rights, trafficking of human beings, child victims and child justice. She also coordinated training courses and participated as a lecturer in numerous conferences and master programmes on topics related to gender-based violence, domestic violence, juvenile justice, and restorative justice.

Restorative approaches to violence against women in Spain

In Spain, the comprehensive law against gender violence was passed in 2004 (organic law 1/2004 of 28 December) and the comprehensive law against sexual violence in 2022 (organic law 10/2022 of 6 September). These laws have been a great step
forward in the fight against gender violence in its different forms and have incorporated a comprehensive approach to women victims of these crimes. However, according to GEMME Spain (European Group of Magistrates for Mediation), there is one aspect that needs to be improved: the prohibition of initiating mediation and conciliation processes in the aforementioned areas. This prohibition generates a comparative disadvantage for women victims of this type of violence in relation to other victims of even very serious crimes, deprives women of a voice and community recognition and perpetuates them in the role of victims without allowing them to turn the page or recover a life free of violence. At the same time, it ignores European and international experience on the benefits of restorative processes in this type of crime.

**Estelle Zinsstag**

*Lecturer in Criminology at Edinburgh Napier University (United Kingdom)*

Estelle Zinsstag is a lecturer/assistant professor of criminology at Edinburgh Napier University and a senior researcher (since 2008 – currently associate) at the Leuven Institute of Criminology (KU Leuven, Belgium). She is also a research associate at the Centre for Criminology (University of Oxford). She has published over 40 outputs, mainly in the fields of sexual/gendered violence, restorative and transitional justice, including with Marie Keenan the edited collection *Restorative responses to sexual violence: legal, social and therapeutic dimensions* (2017) and the book *Sexual violence and restorative justice: addressing the justice gap* (2022). She also recently co-authored a report for Scottish Government, *Risk and mitigation in restorative justice* (2022). She is a founding member and a co-chief editor of *The International Journal of Restorative Justice* and of the book series *Studies in Restorative Justice* published by Eleven. She is co-chair of both the Scottish Network of Restorative Justice Researchers and the Working Group on Restorative Justice at the European Society of Criminology. She is a member of the EFRJ Working Group on Gender-Based Violence, of the Scottish Centre for Crime and Justice Research and of the stakeholder group guiding Scottish Government on the development of restorative justice in Scotland. She is currently working on a Scottish Government funded project to develop a national service providing restorative justice in cases of sexual violence.
The potential and challenges of restorative justice in sexual violence cases

Sexual violence is a crime that is frequent and widespread but whose survivors in their great majority do not receive (adequate) redress. It is a crime with high levels of attrition, for which victims may feel discouraged or even punished for coming forward and sometimes re-victimised by criminal justice and other processes. It is a widely recognised fact that the current and traditional approach to ‘justice’ is limited in what it can offer to either victims or offenders of sexual crimes and that therefore many of their needs are not met.

The theory and practice of restorative justice is rapidly developing and offering some well-argued new avenues for dealing with crime in general and particularly with sexual violence. In her presentation, Estelle will show that victims/survivors are the main initiators, and that practice is ahead of theory and is quite established in some jurisdictions but in some cases needs to stay ‘under the radar’ due to various challenges to its implementation. It is the intention of this brief presentation to examine restorative justice practice in more depth in this particular context and its developments around Europe, with a particular focus on the developments in Scotland.
Plenary III

This panel brings together two prominent figures working at the policy level in their regions: Annie Devos (Belgium) is the Director of the Belgian French-speaking General Administration ‘Houses of justice’ and Edoardo Santos (Spain) is the current Minister of Migration Policies and Justice of Navarre. While Belgium has a long history in the field of restorative justice, with a law on mediation since 2005, Navarre is pioneering a bright new law on restorative justice and restorative practices. This panel is moderated by the EFRJ Policy Officer Laura Hein, who will share some recent developments regarding the EFRJ policy work.

Eduardo Santos Itoiz

Minister of Migration Policies and Justice of the Government of Navarre (Spain)

Eduardo Santos Itoiz is the current Minister of Migration Policies and Justice of the Government of Navarre (2019-2023). He graduated in Law from the University of Navarre (UN - Universidad de Navarra), he conducted research at the Public University of Navarre (UPNA - Universidad Pública de Navarra) and is an academic expert in mediation and family guidance from National University for Distance Education (UNED - Universidad Nacional de Educación a Distancia). He had been an associate professor at UPNA in criminal law, criminology and penitentiary law (2007-2015) and professor at the School of Legal Practice "Estanislao de Aranzadi" (2003-2015). Between 1996-2005, Eduardo was a practicing lawyer and, starting from 2008, he had been a penal mediator, participating also in the mediation processes between victims and former ETA members (2010-2011).

Navarre news: community restorative practices

As a public power, justice is assigned an essential function in promoting the conditions that make freedom and equality of citizens real. For these reasons, it is essential to give specific weight to public policies related to justice. We must vindicate the deep political meaning of this viewpoint. The restorative approach, as the most fruitful and consolidated paradigm, is at the centre of the construction of a more democratic
justice that is closer to people’s needs. This regulation is justified by international instruments such as the 2021 Venice Declaration, which highlights restorative justice as a broader culture that must permeate the criminal justice system. What is new in Navarre is the regulation of community restorative practices, as tools for the prevention and resolution of non-judicial conflicts, as well as for the promotion of social cohesion. This intends to generate collective conditions of trust, respect and care, so that conflicts that may arise are managed spontaneously by the community (at least in their initial stages). This is a contribution to point 16 of the UN Sustainable Development Goals.

Annie Devos

Director of the General Administration the Houses of Justice, Wallonia-Brussels Federation (Belgium)

Annie Devos has acquired a large experience throughout her career in the field of prison and probation. She has been prison governor (1988–1991), technical expert on prison policy for the Minister of Justice (1991–1995), seconded head of the department for policy and general affairs (1995–1997) and head of the department in charge of the individual inmates’ file (1997–1999) at the Ministry of Justice. Afterwards, Annie has run the Belgian probation department – called "Houses of Justice" - since its creation in 1999. At the time, the services depended on the judicial organisation and were then transferred to the services of the Ministry of Justice until late 2014. In 2015, the services were divided between the 3 linguistic communities due to the 6th State reform. Annie has been appointed as Director-General for the Wallonia-Brussels Federation, which comprises the head office, the 13 local houses of Justice, the Centre for Electronic Monitoring and the Centre for Assistance to People concerned by any Radicalism or Extremism leading to Violence (CAPREV) and subsidises partner services in charge of offenders’ and victims’ support. Annie Devos is the vice-president of the Council for penological co-operation (PC–CP) of the Council of Europe since January 2022, and the President of the Confederation of European Probation (CEP) since October 2022.
Restorative Justice in Belgium

Belgium is often mentioned as a pioneer country at European level when it comes to restorative justice. It is true that restorative justice has been integrated into our legislation since the 1960s in the area of juvenile justice and then formalised in the regulations for adults from the 1990s. However, a distinction must be made between restorative justice in the course of criminal proceedings (criminal mediation) and restorative justice independent of criminal proceedings as an 'aid to restorative communication' (restorative mediation). In order to further implement the principle of restorative justice, this principle has been included in a transversal text that frames the organisation and work of the Belgian probation services. This new foundation allows us to encourage restorative initiatives within our services and with our external partners. One of the challenges for our services today is to ensure that restorative justice maintains a central place as foreseen in the Council of Europe Recommendation of 2018. If there is indeed an individual responsibility of each actor working on restorative justice to make it accessible, there is also a societal responsibility to set the necessary guidelines for its use.
Plenary IV

The last panel focuses on some of the key challenges in the field of restorative justice (such as data collection, legal understanding of restorative justice, judicial training and awareness raising), and proposes ideas to move forward. Speakers will briefly present the issues and propose ways to move forward. This plenary is facilitated by EFRJ Board member Petra Masopust Šáchová, lawyer, academic, and chairperson of the Czech Institute for Restorative Justice (Czech Republic).

Ivo Aertsen
Emeritus Professor of Criminology at KU Leuven (Belgium)


Knowing where to go: the utility and futility of data collection

In order to develop restorative justice policies at the local or national level, we need to understand what we are doing, and what we are aiming at. This might sound self-evident, and systematically collecting information about our own activities might look superfluous and a burden to daily work. However, it is crucial to understand, for example, which groups of victims and offenders, and citizens in general, we reach, and which we are missing. Which types of crimes are we dealing with, and which types are not included in restorative justice programmes at all? Do we really offer a response to crime as it appears in society, or are we only dealing with crimes that are selectively processed through the criminal justice process? This and other questions will be reflected upon in this presentation, while also attention will be given to the need and the potential of developing a European data collection system for restorative justice and to undertaking research in a comparative way.
Claudia Mazzucato

Professor of Criminal Law & Restorative Justice at Università Cattolica del Sacro Cuore (Italy)

Claudia Mazzucato is Professor of Criminal Law and Restorative Justice and member of the Coordination committee of the “Federico Stella” Graduate School of Criminal Justice at Università Cattolica del Sacro Cuore, Milan (Italy). By appointment of the former Italian Minister of Justice, Professor Marta Cartabia, she took part in the expert commission in charge of drafting the comprehensive legislation on restorative justice in criminal matters, which was adopted and entered into force (legislative decree 150/2022). She volunteers as a restorative justice facilitator and is among the founders of the Group of the Encounter and the Encounter of the Encounters gathering persons involved in political violence.

Moving forward

From my legal perspective, I will try to briefly present a ‘tentative agenda’ for restorative justice to ‘move forward’ in the coming years. I will keep in mind both the European (CoE and EU) and the national legal frameworks. I will roughly address the following issues that I deem more urgent:

— the need to adjust the legal terminology in restorative justice normative tools (soft and hard law);
— the importance to stimulate a new debate around the position of victims in restorative justice (theory and practice);
— the relevance of clear(er) boundaries between restorative justice ‘in criminal matters’ and restorative practices in other settings;
— the commitment to curb the (over-) professionalisation of restorative justice that contradicts the underlying principles and the very history of restorative justice;
— the relevance of the efforts in favor of a far-sighted restorative justice capable to see the justice needs that still remain invisible, forgotten or unanswered.
Ana Carrascosa

Criminal Judge (Spain)

Ana Carrascosa has been a member of the judiciary since 1989. She holds a Master in Negotiation, Mediation and Conflict Management from the Carlos III University of Madrid. Since 1999 until 2011, and from 2022 until now, she has been working at the Criminal Court of Valladolid, where between 2006 and 2011 she developed a project of intra-judicial criminal mediation. In 2011 she joined the General Council of the Judiciary, where she became responsible for the projects of restorative justice and alternative dispute resolution (ADR). In 2020 she became the Advisor for the implementation of the new system of Restorative Justice and other ADR in the Cabinet of the Minister of Justice. During these years she has collaborated in different projects of the European Commission, among others in the RE-JUSTICE Project dedicated to judicial training on restorative justice.

Judicial training on restorative justice

We must admit that restorative justice is quite unknown, both by members of the judicial and prosecutorial careers, as well as by other legal practitioners and by the general public. This lack of knowledge must be taken into account when designing training, as it requires addressing both the specific training needs of judges and prosecutors, as well as providing them with communication capacities that allow them to convey to other justice professionals and the public what is restorative justice and what its use can mean in the justice system. Focusing on that specific training needs, the following aspects will be addressed: what is restorative justice (concept, principles, tools...), the legal framework on which it is based, how restorative justice is related to the traditional justice system, etc. Special emphasis should be placed on those forms of restorative justice that are directly related to the procedure, offering referral criteria, guidelines for issuing resolutions both for referral and approval of agreements, and a good understanding of the role of facilitators, their role and the relationship to be sustained between the courts and restorative justice services. The methodology will have to adequately combine theory and practice, and it is advisable to alternate personal work with group work, revealing that it is very useful to combine the face-to-face format with the online format.
Alfredo Casares

Journalist, founder and director of the Instituto de Periodismo Constructivo (Spain)

Alfredo Casares is a Spanish journalist, founder and director of the Instituto de Periodismo Constructivo, an organization that works along with journalists, media, universities and social entities to develop training programs, mentorship and consultancy on solutions journalism and constructive dialogue. Alfredo is Solutions Journalism Network Lede Fellow and Acumen Fellow for social impact. He is the author of the book "La hora del periodismo constructivo". He has recently launched the first training program on solutions journalism and restorative justice in Spain. Graduated in journalism, Alfredo has an MBA and an IE Advanced Management Program. He has worked for The Miami Herald and Diario de Navarra. He collaborates as a consultant with international media organizations such as Sembramedia or Stars4Media Program.

Media’s role to disseminate solutions

Media usually report on certain social groups with a paternalistic gaze and discourse. The judicial system makes social problems invisible and exempts us from facing them, and it is something to which the media often contribute with a story that justifies the punitive system compared to other alternatives such as restorative justice. Constructive and solutions journalism explain complex, structural social challenges, and not just their visible symptoms, and investigates the initiatives that exist to try to solve them. It helps journalists to broaden their gaze, to explain reality with all its nuances, and to overcome simplistic and stereotyped stories. What can we do to show this reality more completely? Listen more. Reflect more. Investigate more. Find out and show what responses are being offered in different parts of the world using restorative justice and its tools as alternatives to a purely punitive approach.
Parallel Workshops

EFRJ events are always the occasions to make your voice heard! While our Scientific Committee identified the main themes to be addressed in the plenaries, a call for proposals was launched to ask all our participants to contribute to the programme with presentations and panel discussions. We received more than 70 abstracts dedicated to relevant topics such as interagency cooperation, data collection and evaluation, public awareness raising and social impact, training and practice developments, financial challenges and fundraising in different areas of application of restorative justice (prisons, schools, communities, large scale conflicts as well as with specific crimes and vulnerable groups such as child abuse, women victims of violence, hate crime). There will be 7 rooms dedicated to the parallel workshops; each session lasts 80 minutes and it includes one or more presentations/ panel/ interactive workshop, spread over 3 workshop sessions (I–II–III).

Find the schedule and abstracts on the next pages.
### Thursday 22 June / 11–12:30h

#### Floor 0

**Auditorium**

**PANEL 80’/ Developing National Action Plans for Restorative Justice Implementation (1/2)** – Marder (IE), Aertsen (BE), Ollero Perán (ES), Fraser (UK), Masopust Šachová (CZ), Surva (EE), Rovira Aristu (ES)

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PANEL 80'
Developing National Action Plans for Restorative Justice Implementation (1/2)
 Marder (IE), Aertsen (BE), Ollero Perán (ES), Fraser (UK), Masopust Šachová (CZ), Surva (EE), Rovira Aristu (ES)

The 2018 Council of Europe Recommendation concerning restorative justice in criminal matters promotes national and inclusive collaboration on restorative justice policymaking. The 2021 Venice Declaration builds on this by explicitly asking Member States to ‘develop National Action Plans’ to implement the Recommendation. Since 2019, partners from the ten-country project Restorative Justice: Strategies for Change (RJS4C) have sought to take an inclusive approach to the development of national strategies. This is the first of two connected panel discussions that involve participants in learning how national action plans can be designed to support restorative justice implementation.

In this first session, speakers will: consider the importance of action plans in implementing European legal frameworks domestically (Marder, Aertsen); explore the design process, contents and implementation to-date of national plans developed by RJS4C partners (Šachová, Surva, Fraser, Marder); hear the story of legal and policy developments and the need for a (regional) action plan in Navarre, and ask questions and clarifications about the needs of the region (Perán, Aristu). We advise, but do not require, that participants come to both sessions (PWII, see p. 42).

Presenters
Dr. Ian D. Marder is Assistant Professor in Criminology at Maynooth University in Ireland. His work focuses on the development of restorative justice policies and services and restorative practices in criminal justice. He teaches restorative justice to student, professional and public audiences, and researches restorative practices in higher education contexts.


Jorge Ollero Perán promoted the first Spanish Regional Law on restorative justice and restorative practices. He coordinates projects in prisons and civil society organisations, and implements European projects on prisons, drug policy and restorative justice. Recently, he published Penalismo mágico (Magical penalism), challenging the belief that punishment solves social and political problems.
Gemma Fraser coordinates and delivers the COVID-19 recovery programme for community justice as part of the Scottish Governments Recover, Renew and Transform agenda for the justice system. She also provides expert knowledge and advice in restorative justice and leads on the delivery of accessible restorative justice across Scotland by 2023.

Dr. Petra Masopust Šachová is a lawyer, academic and restorative justice advocate. She is chair of the Institute for Restorative Justice (Czech Republic) and lecturer at the Department of Criminal Law of the Law Faculty of Palacký University in Olomouc. She is Secretary of the European Forum for Restorative Justice.

Laidi Surva is Youth Justice Team Lead at the Estonian Ministry of Justice. Her team focuses on the development of youth justice and restorative justice policies and services aimed at youth crime prevention, alternative sanctions and diversion schemes as well as aftercare for youth leaving prison or closed youth institutions.

María Rovira Aristu is a restorative facilitator and member of the Navarre Mediation Association (ANAME), part of the Restorative Justice Service managed by ANAME. She has experience in restorative processes in the criminal intra-judicial field, restorative dialogue workshops in criminal execution (alternative measures) and in the Ombudsman of Navarre.

CIVICAN – Floor 1 – Sala 1A

Q&A 20'
Intimate Talk on Social Movements and Policymaking
Galego (BE)

For those who wish to engage in a more intimate conversation with our plenary speaker (see Plenary I – p. 13), here there will be extra time for Q&A.

PRESENTATION 30'
Building Restorative Cities: The Role of Policy Innovators
EFRJ WG RCITIES

Nowadays, cities are not only the place where many citizens live, but also a living lab for co-creating knowledge and innovation in all areas (welfare, environmental, justice, etc.). According to Landry, innovation in urban contexts is fostered by a “creative milieu”, namely “(...) a place – either a cluster of buildings, a part of a city, a city as a whole or a region – that contains the necessary preconditions in terms of ‘hard’ and ‘soft’ infrastructure to generate a flow of ideas and inventions. Such a milieu is a physical setting where a critical mass of entrepreneurs, intellectuals, social activists,
artists, administrators, power brokers or students can operate in an open-minded, cosmopolitan context and where face to face interaction creates new ideas, artefacts, products, services and institutions (…).” (Landry 2008:133). This theory is further developed by Florida (2002), who sustains that innovation in urban contexts is fostered by three main factors: technology, talents and tolerance. However, nowadays this “creative milieu” is put at risk by social transformations (e.g. economic inequalities, migrant influxes, shrinking cities, ageing population, increasing polarisation) to which cities are subject to, that often result in social tensions and conflicts hindering key factors for innovation, as tolerance and dialogue between actors in a city. Indeed, according to Tonkiss (2020) and Balducci et al. (2020), increasing economic inequalities result in “an unequal distribution of respect, recognition and rights between the various urban actors” (Vecchi, 2021, p.7-8); migrant influxes are often at the basis of conflicts with residents and raise of populist parties (Vecchi, 2021); increased polarisation results into the end of the dialogue and clashing struggle (Ecorys, 2021). In this context, restorative cities have the potential to contribute to the development of the soft “infrastructure” and tolerance in cities through spreading the restorative justice values, developing healthy and just relationships in all layers of the society, empowering communities to deal with harm and causes beneath it and entrusting them with the confidence to solve their own problems/conflicts and to define together their own set of social values, as well through integrating restorative justice methods and tools into the wider city system, including in the criminal justice system. Restorative cities do not only contribute to innovation in cities, but they represent an innovation process themselves.

This presentation draws on the analysis of restorative cities in and beyond Europe (Bristol, Canberra, Como, Lecco, Leuven, Tempio Pausania, Tirana, Vancouver, Wroclaw, Whanganui), undertaken by the Working Group of Restorative Cities together with representatives of restorative cities of Canberra, Vancouver, and Whanganui, and focuses on the role of policy innovators (so-called policy entrepreneurs) in building restorative cities. The role of these actors in developing policy innovations (as restorative cities in our case) has been long acknowledged by several political scientists. According to Kingdon (1984, p.129) policy entrepreneurs “could be in or out of government, in elected or appointed positions, in interest groups or research organizations. But their defining characteristic, much as in the case of a business entrepreneur, is their willingness to invest their resources – time, energy, reputation, and sometimes money – in the hope of a future return. That return might come to them in the form of policies of which they approve, satisfaction from participation, or even personal aggrandizement in the form of job security or career promotion.” Mintrom (2000) sustains that policy entrepreneurs are actors who promote collaborative efforts
in or around public institutions to promote policy innovations. What distinguishes policy entrepreneurs from other actors is not only their capacity to initiate policy change or to implement it, but rather their involvement throughout the entire policy innovation process. This presentation will analyse who policy entrepreneurs in restorative cities are and how they act to pursue the innovation goal (i.e. building a restorative process). The presentation will include an initial overview of policy entrepreneurs in 10 restorative cites and a second part deepening understanding on these actors in 2 Dutch cities (Utrecht and Amsterdam).

**Presenters**
Cristina Vasilescu (Italy) and Jolan Arnout Van den Broeck (The Netherlands) are the Chairs of the EFRJ Working Group on Restorative Cities. Cristina is an expert in social research and public policy analysis and evaluation, active also in the restorative justice field, particularly in the restorative cities of Lecco and Como. Jolan is a Belgian student and researcher in criminology and criminal justice, currently working for Restorative Justice Nederland.

**DISCUSSION 30’**
**Awareness Raising for Restorative Justice:**
**The EFRJ Newsletter & Blog**

The aim of the session is to enhance the “performance” of the newsletter and blog, especially when it comes to awareness raising within and outside the EFRJ membership. Therefore, we would like to gather the participants’ input to our work. We want to know what their expectations are regarding the PDF newsletter and the blog. The session will start with a short presentation of some of the findings from the survey regarding the communication of the EFRJ. Based on that, Laura and Kim will discuss a couple of questions with the participants. Depending on the size of the workshop, that will be done either with the group as a whole or after splitting participants up in smaller groups. We are interested to learn how participants envision an ideal newsletter/blog and how we can get there. We would also like to know how the newsletter & blog can become more inclusive and interactive - and what participants will say their role in such a model would be. As a third topic, we would ask participants to imagine how the newsletter can (better) contribute to awareness raising for restorative justice. After the discussion, Laura & Kim will wrap up the session with the participants and formulate take-home messages for them and the committee. The session might be turned into a newsletter article/blog piece to let all the membership know and continue the process of involvement of EFRJ members.
Presenters
Laura Schmidt (Hungary) and Kim Magiera (Germany) are members of the EFRJ Editorial Committee. Laura is currently a PhD student at the Doctoral School of Law Enforcement and an associate researcher at the Europe Strategy Research Institute of the University of Public Service in Budapest. She holds a degree in Psychology and a masters in Applied Forensic Psychology from the University of York and is a trained mediator in penal matters. For her PhD, she studies the available mediation and restorative justice services for victims and offenders in Hungary. Kim is currently working as a researcher in a project on domestic violence at the University Clinic Ulm. She holds a diploma in pedagogy and a master’s degree in international criminology – and is a trained mediator in penal matters. For her PhD, she analyses the interactions in victim–offender mediation with a focus on possible transformative growth processes of victims and offenders.

CIVICAN – Floor 1 – Sala 1B

PRESENTATION 20'
The History of Restorative Justice Policy in Scotland
Kirkwood (UK)

High-level political support for restorative justice in Scotland is at its strongest for many years, and yet the availability of restorative justice services is much lower now than it was in the mid-2000s. To explore the reasons behind this contradiction, we undertook an oral history project on the development of restorative justice policy and practice in Scotland. Oral history was used as the formal documentation of the development of restorative justice is relatively limited, especially before it entered legislation, and because the label ‘restorative justice’ was not originally applied to practices that later came to be known as restorative justice. We completed 16 online interviews with people involved in restorative justice policy, practice and research in Scotland, exploring the development of restorative justice from around the late 1980s to the Scottish Government’s 2019 Action Plan to make restorative justice widely available. We coded the data thematically, looking for key themes and issues regarding enablers and barriers to the development of restorative justice. We also created detailed individualised timelines to help identify key events and examine similarities and differences between the accounts. We found that specific individuals played key roles in advancing – and sometimes inhibiting – the development of restorative justice. Participants highlighted that resources and funding were critical to the development of restorative justice, and while political commitments were sometimes matched with increased resources, which would lead to expanded services, political commitments without resources did not lead to more services. International connections were
valuable for the development of restorative justice, with travel and migration leading to the circulation of ideas between Scotland and other countries. The European Union Directive on victims’ rights was seen as providing a springboard for furthering restorative justice in Scotland, ultimately leading to the potential of restorative justice being framed in relation to addressing the needs of victims, whereas previously it had tended to be treated as relating to interventions directed at people responsible for harm. Victim support organisations were seen as having a complex relationship with restorative justice, sometimes working as advocates, and sometimes as critics. Gender-based violence and domestic abuse were seen as challenging issues for the development of restorative justice in Scotland. Overall, the study sheds light on the complex relationships between individual actions, policy initiatives, practice innovations, and resource commitments regarding the development of restorative justice in Scotland, with implications for restorative justice and criminal justice policy development more broadly.

Presenter
Dr Steve Kirkwood conducts research on restorative justice, justice social work, and the integration of refugees. He has published in a range of international journals, including Criminology & Criminal Justice, Theoretical Criminology, and the European Journal of Criminology. He is a Co-Chair of the Scottish Network of Restorative Justice Researchers. For the study above, he cooperated with Leo Kritikos, PhD candidate in Law.

PRESENTATION 30'
Public Opinion on Restorative Justice in the Czech Republic
Juráš & Novák (CZ)

The restorative model is considered to be an alternative to the standard criminal proceeding by promoting a different set of values and principles. However, the usual retort to any form of restorative justice is based on the notion of a lack of interest from the public. Furthermore, it is assumed that any willingness to participate would be tainted by an overly punitive approach seeking revenge and severe punishment instead of restoration and healing as restorative justice proposes. Such statements are certainly nothing new for restorative movement but because each community and its interpretation of restorative justice greatly differs from each other more precise research is required to properly verify contemporary sentiments. We (the authors) hoped to expand upon this regarding our home country, the Czech Republic, and for this reason, we designed a research whose sample was the public of the Czech Republic.
and its opinion on the restorative movement. Our goal was to firstly verify the factuality of mentioned assumptions and subsequently explore factors that either positively, or negatively influence Czechs in their views on restorative justice. In other words, based on the data collected, we created a typology of crimes and associated factors for which there is the broadest support for the use of restoration and for which there is not. This presentation aims to share findings regarding one of the main features of restorative justice – voluntariness; it is crucial for anyone creating the agenda of criminal justice to reflect on the public opinion about restorative justice in these matters. It is meaningless to promote use of restorative justice where the general public does not see the benefits of such approach and are positioned against usage of restorative practices. The goal is to open new avenues for academic discourse exploring the possible variety of interpretations of restorative justice in the Czech Republic which in turn could lead to new discussion domestically and abroad. To summarize, this research presents the general public opinion of the Czech Republic towards restorative practice. It aims to provide an answer to whether the concerns expressed among legal professionals hold true or if they are only unfounded perceptions. To build upon these findings, we also design a categorisation of criminal cases that are in the view of the Czech people most appropriate for a restorative approach, why it is so and if it is reflected in Czech criminal law.

Presenters
Adam Juras is a second year PhD student at Faculty of Law of Masaryk University, Department of Legal Theory, with focus on restorative justice and its theoretical and sociological legal aspects. He is the leader of project "Perception of Restorative Justice by the Czech Public – Empirical Research", funded by Masaryk university. Jakub Novák is a third year Master’s degree student at Faculty of Law of Masaryk University, member of the Institute for Restorative Justice and part of the research team of the cited project "Perception of Restorative Justice by the Czech Public – Empirical Research".

PRESENTATION 30'
The Social Construction of Juvenile Delinquency in Brazil: Implications to Restorative Justice as a Responsive Public Policy
Salm (US)

Restorative justice has spread in Brazil through different agencies and approaches: means of communication (social and print media), formal organizations (judiciary, legislative and executive branches of government) and civil society (non-profit
organizations, community organizations and international organizations). However, these different agencies have construed restorative justice’s principles and practices in somewhat “paradoxical” ways. They have perpetuated a discourse of this “new model” of justice through the social construction of how certain groups of people, (i.e., juveniles who have broken the law) are perceived. This paper aims at sparking a conversation of how public policy development in Brazil could benefit from the theory of Social Construction of Target Populations. “The theory contends that the social construction of target populations has a powerful influence on public officials and shapes both the policy agenda and the actual design of policy... Policy sends messages about what government is supposed to do, which citizens are deserving (and which not), and what kinds of attitudes and participatory patterns are appropriate in a democratic society (Schneider & Ingram 1993, p.334).” The paper concludes that restorative justice principles and practices could benefit from co-produced strategies to establish the involvement of different branches of government, civil society, juveniles in the participatory process that determines public policies.

Presenter
Joao Salm is an Associate Criminal Justice Professor at Governors State University, Chicago, US.

CIVICAN – Floor 1 – Sala 2

PANEL 80’
Building an Economic Case for Child-Friendly Restorative Justice
Diallo (BE) & Jaffé (UK)

In times of austerity and economic crisis, how do we build an economic case in favour of child justice reforms and demonstrate long term social return on investments? How effective is public spending to ensure real investment in restorative practices and child-friendly justice? In Europe, children still face too long delays in legal proceedings and there is no evidence that deprivation of liberty reduces reoffending for children. Research has revealed that investing in the following four key areas of child-friendly justice proves to be more cost effective because of the social return on investment: prevention, diversion, community sanctions and alternatives to pre-trial detention and imprisonment. The Child Friendly Justice European Network, in partnership with Inspiring Children’s Future (University of Strathclyde), is therefore engaging in developing strategies for smarter financing in child justice. In order to aim for safer societies, i.e. preventing youth crime and reducing risk factors that lead children to
crime, investing in child friendly restorative justice appears as a great opportunity. The recent project led by Frank Grimsey Jones and Lucy Harris from “Why me?” represents an innovative approach to evidencing the value of restorative justice, and its findings are a clear demonstration that restorative justice can reduce reoffending and save money as well as helping victims to recover. The individual and social benefits of restorative justice are well-known by practitioners, and there is a continuously growing evidence base of the qualitative impacts of restorative justice. However, while individual stories and social arguments are compelling in demonstrating how restorative justice transforms lives, to encourage increased investment in restorative justice, we must also be able to demonstrate its substantial financial and economic potential. This research not only evidenced how for every £1 invested in restorative justice, there are £14 of benefits, but also that each direct restorative justice intervention reduced the average number of reoffences in the first year from 27 to 19. The workshop thus aims to bring together child justice and restorative justice practitioners and policy makers, to discuss how focused policies addressing community sanctions, restorative justice and reducing the number of children deprived of liberty, can save money and better protect young people, while contributing to an improved society in the long run. Outcomes of this workshop will be to propose concrete next steps, in collaboration with economists, to produce an advocacy paper and awareness-raising material for policy makers on social returns on investment, in order to clearly demonstrate that child friendly restorative justice can reduce reoffending and save money, as well as helping child victims to recover.

**Presenter**  
Mariama Diallo is the Coordinator of the Child Friendly Justice European Network, which ensures that the rights of children in contact with justice systems are respected. Mariama has a Master in International Law, with over 15 years of international experience on children’s rights and child justice with international organisations across the world and the French Diplomacy.  
Lucy Jaffé is the Director of the restorative justice organisation Why me? (UK). She contributes regularly to national and international platforms to promote and embed restorative approaches so that the people directly affected are supported to create thriving and positive communities.
INTERACTIVE 80'
Who's Responsible? A Case Study from School
EFRJ WG SCHOOLS

The workshop tells the story of what happened in a school. The workshop will be run as 'a café' where the participants will circulate from one table to another and discuss the story from different points of view and their needs; the student(s) involved, the other students, the teacher, the school staff, the principal, the parents. At the end there will be a discussion Who is responsible for the student when the student is expelled from school? Are school rules aligned with restorative justice principles and practices? Are the students' rights to education violated? Are the UN rights of the child violated? Are communal and national rules and regulations aligned with these rights? Does policies need to change? If yes, how and by whom?

Presenters
Nina Wroldsen (Norway), Laura Mooiman (The Netherlands) and Belinda Hopkins (UK) are members of the EFRJ Working Group on restorative Schools. Nina holds a Master's Degree in Culture and Language Didactics. As a teacher and principal she has many years of experience in using Restorative Practices in schools; she is a board member of Safe Learning Norway and has been a co-author of several text books. Laura holds a Master’s Degree in Social Work and is an American based in The Netherlands. She has more than 25 years of experience in the US as a school district administrator. She is restorative justice trainer and consultant working with schools in California. Belinda holds a PhD in restorative justice in schools; she is an author and Director of Transforming Conflict. She has more than 30 years of experience in training and facilitating restorative approaches in schools in the UK and abroad.

PANEL 80'
Restorative Justice and Gender Based Violence under a Microscope
EFRJ WG GBV

This panel will put three aspects of gender-based violence and restorative justice under a microscope: (1) Policy drivers and language (2) Systemic issues and domestic abuse (3) Survivor outcomes of restorative justice in cases of sexual violence. A discussion with and contributions from participants will follow the presentations. All presenters are members of the EFRJ working group on gender-based violence.
The panel will start with a short presentation on policy developments concerning restorative justice in cases of sexual and domestic violence and the EFRJ policy work in this domain. The importance of language will be pointed out as one of the first results of the EFRJ dialogues with European women/feminist organisations. We will follow then with reflections around the systemic issues that are rooted in these types of violence. We will address the critiques of the application of restorative justice in cases of gender-based violence, with a particular attention to domestic violence cases, and possible restorative justice responses.

We will then move to the booklet entitled ‘Survivors to Survivors’ that collects testimonies from survivors of sexual violence in different countries in Europe who have undertaken a restorative journey. Through the testimonies collected in this booklet, as well as the presenters’ own experience of research and practice, we will think about what ‘success’ could mean in this context, to define what ‘success’ might look like in restorative justice practice and how it is expressed or described by survivors. We will explore why ‘success’ might mean something quite different to victim/survivors than to others involved in this process. We will then invite participants to think about the skills they can use to analyse cases that are not or do not seem ‘successful’, and with that to reflect about how to improve restorative approaches by policy and practice, particularly in cases of sexual violence/serious harm.

Presenters
Tim Chapman (UK), Laura Hein (EFRJ), Estelle Zinsstag (UK), Gael Cochrane (UK) and Petra Masopust Šachová (Czech Republic) are part of the EFRJ Working Group on Gender-Based Violence, divided in 3 subgroups: sexual violence; domestic violence; cooperation with women organisations.

CIVICAN – Floor 3 – Espacio Bienestar

PRESENTATION 20'
Restauravidas. Reintegración en el País de Origen
Eseverri Aznar & Álvarez Ciordia (ES)

Hoy en día, 869 personas españolas (765 hombres y 104 mujeres) cumplen condenas de privación de libertad en 69 países del mundo. Más del 50% de estas personas cumple condena por un delito vinculado al tráfico de drogas, la mayor parte por haber hecho de mulas. Algunas de ellas consiguen ser trasladadas a España para terminar de cumplir sus condenas en centros penitenciarios españoles. Los hombres llegan siempre al Centro Penitenciario Madrid V en Soto del Real y las mujeres llegan al Centro
Penitenciario Madrid I, en Alcalá Meco. Una vez aquí, tienen derecho a volver a pedir un traslado al centro penitenciario más cercano posible a sus lugares de arraigo. Durante el tiempo que pasan en Madrid entre un traslado y otro, desde Fundación Abogacía les ofrecemos participar en el programa Restauravidas, que consiste en encuentros restaurativos impartidos por dos mediadoras (una psicóloga y una abogada), los viernes por la mañana. El objetivo es servir de puente entre la experiencia vivida en el extranjero y la preparación para la puesta en libertad y ofrecer un espacio para la reparación y la responsabilización a través de un diálogo seguro. Todos los participantes tienen en común haber sido condenados y haber pasado una parte de sus condenas en un país extranjero. El programa se estructura en 10 sesiones en la que se abarca entre otros aspectos la detención y el proceso judicial, la experiencia de encierro, la revinculación familiar, la responsabilización por el delito. De manera transversal, son atendidas las necesidades jurídicas y psicológicas de cada persona. El eje restaurativo se va atendiendo en las últimas sesiones del programa, una vez que se ha ido introduciendo el concepto de delito como daño, y no sólo como trasgresión de la ley. En las sesiones específicamente destinadas a ello, se atiende a la propia implicación en ese daño generado, más allá del nivel micro en el que impacta: su entorno próximo y ellos mismos, también como daño en la comunidad y en la sociedad. La asunción de responsabilidad por este daño no es asunto fácil en delitos vinculados al tráfico de drogas; dificultad que se suma a la victimización por las duras condiciones y graves consecuencias personales y emocionales de la vivencia de la condena en el extranjero. Un aspecto que resaltar es la profundización acerca de la toma de decisión de recurrir al delito de tráfico de drogas como sustento de vida. Resultan muy interesantes las conclusiones acerca del proceso psicológico que acompaña tal decisión, en el que la posibilidad de detención es minimizada y también la magnitud de las consecuencias personales y familiares de tal hecho. Es frecuente observar una evolución que, como grupo, los participantes experimentan, pasando de toparse con las resistencias lógicas del inicio, debidas al desconocimiento entre las personas y al recelo propio del contexto penitenciario, a “sentirse parte de algo”, como pequeña comunidad conformada a partir de las experiencias compartidas, la empatía y el espacio de intimidad creado. De manera reiterada expresan su agradecimiento al programa y al grupo.

Presentadoras
Restauravidas se enmarca en el proyecto que la Fundación Abogacía Española, con el apoyo de la Fundación La Caixa, lleva a cabo para apoyar a las personas españolas presas en el extranjero que desean terminar de cumplir sus penas de prisión en España. Restauravidas les ayuda, una vez llegan a España, a preparar su reinserción en la sociedad. Este proyecto está a cargo de la técnica senior de la Fundación, Macarena Eseverri Aznar, abogada y firme defensora de la Justicia Restaurativa: todo proyecto
jurídico debe incorporar esta perspectiva. Berta Álvarez Ciordia es la coordinadora de la Fundación, gestiona los proyectos y acciones y aboga siempre por los beneficios de trabajar partenariados a nivel de Unión Europea y Europa.

PRESENTATION 30'
Instituciones Penitenciarias y Práctica Restaurativa Comunitaria en un Delito Grave
García Pérez & Capecci (ES)

La Federación Andaluza ENLACE es una entidad sin ánimo de lucro que une a más de 80 entidades de Andalucía que intervienen en adicciones y otras situaciones de exclusión social, buscando maneras de mejorar el sistema de justicia existente y apostando por la justicia restaurativa. El trabajo que se presenta se enmarca en el programa “Reinserción y Reparación: Programa de Justicia Restaurativa para la reinserción social de las personas drogodependientes”, financiado por el Ministerio de Derechos Sociales y Agenda 2030 del Gobierno de España. La experiencia se llevó a cabo en la Unidad de Madres, una unidad específica para el cumplimiento de la pena de prisión de mujeres con hijos/as menores de 3 años, y tras una primera fase de coordinación con el equipo directivo, se organizó una sesión informativa sobre la Justicia Restaurativa para las internas. Posteriormente se realizó un taller grupal con formato de círculo de responsabilización y, además de las sesiones grupales, se llevaron a cabo sesiones individuales con las internas que lo solicitaron. Como resultado de la intervención grupal e individual con una de las internas participantes en este programa, se realizó un círculo de apoyo comunitario. Este círculo se planteó con un doble objetivo. En primer lugar, ofrecer un espacio seguro en el que la interna pudiera contar su historia, su reflexión sobre el delito tras más de 10 años en prisión y su trabajo personal en el taller. En segundo lugar, ser escuchada por personas representantes de la comunidad. Tras la fase de preparación, individual y grupal, con todas las partes implicadas, se llevó a cabo el círculo de apoyo comunitario.

Es importante destacar de esta experiencia:

— La colaboración y coordinación con la dirección del centro penitenciario, que ha facilitado en todo momento la intervención del equipo de facilitadoras.

— La particularidad del contexto en el que se ha realizado el taller, exclusivo de mujeres con menores a su cargo.

— El proceso de reflexión personal de la interna participante.

Se presentará un video testimonio de las personas que han participado en el círculo de apoyo comunitario.
Presentadoras
Marta García Pérez y Valentina Capecci son psicólogas y mediadoras, equipo técnico de la Federación Andaluza Enlace (Spain). Marta tiene un Máster en Mediación General y Penal, es experta universitaria en victimología, especialista en programas penitenciarios. Valentina tiene un Máster en Psicoterapia Relacional. Máster en Intervención y Mediación Familiar y un Máster en Criminología y Ciencias Forenses; es responsable del programa de intervención con presos con problemas de drogas y del programa de justicia restaurativa en régimen penitenciario semiabierto.

PRESENTATION 30'
Evaluación de Procesos de Responsabilidad en Programas de Justicia Restaurativa en el Ámbito Penitenciario
Nicolás López (ES)

La Asociación para la Mediación, el Encuentro y la Escucha (AMEE) lleva más de 7 años trabajando en el ámbito penitenciario español. Su foco de intervención es el desarrollo de programas de justicia restaurativa, tanto en segundo como en tercer grado penitenciario. Actualmente, dada la amplia experiencia de trabajo, ha desarrollada una línea de investigación para conocer el impacto que tienen los programas de justicia restaurativa sobre la reeducación y reinserción de las personas penadas, ya que esta es la finalidad de la pena de prisión en España. Para ello, ha desarrollado un cuestionario ad-hoc que se estima para junio alcanzar una muestra de 90 internos e internas. Este cuestionario analiza la responsabilización por el daño que causa el delito en una esfera multidimensional: subjetividad, relaciones familiares, empatía con la víctima y perspectiva de la sociedad, así como de las motivaciones sobre la reparación personal, a la víctima y a la sociedad que tienen los internos e internas. Este cuestionario se administrará antes y después del programa de justicia restaurativa con la intención de ver cómo estas subdimensiones se ven afectadas por la participación en dichos programas. De esta forma, se busca contrastar un hecho que perciben los facilitadores: el cambio personal que tienen las personas internas cuando realizan un programa de justicia restaurativa y, de este modo, recoger evidencias de carácter empírico sobre el impacto en dichos programas. A la par, y entendiendo que la justicia restaurativa tiene una serie de marcos prescriptivos, los facilitadores que lleven a cabo los programas desarrollarán la evaluación de dichos programas a través de las guías elaboradas por la comisión Standards and Values del European Forum of Restorative Justice, con el fin de autoevaluar el desarrollo de estos programas. Partiendo de la hipótesis de que en la medida que estos estándares se cumplan, el impacto del proceso restaurativo sobre las personas penadas será mayor. Esta investigación, se hace en
colaboración tanto con la Secretaría de Instituciones Penitenciarias como con la Universidad Complutense de Madrid para, de un lado, garantizar su aplicabilidad en el medio penitenciario, de otro, cumplir con los estándares de investigación. Por ello, el cuestionario cumple con las garantías éticas, ha sido evaluado por expertos en la temática y se basa sobre la amplia literatura de los procesos de responsabilización y reparación necesarios en la Justicia Restaurativa en el sistema penitenciario.

**Presentadora**
Rocío Nicolás López es Personal Docente Investigador en formación del área de Pedagogía Social de la Universidad Complutense de Madrid. Es graduada en Educación Social, Master en Estudios Avanzados de Educación Social y especializada en prácticas restaurativas para la gestión de conflictos por la UDIMA. Es co-facilitadora de programas restaurativos en prisión en AMEE.
Thursday 22 June / 15–16:30h

Floor 0

**Auditorium**

**PANEL 80'** Developing National Action Plans for Restorative Justice Implementation (2/2) – Finnegan-Kessie (IE), Marder (IE), Ollero Perán (ES)

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The 2018 Council of Europe Recommendation concerning restorative justice in criminal matters promotes national and inclusive collaboration on restorative justice policymaking. The 2021 Venice Declaration builds on this by explicitly asking Member States to ‘develop National Action Plans’ to implement the Recommendation. Since 2019, partners from the ten-country project Restorative Justice: Strategies for Change (RJS4C) have sought to take an inclusive approach to the development of national strategies. This is the second of two connected panel discussions that involve participants in learning how national action plans can be designed to support restorative justice implementation. In this second session (see PWI, see p. 26), participants will receive training on best practice for action plan design, and on the optimal contents and structure of action plans generally, from an expert in action plan development (trainer, Finnegan-Kessie; Chair, Marder). Participants will then collaboratively draft elements of an action plan for Navarre (Ollero Perán) as both a case study from which to learn, and as a way to contribute to the work of our hosts.

Presenters
Dr. Threase Finnegan-Kessie is Assistant Lecturer in Design Innovation (Maynooth University, Ireland). She has experience in strategy research and development, working with universities to provide guidance. In 2022, she co-facilitated the Summer Institute for Restorative Justice and Design, bringing together educators and practitioners to explore innovative approaches to the field.

Dr. Ian D. Marder is Assistant Professor in Criminology at Maynooth University in Ireland. His work focuses on the development of restorative justice policies and services and restorative practices in criminal justice. He teaches restorative justice to student, professional and public audiences, and researches restorative practices in higher education contexts.

Jorge Ollero Perán is the Director of Restorative Justice Services, Government of Navarre, Spain. Jorge promoted the first Spanish Regional Law on restorative justice and restorative practices. He coordinates projects in prisons and civil society organisations, and implements European projects on prisons, drug policy and restorative justice. Recently, he published Penalismo mágico (Magical penalism), challenging the belief that punishment solves social and political problems.
The provision of restorative justice (RJ) is the subject of several recommendations and guidelines at international level, in particular of the United Nations, the Council of Europe and the European Union. In recent years, the Council of Europe in particular has shaped the international debate. In October 2018, Recommendation CM/Rec(2018)8 of the Committee of Ministers to member States concerning RJ in criminal matters was adopted. In December 2021, the Council of Europe Conference of Justice Ministers adopted the “Venice Declaration on the Role of Restorative Justice in Criminal Matters”. Both documents set basic standards with regards to the legal and actual organization of RJ services in the member countries of the Council of Europe. The recommendations are in line with the positions set out in earlier documents by the international institutions mentioned, and they also provide important information for legislation and practice in Germany. The federal regulations on victim-offender-mediation (VOM), in particular in the Adult and the Juvenile Criminal Codes (StGB and JGG) and in the Code for the procedures in Criminal Justice (StPO), stand up to the more recent international recommendations. However, they naturally do not address all aspects of RJ contained in the recommendations and in this respect leave room for a widely divergent practice of practical implementation in the 16 states of the Federal Republic of Germany. As part of the broader project to create a law on “Ambulant Reintegration of Offenders and on Victim Protection in Schleswig-Holstein (ResOG SH)”, the Schleswig-Holstein state parliament intended to take the opportunity fill this gap. After the law was adopted in October 2021, it came into effect on July 1, 2022. The regulations of the ResOG SH with regards to RJ will be presented and set in relation to the recommendations of the Council of Europe.

Presenter
Jo Tein is a social worker and a Lutheran theologian. He heads the executive department for victim protection and the division for probation services in the Ministry for Justice and Health of Land Schleswig-Holstein, Germany. He was significantly involved in drafting the law on “Ambulant Reintegration of Offenders and on Victim Protection in Schleswig-Holstein (ResOG SH)”. Jo is member of the European Restorative Justice Policy Network (ERJPN) coordinated by the EFRJ and he is board member of the Confederation of European Probation (CEP).
PRESENTATION 40'

Restorative Justice and Community in the Italian New Legislation on Restorative Justice

Romualdi (IT)

According to Italian recent Legislative Decree n. 150/2022, restorative justice is "any program enabling the victim of the crime, the person identified as the offender, and other persons belonging to the community to participate freely, by consensus, actively and voluntarily, in the resolution of matters arising from the offense, with the help of an impartial, properly trained third party called mediator;" (art. 42, paragraph 1, lett. a).

When the Italian legislator aims to describe the community, it refers to a series of subjects as: victim’s and offender’s relatives, people from associations representing interests affected by the crime; local authorities, but also the representatives of State and Regions, and, more generally, anyone else who has an interest (art. 45, lett. c) and d). The reason behind the involvement of the representatives of the State and Regions is not clear, likewise the involvement of anyone who has an interest: it is kind of weird, considering that the lawyers of the victim and the offender cannot attend the program’s meeting (see art. 54 paragraph 2). Therefore, what does the community represent in Italian law? Regardless of who is involved, the idea of community that emerges from the Italian law it’s not the traditional idea of a community close to the parties. It seems that restorative justice programs are an opportunity to build a new community: a communication community, in which the parties meet themselves in an ethical place. Being with a person in the same space provides an environment that allows people to reveal themselves, individual to individual, to express rather than repress the experience they have lived, and communication is the tool to lower or remove the walls of misunderstanding that can arise between human beings (see Apel, 1976; Levinas, 1961; Nancy, 1983). This does not mean a misunderstanding of the importance of the involvement of the care community, but, when the program does not require the presence of relatives and friends of the victim and the offender (i.e. VOM), the program’s meetings will be an opportunity to create a new community of communication.

Presenter

Giuliana Romualdi (Italy) has been involved in alternative dispute resolution for many years, mainly as a lecturer at the University of Siena, and also as a trainer in the field of mediation. Recently, she released the book “Restorative Justice and Community. Reflections on the margins of the Cartabia reform” (2023).
PANEL 80'  
Developing Environmental Restorative Justice  
EFRJ ERJ Working group

The EFRJ Working Group on Environmental Restorative Justice has been working for the last two years on the practice and policy-oriented question of how restorative justice could be applied to concrete cases of environmental harm and environmental crime. The workshop, which will mainly draw on the experiences and insights from this working group, will consist of two parts. In a first part, after a brief introduction of the concept of “environmental restorative justice”, challenges will be discussed at two levels. At the policy level, the current trend of criminalisation of environmental harm will be discussed from a restorative justice perspective, referring to new legislative proposals – national and European – on “ecocide” (Aertsen and Braga da Silva). At the practice level, challenges will be discussed based on experiences to set up a restorative justice process after environmental harm happened (Barjau Dachs, Rego de Oliveira and Varona). The second part will focus on one concrete example from practice on the applicability of restorative justice for environmental harm. A case will be presented and a discussion with the workshop participants will be initiated based on previously formulated questions.

Presenters
This workshop’s presenters are all members of the EFRJ Working Group on Restorative Environmental Justice.
Ivo Aertsen (Belgium) is Emeritus Professor of Criminology at KU Leuven, where he led the Restorative Justice and Victimology Research Line (2001-2019). He chaired the European Forum for Restorative Justice (2000-2004) and acted as an expert for various countries and institutions. He is Co-Editor of The International Journal of Restorative Justice.
Júlia Barjau Dachs (Spain) is the EFRJ Programme Assistant, involved also in different EU funded project. She represents the EFRJ Secretariat in this Working Group. She has a background as a social worker specialising in migrants’ rights working in public and private organisations in Spain and France.
Carlos Frederico Braga da Silva (Brazil) has been a State judge in Minas Gerais since 2000 and is involved in training programmes by the State Judicial School of Magistrates. He holds a PhD in Sociology (2018) from the Federal University of Minas Gerais, under joint supervision with the University of Ottawa, Canada.
Cristina Rego de Oliveira (Portugal) is a Postdoctoral Researcher at the University of Coimbra. She holds a PhD in ‘Law, Justice, and Citizenship in the XXI Century’ at the Faculty of Economics, Centre for Social Studies and Faculty of Law, University of Coimbra. She is an Affiliated researcher at the Nova School of Law in Lisbon.
Gema Varona (Spain) is senior researcher at the Basque Institute of Criminology and professor of Victimology and Criminal policy at the Faculty of Law (University of the
Basque Country). She lives in Donostia/San Sebastián, a beautiful town with a deep history of present violence, where she coordinates the University Restorative Justice Theory and Justice Lab which is thought to intervene in conflicts beyond the criminal justice system. Her last publication (in press) deals with the role of those extraordinary and mysterious artisans called RJ facilitators.

CIVICAN – Floor 1 – Sala 2

PRESENTATION 20'

Restorative Justice in the School: the Fair School Approach

Kużelewski (PL)

The presentation has three aims: 1) to present the Fair School project based on pedagogical method influenced by restorative justice and practices, 2) to discuss how restorative justice and practices developed in the Fair School approach can influence governance models in schools, 3) to identify whether restorative practices implemented in the Fair School project have the potential to prevent delinquency in and out of school. This paper presents an overview and implementation of the international project titled 'Fostering inclusive and fair environment for secondary students at intercultural school settings through a novel pedagogical method based on restorative practices and social & emotional learning (Fair School)'. The project is composed of partners from secondary schools, universities and NGOs from Spain, Portugal, the Netherlands, Poland, Malta and Turkey. The aim is to develop a set of innovative tools for secondary schools across Europe, based on the idea of restorative justice and restorative practices. These tools are designed to promote inclusiveness, relationship-building and problem-solving to deal more constructively with conflicts as well as both juvenile and adult delinquency in schools. The main outputs of the Fair School project are: 1) a publication on restorative, narrative and social & emotional theories, case studies, practical tools and strategies for the implementation in schools; 2) an online platform for education professionals with training materials; 3) serious (simulation) games, for students and their parents; 4) pilot implementation of Fair School scheme in secondary schools. The presentation will also include the results of a pilot project implemented in a secondary school with a particular focus on restorative practices. Evaluation on the basis of questionnaires and interviews with students, teachers and parents will be the basis for assessing the potential for restorative justice ideas to influence school governance and education authority policymaking. Research has shown that a school model based on restorative practices contributes to increased student and teacher satisfaction and creates a more supportive school environment.
and consequently a happier and more satisfied society able to deal with conflict situations. The final issue explored in the paper will be the impact of restorative practices implemented in the school environment on dealing with delinquency. The research will indicate whether students’ knowledge and understanding of such practices will lead them to accept the use of restorative justice mechanisms to criminal acts committed in the school environment (e.g. theft, assault, bullying, sexual harassment), as well as in future adult life.

**Presenter**
Dariusz Kużelewski (Poland), PhD in Law (PhD thesis on “Victim-offender mediation as a means of consensual closure of criminal proceedings”) is an Assistant Professor, adjunct in Department of Criminal Procedure, Faculty of Law, University of Białystok. His scientific interests include criminal procedure, theory and practice of restorative justice, and victimology.

**PRESENTATION 30’**
**How Restorative Justice Disrupts the School–to–Prison Pipeline**
Alcantara (US)

With Chicago’s increasing rates of violence, trauma, and racial inequity, there remains a critical need to change the way in which schools manage discipline. Exclusionary practices such as suspension and expulsion have long-term negative effects on student achievement; disproportionately impact students of colour; and are associated with lower test scores, decreased graduation rates, and increased incarceration rates later in life (Advance Project, 2010). According to the ACLU, the school-to-prison pipeline can be directly linked to the criminalization of youthful actions in school. Restorative Justice (RJ) responds to the inequity facing youth of colour, including disproportionate community violence, trauma, and the consequences of punitive disciplinary policies in schools. RJ disrupts the school-to-prison pipeline by transforming institutional culture, co-creating community healing, and sparking system-wide change within schools. The alternatives to punitive discipline and justice-system involvement include the promotion of accountability and transparency in school discipline, trauma-informed training, and opportunities for individual and collective healing. Restorative Practice in schools builds a foundation for an environment capable of nurturing the resiliency, insight, and power of young people who, in turn, become leaders in RJ in their larger communities, in ever-expanding circles of impact. Alternatives is the only provider trusted by Chicago Public Schools (CPS) to provide coaching in Restorative Practices for CPS staff at individual schools as well as
CPS’s own Restorative Justice Coordinators – of which there are 30 staff dispatched to a small fraction of CPS’s 638 schools serving more than 340k students. Alternatives’ approach to RJ training and coaching is uniquely rigorous and flexible to be relevant to each school’s needs. Alternatives’ staff provides ongoing support in dealing with the day-to-day challenges of a schoolwide culture shift, including processes to develop a restorative community, communication practices that build collaboration, and ways in which Restorative Practices can integrate into the school’s pre-existing multitier Supportive Services and behavioural support structures. This type of collective culture shift – when successful – can be felt throughout each school and into the surrounding community. However, this process of transformation is not often pain-free and schools do not always respond positively to this level of systemic change. This is why we do everything we can to obtain principal and staff buy-in to support the ongoing work of shifting deeply rooted punitive practices and zero-tolerance culture as well as ensuring ongoing high-quality practice standards.

Presenter
Bessie Alcantara is executive director of Alternatives, Chicago’s leading provider of Restorative Justice and Behavioral Health services and capacity-building for schools and organizations. Bessie has over a decade of experience working with youth-serving organizations. As a bilingual, first-generation Salvadoran-Mexican American and Chicago native, Bessie is passionate about dismantling systemic racism and advocating for trauma-informed care and restorative justice programming for young Black and Brown Chicagoans.

PRESENTATION 30'
Development of Restorative Justice Practice in Georgia
Baramia (GE)

The presentation will offer an overview of the development of restorative justice (RJ) practice in Georgia through policy work, legislative developments, interagency cooperation and training, that comes with its strengths and challenges. RJ practice in Georgia was launched in 2010 through the integration of a restorative justice program “Victim–offender Mediation in Juvenile Diversion and Mediation Program”. Today, the Diversion and Mediation Program for juveniles and young adults (14–21) is an alternative form of criminal responsibility. Through evidence–based reforms implemented through the support of international organizations and CSOs, there were two major stages of development in Juvenile Justice related reforms. Successful implementation and gained experience in diversion and mediation program resulted in the adoption of the Juvenile Justice Code that is enacted since 2016. The Juvenile
Justice Code is the first legislative document in Georgia, which refers to restorative justice, RJ measures, and mediation and which expanded its application. There were numerous challenges throughout 13 years of RJ practice, however commitment to the program from the side of its implementers, and policymakers and continuous support of international partners, Georgia continues to develop RJ. In Georgia, the National Agency of Crime Prevention, Execution of Non-custodial Sentences and Probation under the Ministry of Justice of Georgia has a legal obligation to promote RJ and introduce new programs in cooperation with all relevant governmental and non-governmental agencies. Apart from the Juvenile Diversion and Mediation Program, the RJ pilot program “Mediation in Criminal Justice” for convicted and former prisoner juveniles and adults was launched in 2018. This helped the agency to identify the challenges for further development. In 2021, based on legal amendments, a special program to prepare lifetime prisoners for release was launched and restorative approaches were taken into consideration. Part of the program is the initiation/ offering of mediation and communication with the victim. The presentation will also cover the Georgian experience in setting up the training system for mediators, the creation of the mechanism of the Registry of Mediators and the introduction of RJ as a part of an initial and continuous training module for other involved professionals, opening special spaces for facilitation of mediation meetings, applying of a multi-agency approach in trainings as well as in practice development. The final part of the presentation will cover the challenges and strengths of the system and future plans to develop RJ in Georgia. Currently, one of the biggest challenges is the needs of legal amendments, which will allow the system to launch new RJ programs and address already identified gaps in the legal framework, the need to develop an E-case management system, lack of human resources, still remains a challenge and the need to raise the awareness on RJ in public and professionals of relevant agencies. Among the strengths, we can name quality assurance, successful experience of using RJ in diversion programs for almost 13 years and existing mechanism, the strong inter-agency coordination with relevant agencies including the prosecutor’s office of Georgia, Special Penitentiary Service, and Probation bureaus, both local and international support to developing RJ in the country. All of this along with future plans for the development of RJ will be discussed.

Presenter
Moris Baramia manages the direction of the Diversion and Mediation Department at the National Agency for Crime Prevention, Execution of Non-custodial Sentences and Probation in Georgia. He holds a bachelor’s and master’s degree in law and a master’s degree in Public Administration. Since 2014 has been working in the field of restorative justice, law, and juvenile justice. In parallel with his work, he has managed various projects and conducted trainings in the field of restorative justice and juvenile justice.
INTERACTIVE 80’
EFRJ VALUES & STANDARDS COMM

The workshop provides an interactive and informative session that aims to explore the existing tools and standards for restorative justice in different countries, as well as to discuss the role of terminology in promoting or hindering the implementation and development of RJ. The workshop will start with a brief overview of the Committee’s work and a short presentation of the tools developed so far. This will be followed by two rounds of small group discussions, each followed by a feedback round with the whole group.

In the first round, participants will discuss existing standards, values and other tools used in RJ practices in their respective countries. This discussion will aim to identify the helpful aspects of these tools, what is missing and what tools might be helpful on behalf of the EFRJ. Questions for this discussion:

— What standards, values and other tools for RJ practice exist in your country?
— Which of these do you find helpful?
— What do you feel is missing and would be good to have?
— What tools would you like to see developed by the EFRJ?

The second round of small group discussions will focus on the role of terminology in facilitating or hindering the implementation and development of RJ in the participants’ countries. Participants will discuss the terminology used to describe RJ services in their countries, highlighting expressions that help or hinder the acceptance and use of RJ practices in their respective countries. They will also identify expressions that can be helpful and others that can be hindering. Questions:

— What words are used to describe restorative justice services in your country? (We will provide a list of examples).
— Do you feel that there are some expressions that are helpful in promoting the use (or acceptance) of RJ in your country and others that hinder it – or bring the use of RJ into conflict with the country’s legislation?
— What expressions do you consider helpful in promoting RJ?
— What expressions do you think hinder the use of RJ (or perhaps raise suspicion among professionals in other fields, such as victim services)?
The workshop will conclude with a feedback session and an opportunity for participants to ask questions. This interactive workshop will provide an opportunity for participants to share their insights, experiences and perspectives on RJ practices and to contribute to the development of more effective tools and language for promoting and implementing RJ practices in Europe.

Presenters
Claudia Christen-Schneider (Switzerland) and Olga Kiseleva (Russia/ Germany) are members of the Values and Standards Committee of the EFRJ. Claudia is the founder and president of the Swiss RJ Forum and a board member of the EFRJ. She holds an MSc in Criminology and is active as an RJ practitioner and trainer, designing and implementing a variety of RJ approaches in Swiss prisons. Olga is a lawyer, RJ lecturer and researcher. Now she studies Criminology at the University of Hamburg. From 2019 to 2022 she worked as an International Cooperation Coordinator at the Public Center for Legal and Judicial Reform that had been promoting RJ in Russia since 1998.

CIVICAN – Floor 3 – Sala 4

Q&A 20'
Risk and Mitigation in Restorative Justice
Zinsstag & Kirkwood (UK)

Assessing and mitigating risks is essential for safe restorative justice practice. Surprisingly, very little research has examined how restorative justice practitioners assess and mitigate risk in their practices, or the tools they use to assist with this process. To address this topic, we interviewed 30 experienced restorative justice practitioners from eleven jurisdictions across Europe to explore how they assessed and mitigated risks in their practice. Our findings show that assessment and mitigation practices focused on risks relating to the restorative justice process proceeding safely, especially in relation to any feelings of safety for the potential participants, rather than, for example, risks of re-offending. Although practitioners reported some cases being ‘too risky’ for restorative justice, this was rare, and was usually due to the requirements for restorative justice being violated, such as denials of responsibility for the offence, threats or coercion, or mental ill health or substance abuse that prevented communication. The type or severity of the offence usually did not, in itself, constitute a risk that was considered a barrier to restorative justice, unless there were specific policies that restricted the use of restorative justice in relation to particular offence types (as some jurisdictions have in relation to sexual offences or domestic abuse). Standardised or actuarial risk assessment tools were not normally used for assessing.
risks in relation to restorative justice, and we found no reports of the use of risk assessment tools that had been validated in relation to restorative justice specifically. Rather, risk assessment and mitigation in restorative justice practice was done through processes based on restorative justice practices and principles; that is, through discussion, negotiation, and mutual agreement. In this presentation, we will reflect on the policy implications of the research.

Presenters
Dr Steve Kirkwood conducts research on restorative justice, justice social work, and the integration of refugees. He has published in a range of international journals, including *Criminology & Criminal Justice*, *Theoretical Criminology*, and the *European Journal of Criminology*. He is a Co-Chair of the Scottish Network of Restorative Justice Researchers.

Dr Estelle Zinsstag is a Lecturer at Napier University (UK) and Senior Researcher at KU Leuven (Belgium) researching restorative and transitional justice and sexual and gendered violence. She is co-chief editor of *The International Journal of Restorative Justice* and the book series *Studies in Restorative Justice*. She is co-chair of the Scottish Network of Restorative Justice Researchers and the WG on RJ at the European Society of Criminology. She is a member of the WG on gender-based violence at the EFRJ and of the Stakeholder Group guiding Scottish Government in their rollout of RJ in Scotland.

DISCUSSION 30'

The Relationship between Research and Policy in Restorative Justice

Policy makers often ask for persuasive results about restorative justice, that is results proving and “confirming” that restorative justice is worth being promoted and supported. On the other hand, research aims to check how convincing the theoretical and practical proposals of the restorative justice movement are. How can research on restorative justice relate to the issue of policy making on restorative justice? Do they share the same kind of “conviction”? Finally: how can research collaborate with the goals of policy on restorative justice, under which conditions and with which limits? To put our questions in order, we will reflect on the following topics:

1. The first has to do with the particularity of doing research on such a complicated and interdisciplinary topic, as restorative justice is. Indeed, restorative justice meets a wide range of consensus, but around different topics and different perspectives of what “restorative justice” means and implies, with the risk that that consensus results are more apparent than real. This is also due to some “ring of vagueness” which still characterizes, theoretically, the theoretical framework of restorative justice.
2. The second topic has to do with the relationship between research, policy and numbers. It is not infrequent to witness the request, from policymakers, of “numbers” able to support a certain idea or the other. Here, a few critical questions arise: (a) are policy makers seriously considering what numbers say? For instance, there is a long history and a large amount of evidence of the ineffectiveness and damages caused by the prison system, but how has this data affected political decisions? (b) Not all that counts can be counted: it is not easy, for example, to translate (qualitative) values into (quantitative) values, and in any case, this requires a selection of preferable goals. (c) The same numbers can be interpreted in different ways, according to the sensitivity and the cultural or sociological context, as they are only apparently objective, but they are indeed the result of the kind of questions that make them assume a sense, related also to the underlying questions that make these numbers meaningful or not.

3. Finally, we need to outline some of the most relevant “commonplaces” around which RJ builds its base of consensus and appeal, and to understand their possible ambiguities, but also how these topics can play a different attractive role on different political perspectives.

The goal of these reflections, therefore, is not to offer practical tools for policymaking, but to increase the level of understanding of how complex the issue of promoting restorative justice may be, mostly when moving from a research-based approach to a political endorsement.

Presenters
Katwerina Soulou (Greece) and Federico Reggio (Italy) are the Chairs of the EFRJ Research Committee (RECOM). The RECOM brings together researchers working on restorative justice, creates an international and intergenerational network, and sets together future research agendas and collaborations. More specifically, it supports and encourages research on restorative justice; assists researchers in the field; develops strategies to better disseminate research outcomes; encourages the representation of research in other criminological or related events, conferences, publications; identifies gaps in existing research and can suggest topics to be explored; shares information on grant opportunities for researchers among EFRJ members and beyond; initiates project proposals; assists the EFRJ Secretariat to translate the existing research knowledge accumulated in the past years at the EFRJ to practice and policy.

PRESENTATION 30’
From Strategy to Legislative Proposal: The Czech Experience
Šachová (CZ)

What does it mean to transform criminal justice codes and laws into restorative ones? How can we seek for criminal justice systems and laws that are based on restorative
principals? And how those principals can support deeper changes in the criminal justice legislation and culture of justice into those that overcome the old paradigm of solely finding and punishing the offender? The presentation describes the experience of the Czech Republic. The Czech process was supported with the creation of the RJ Strategy for the Czech Republic that is embodied in the program declaration of the Czech government and led to the current legislative proposal. The proposal seeks to transform the criminal justice provisions defining the goal of the criminal proceeding itself. It is claimed that from the legal perspective we need to dig deeper and with the use of RJ principals call for transformation of the main principals that the European legislations are traditionally based upon: to find & punish. Redefining goal setting allows us to think differently about the possible procedural steps and decisions taken by the criminal justice agencies. This attitude goes further that “just” include the right to access restorative programs, in all stages of the criminal proceedings and for all types of crime, into the procedural codes and laws. The broader perspective of RJ, based upon the wide use of RJ main principles, allow us to look for legislative changes that transform the whole systems into more healing ones. The Czech experience will be illustrated in the activities that are part of the “Restorative Justice: Strategies for Change” and “JUSTIN Erasmus+” projects.

**Presenter**

Petra Masopust Šachová (the Czech Republic) is a EFRJ Board member since 2020 and Secretary since 2022. She is a lawyer, academic and researcher who strives for the broad involvement of restorative justice in the Czech criminal law, both at the theoretical level and in practice. She co-founded and recently works as a chairperson of the Czech Institute for Restorative Justice and as a lecturer at the Department of Criminal Law of the Law Faculty of Palacký University in Olomouc, where she introduced the first restorative justice course for law students in the country. She also acts as a coordinator of the Czech Core Member team of “Restorative Justice: Strategies for Change” project. She is the author of the first Czech comprehensive book on RJ: “Restorative approaches when dealing with crime”. Petra holds a master’s degree from the Law Faculty, Charles University in Prague and Ph.D. from the Law Faculty, Masaryk University in Brno.
el programa de justicia restaurativa en fase de cumplimiento. Así, con todas las personas menores que cumplen alguna medida judicial firme, se establecen una serie de objetivos a conseguir y unos contenidos relacionados con el daño causado, la victimización y la responsabilización. Por otro lado, Berriztu inicia su andadura restaurativa con personas adultas en 2013, en el Centro Penitenciario de Nanclares de Oca, hoy Centro Penitenciario Araba/Alava, llegando a tener presencia en la actualidad en las tres prisiones vascas, así como en el Centro Penitenciario El Dueso-Santoña y en el Centro de Inserción Social José Hierro, ambos en Cantabria, donde se imparte el taller “Diálogos Restaurativos” desde el año 2021. En estos momentos, la entidad cuenta con un equipo profesional de justicia restaurativa formado por ocho personas que facilitan procesos restaurativos en las tres prisiones vascas y en los dos centros mencionados de Cantabria.

Metodológicamente, en estos procesos de justicia restaurativa con adultos, aplicamos similares principios y estrategias que en justicia juvenil. Partimos de que cada persona es diferente y tiene su propio ritmo y forma de vivir el proceso (principio de individualización), por lo que los procesos restaurativos son flexibles y se adaptan a las necesidades de cada caso concreto. Lo interesante es que la persona pueda superar con éxito todas las fases del mismo, sin importar cuánto tiempo se demore en cada una. A un nivel de evaluación es fundamental hacer un seguimiento de la evolución de las personas participantes, evaluación que recogemos con herramientas propias, pero que responden a estándares internacionales, en relación a la responsabilización y a la reparación del daño. En definitiva, el objetivo último es establecer una vía para la transformación de conflictos centrada en las personas que los han protagonizado, para que puedan ir más allá de los roles en los que han quedado encerrados desde el momento en el que se produjeron los hechos. De cara a poder realizar este trabajo, es necesaria una coordinación fluida tanto con la subdirección y la Junta de Tratamiento de los Centros Penitenciarios, como con el propio Gobierno Vasco, toda vez que la competencia penitenciaria ha sido trasferida a la Comunidad Autónoma del País Vasco. Esta coordinación se concreta en reuniones periódicas con ambas instancias.

Presentador
Eduardo Cabrera Serrano, licenciado en pedagogía, es educador social y mediador. Miembro de Berriztu desde 1991, desempeñando funciones de educador, mediador, coordinador y responsable del ámbito de justicia juvenil en Berriztu, ha participado en la creación y gestión de alternativas de ayuda relacionadas con las prácticas restaurativas.
PRESENTATION 20'
La Difusión de la Cultura de las Prácticas Restaurativas en Ámbito Escolar
Uzqueda (IT)

Italia ocupa ahora el tercer lugar entre los países de la Unión Europea con mayor porcentaje de abandono escolar prematuro; además, en el periodo post pandemia se ha producido un aumento de los conflictos escolares, algunos de los cuales representan dinámicas de acoso y ciberacoso, pero en una proporción menor respecto a los problemas de convivencia en preocupante aumento. El Ministerio de Educación italiano ha emitido unas directrices para prevenir la lucha contra el ciberacoso en las que invita las escuelas a adoptar una perspectiva restaurativa, sin especificar con cuáles modalidades proceder. No existe en Italia una legislación que fomente la formación de la comunidad educativa en intervenciones activas de prevención de conflictos y promoción de la convivencia escolar ni mucho menos en prácticas restaurativas o mediación. Algunas escuelas han incorporado recientemente cursos de mediación entre pares; se advierte una cierta resistencia por parte de los docentes a adoptar el cambio de paradigma que representan las prácticas restaurativas.

En el mes de octubre del 2020, la Asociación Equilibrio & R.C. que representa, la Universidad de Bolonia, la Questura (Jefatura de Policía) de Bolonia, junto con algunas escuelas secundarias y asociaciones de categoría hemos firmado un Memorando de Entendimiento para promover y llevar a cabo la promoción sensibilización y formación de las prácticas restaurativas en comunidades educativas, como política para la promoción del bienestar de estudiantes y docentes, la cohesión social y el fomento de las habilidades sociales, como instrumentos válidos en sí mismos pero también útiles para la prevención del acoso y el ciberacoso (tema sobre el cual existe un alto grado de alarma social, debido también a la confusión del fenómeno con otras tipologías de violencia juvenil. El objetivo del Memorando de entendimiento es el de promover la cultura de la responsabilidad social, el respeto, el diálogo, el pensamiento crítico, la convivencia pacífica, el bienestar escolar y la prevención de cualquier tipo de violencia, mediante el recurso a prácticas restaurativas, la mediación y todas las formas de participación activa e inclusiva. Actualmente estamos organizando cursos para la formación periódica de educadores, maestros y padres, organizando encuentros y conferencias, conduciendo un proyecto de investigación sobre la formación de formadores basado en la encíclica papal “Fratelli tutti”, destinada a los docentes de religión, que en Italia es una materia optativa en todas las escuelas públicas. El tema sobre el que me gustaría confrontarme con los otros participantes del EFRJ es sobre cuáles son las intervenciones más eficaces para la formación de formadores en
prácticas restaurativas para poder promover la adopción de las mismas en las instituciones escolares a nivel regional o nacional.

Presentadora
Ana Uzqueda, abogada, desde el año 1994 se dedica a la mediación social, familiar, organizacional, escolar, civil y mercantil, Directora científica de la Asociación Equilibrio & R. C. desde el 1996. Docente de mediación en la Facultad de Ciencias políticas de la Universidad de Bolonia y de la Facultad de derecho de la Universidad de Bolonia (Laboratorio de negociación y mediación).

PRESENTATION (40')
Analisis: Justicia Restaurativa en Violencia en el Ámbito del Hogar
Virto & Ledesma (ES)

Desde la asociación ANAME, quienes gestionamos el Servicio de Justicia Restaurativa del Gobierno de Navarra y con nuestra experiencia desde 2006, hemos encontrado interesante el poder transmitir, y debatir, en el encuadre del Foro Europeo, sobre el delito de violencia en el ámbito del hogar. El desarrollo de nuestra exposición tendría tres niveles: el análisis punitivo en el Código Penal español, el enfoque social de la intervención en la mayoría de los casos y su relación con el trastorno mental, adicciones y con el modelo educativo intrafamiliar, así como el género, y por último el enfoque psicoterapéutico en la intervención, donde los procesos de terapia familiar adquieren un papel destacado. El análisis del primero de los puntos, debe llevarnos a un análisis crítico del desarrollo del tipo penal, que en el aspecto penológico incluye la orden de alejamiento, aun con participación positiva en un proceso restaurativo. Conjugar esta cuestión con lo procesal en derecho español hace que, pese a aplicar atenuantes de reparación del daño, familias que han trabajado para solucionar su conflictividad, (incluso tras el resultado positivo de una intervención terapéutica), se ven abocadas a un periodo que, a veces, puede ser de años de separación obligada, no deseado por ninguna de las usuarias del servicio. La posibilidad de no declarar contra familiares y la prueba de cargo que muchas veces supone esta declaración, lleva a firmar actas finales del proceso restaurativo con un carácter positivo que conllevan a veces informes negativos para los juzgados, apareciendo en ocasiones lo que hemos llamado “falsos negativos”. En el ámbito de la visión social del delito quisiéramos desarrollar en la vinculación que, en persona victimaria, y en ocasiones en la víctima, encontramos con el trastorno mental y distintas adicciones. En este tipo de delitos son vitales las políticas públicas sociosanitarias que incidan en estos aspectos. Creemos que la parte denunciada penalmente adquiere, desde una visión reparadora, en
muchas ocasiones también la necesidad de una intervención como víctima. Ello sin olvidar los entornos educativos con que nos encontramos y una reflexión sobre la cuestión de género muy común en este delito que la ley española no prohíbe. Terminaríamos con el análisis de la necesidad de realizar convenios entre los servicios públicos de justicia restaurativa y entidades del tercer sector para poder ofrecer la necesaria calidad que la ciudadanía requiere; no descartando la invitación a dichas entidades a participar en la exposición.

**Presentadores**
Maite Virto y Manuel Ledesma son facilitadores de procesos restaurativos y miembros de Asociación Navarra de Mediación (ANAME). Forman parte del Servicio de Justicia Restaurativa gestionado por ANAME. Tienen experiencia en procesos restaurativos en el ámbito intrajudicial penal, talleres de diálogos restaurativos en ejecución penal (medio abierto) y en Defensor del Pueblo de Navarra.
Friday 23 June / 9–10.30h

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PRESENTERATION 40'
Domestic Violence, Restraining Order and Intensive Case-Management
Frank & De Wree (BE)

In the multidisciplinary approach of domestic violence, the restraining order can be organized as a tool to evolve from extrinsic to intrinsic motivation in the work with perpetrators. The “time-out” as de-escalating measure can bring the needed space to install intensive case management with all family members, to work on both stopping violent dynamics and work on underlying problems. In the Family Justice Center of Antwerp, we bring this to practice, with the Theory of Hope (positive psychology) as supporting methodology. The presentation will also bring two cases. During the workshop, the multidisciplinary approach of the European Family Justice Centers will be discussed: the structure and culture of the FJCs, the guiding principles and the relationship with restorative justice.

Presenters
Pascale Franck and Eveline De Wree (Belgium) are both involved in the Family Justice Center in Antwerp, respectively as the founder and as the co-director. Pascale, vice-president of the European Family Justice Centers Alliance (EFJCA), is a criminologist, experienced project manager and team leader, with a history of developing and coordinating multi-agency approaches and cross-professional cooperation in the field of gender-based violence, domestic violence and child abuse. Trauma-informed care and client-centred approach are the lead in this development. Eveline has experience working in the field of restorative justice and gender-based violence.

PANEL 40'
Analysis of Response Mechanisms and their Restorative Character in Institutions
EFRJ WG INSTITUTIONS

This workshop has been developed by the EFRJ Working Group on Institutions. The working group is examining the potential for restorative interventions in the field of institutions. This workshop will explore the development of restorative practices in the area of institutional abuse. The first part of the workshop will contain two short presentations on restorative developments in relation to sexual abuse of minors in the Roman Catholic Church focussing on Belgium and Ireland. The second part of the workshop will be a discussion ranging over a number of topics. It will be stimulated and facilitated by members of the Working Group. Here are some of the topics:
To what extent and how have these developments been restorative?
What can we learn from other areas in which institutional abuse occurs in respect of dynamics of abuse and options for intervention?
What are the problems restorativists face in attempting to develop restorative responses with institutions?

The main presenters will draw on their experiences of engagement with restorative practice and research in Belgium and Ireland. The workshop will also be informed by the emerging discussions of the Working Group on Institutions through the contributions of the other participating members of the working group who will attend the workshop.

**Presenters**
Robert Mackay (UK), Ivo Aertsen (Belgium), Silvia Randazzo (Belgium) and Gema Varona (Spain) are among the members of the EFRJ Working Group on Institutions. Robert (who will be present via video-call) is a retired social worker and accredited mediator. Ivo is Emeritus Professor of Criminology at KU Leuven, where he led the Restorative Justice and Victimology Research Line (2001-2019). Silvia is an independent children rights expert, currently working also as a project officer at the EFRJ (i-RESTORE 2.0) and on her PhD at the KU Leuven Institute of Criminology. Gema is senior researcher at the Basque Institute of Criminology and professor of Victimology and Criminal policy at the Faculty of Law (University of the Basque Country).

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**PRESENTATION 20’**
**Prisoners as Victims? Analysis of Brazilian Policeless Restorative Prisons**
**Grossi (ES)**

In Brazil, criminal law places victims and offenders on the margins of the administration of their own conflicts, not enabling them to understand the scope of their acts and repair the damage caused, giving them only a space of exclusion, loss and paralysis, with deprivation of liberty. In this context, this paper aims to present the analysis of the implementation of a self-defined restorative justice project in Brazil – the Association for the Protection and Assistance of Convicted Persons (APAC), an entity that supports the recovery of convicted persons, the protection of society, the relief of victims, and the promotion of restorative justice. APAC manages around 40 Social Reininsertion Centres (CRS) – or prisons without police – in 4 Brazilian states and operates in more than 20 countries. Drawing on the Criminologies of the Global South,
we ask how this project sees and implements restorative justice. This model was analysed through a qualitative ethnographic analysis, using 40-day participant observation, when we were allowed to sleep inside two units, and semi-open interviews with inmates, staff, and volunteers. The APACs use the concept of restorative justice to build a safe space where the disrupted relationships between inmates can be restored by crimes in and out of prison. Victim encounters occur mainly with people who have been victimised in prison and are not common with non-incarcerated victims. At the same time, the APACs also see prisoners as people who – by being in prison – have become victims of the human rights violations in these spaces in Brazil. Relationships are restored here by giving responsibility to people in prison and society simultaneously. Opportunities must be offered to people in prison and they must accept them and take responsibility for their crime desistance process. The security of society, supposedly based on the certainty of punishment, is replaced in the discourse with the certainty of rehabilitation. The APAC model shows that society must be involved in restorative justice practice, restoring relationships with prisoners. This way, it aims to re-establish the interrupted dialogue in society by confiscating the social conflict that occurs through the use of prison, providing an interesting concept of restorative justice.

Presenter
Sergio Grossi is a researcher (Marie Curie Fellow, with the support of the UNESCO) at the Complutense University of Madrid and will be a visiting scholar at the Columbia University, in New York. He was a visiting scholar at the Cambridge Institute of Criminology. He holds a Ph.D. in Educational Sciences.

PRESENTATION 20’
Restorative Justice Behind Bars: The Role of Prisoner as Rechtsburger
Papachristopoulos (UK)

Restorative justice is built on two core tenets. Firstly, justice in the aftermath of criminal wrongdoing requires that the harm done to people and relationships be repaired. Secondly, that victims and people closely connected to them should be given leading roles in the restorative process. The proposed contribution makes the case for a more comprehensive approach towards restorative justice at EU level. It is submitted that any legitimate EU efforts (and potential Directive) towards this end must necessarily account for the quality of prisoners rechtsburgerschap. Rechtsburgerschap, as theorised by Constantijn Kelk, literally translates to legal citizenship – though not citizenship of a state in the strict sense. Instead, the essence of rechtsburgerschap for
prisoners is the ability to participate in the legal process, being allowed to claim that legal principles and values must be applied to them in a discursive process. Kelk’s theory essentially revolves around the maxim that sentenced offenders are sent to prison as punishment, not for punishment. Accordingly, they should be allowed to autonomously participate (far as possible) in society, legal proceedings, and, as this contribution submits, the restorative justice process. Nevertheless, in today’s EU there are a number of aspects of imprisonment that conflict with the principles of rechtsburgerschap. Prisons across many member states are plagued by structural issues, providing for harsh, inadequate detention conditions, that disallow meaningful contact with the outside world, and fail to safeguard the inmate’s dignity. Such conditions inflict unnecessary pain to inmates, and prohibit them from participating as autonomous subjects in the legal process. Consequently, and besides contradicting Kelk’s rechtsburgerschap tenets, inadequate and harsh detention regimes further undermine the ethos of restorative justice. Therefore, the practice of imprisonment must be reformed to serve primarily restorative rather than punitive functions. Hence, the tenets of restorative justice in the EU should be expanded as follows. Firstly, justice requires that harm be repaired – it is not a necessary prerequisite that the wrongdoer experiences pain. Secondly, that victims be given leading roles in the restorative process – along with convicted offenders and people closely connected to them. Only by recognising the role of prisoner as rechtsburger may a comprehensive restorative justice framework be properly regulated and enforced. Overall, a potential Directive on restorative justice should necessarily include prisoners, pushing for reform of punitive detention conditions, and for a revised role of prisoners as autonomous, active, empowered subjects – or, indeed, rechtsburger – in the restorative justice process.

Presenter
Christos Papachristopoulos is a PhD candidate at the School of Law, University of Birmingham. His research focuses on the interaction between EU criminal law and detention conditions. Christos frequently publishes in comparative, European, and international penal law. He serves as ad hoc researcher at the Siracusa International Institute and EULEN.

PRESENTATION 40'
The ‘Autonomy’ Principle of Restorative Justice in the French Policy: An experience from the Courts in Lyon
Mazaud (FR) & Soulou (BE)

In 2014, French lawmakers symbolically included article 10-1 in the Code of Criminal Procedure (hereafter CCP), which provides for the possibility of carrying out
‘restorative measures’ – as restorative processes and practices are called by the French legislator – for all types of offences and at all stages of the criminal proceedings. The French legal framework for restorative justice was further completed by the ministerial Circular of 15 March 2017 (hereafter Circular), a policy document addressing criminal justice professionals (judges, prosecutors, heads of penitentiary institutions and facilitators of restorative practices), providing specific guidelines for the implementation of the new legal framework on restorative justice in France. The Circular recognises ‘restorative measures’ as responses available to all parties and places them under the control of judicial authorities, but also clarifies that ‘restorative measures’ stands outside the criminal justice process. In fact, this normative text introduced the principle of ‘autonomy’ of restorative justice, which implies a strict separation, i.e. impermeability, between restorative processes and criminal proceedings. What are the concrete implications of this normative choice and policy for the expansion and development of restorative policies and practices in France? This topic will be discussed in both French and English (with translation from French into English) by a legal practitioner, Judge Nathalie Mazaud, and a legal scholar, Dr. Katerina Soulou. Nathalie was part of a group of judges who initiated an experimental project in 2016 to implement restorative measures in the courts of Lyon, which had encouraging effects but had to be discontinued after the Circular. She will explain this ambitious experiment and critically discuss the impact of the Circular on her own work. She will be supported by Katerina, who has worked on the penological interest and the legal challenges associated with the introduction of the concept of restorative justice in both France and Brazil. Katerina will critically reflect on this sui generis understanding of the principle of ‘autonomy’ of restorative justice in France.

**Presenters**

Nathalie Mazaud, is a French Judge, vice-president and responsible for the application of sentences at the court of Pontoise, France. She is also president of the lyonnaise association “SynerJR”, created in 2020, whose social purpose is to raise awareness on restorative justice among professionals, to promote and facilitate restorative justice measures in the French region Auvergne–Rhône–Alpes.

Dr. K. Soulou is a Greek legal scholar, specialised in criminal law and restorative justice. She holds a Ph.D in Law from the University of Aix-Marseille, France. She is a Board member of the EFRJ and the vice-chair of the Research Committee of the same organization. She is actually appointed as a scientific assistant at the University of Liège, Belgium.
CIVICAN – Floor 1 – Sala 1B

PRESENTATION 30'
Cultural Humility and Restorative Justice
EFRJ WG HPVE

This workshop is led by the Chairs of the EFRJ Working Group on Hate, Polarisation and Violent Extremism. You will hear a lively introduction to the application of restorative justice in situations where hate crime, polarisation and violent extremism are present. This Working Group brings together expertise from research, policy and practice from around the world. The new group (established in the beginning of 2023) is building on the EFRJ Violent Extremism policy and practice papers produced in the past years (downloadable from the EFRJ website). These papers give clear recommendations to both frontline practitioners and for European policy. Finally, you will be invited to participate in a facilitated discussion on the following questions, which are foundational in the current Working Group:

- Is RJ repeating the same patterns of systemic challenges/ violence perpetuated by other systems?
- If so, how can we make restorative services and institutions more culturally sensitive and more inclusive?
- How far can this have an impact on the restorative work we conduct in situations where polarisation and hate are present?

The presentation will conclude by summarising the main points and ideas raised, which will inform the Working Group’s discussions and contribute to its final outputs.

Presenters
Lucy Jaffé (UK) and Miriam Attias (Finland) are the Chairs of the Working Group on Hate, Polarisation and Violent Extremism (2023–2024). Both have been active members in the previous Working Group on Violent Extremism (2019–2022), contributing to the practice paper and policy paper published on the EFRJ website.

PRESENTERATION 30'
Ombudsman’s Engagement: A New Way of Policymaking through Restorative Justice
Moreno (ES)

Since 2019, Roberto Moreno has participated on behalf of the Ararteko (Ombudsman in the Basque Country) in the organisation and facilitation of restorative encounters among victims, ex-combatants, family members and community members affected by political violence and violent extremism. Participants from the Basque Country, Israel
and Palestine, Italy and Northern Ireland have previously participated in their own countries in restorative dialogues after or during times of political violence and violent extremism. Each group includes expert restorative justice facilitators that, in the wider group “The Encounter of the Encounters”, cooperate in the moderation of the conversations. More information about the history of this initiative can be found on the EFRJ blog: www.euforumrj.org/en/encounter-encounters. Since 2019 Roberto’s participation in this initiative or group has evolved from being a representative of the community on behalf of the Ombudsman of the Basque Country to become a facilitator (in the last meeting in Milan). This evolution has given him a wide idea of accompanying those affected by violence and crime as a qualified member of the community (being a representative of a human rights agency like Ararteko). In this workshop Roberto wants to reflect with the audience about the institutional participation in restorative practices of public bodies and official agencies such as the Ombudsman. He wants to put the focus on the humanization of the administration through RJ practices when representatives of public administration take part in RJ practices on behalf of the community. Apart from the fact of humanizing the public agencies and getting them closer to the people they serve, RJ gives the opportunity to accompanying victims and offenders in their reintegration into the community in a qualified level as public administrations. Political and institutional representatives have the legitimacy of institutional representation, and this is a new way of policymaking through RJ that Roberto would like to explore with other countries and realities through a dialogue with the participants of this workshop.

**Presenter**
Roberto Moreno (Spain) is the responsible officer for justice, prisoners and victims of terrorism at the office of the Ombudsman for the Basque Country. Until 2019 he was the Head of the Adults Justice Service of the of the Ministry of Justice of the Basque Government, coordinating the Victim-Offender Mediation Services of the Basque Country, also the Victim Support Services and the Probation Services. In the past he has 15 years’ experience defending prisoners’ rights in prison, legal advising, visiting at prison and struggling for their rights in different civil movements and NGOs. He supported as an adviser and expert the restorative encounters between ETA Basque separatist group members and victims in 2011–2012, he has disseminated the experience in Europe for a decade and he has facilitated new encounters since 2019. He has been a EFRJ Board member (2014–2020).
PRESENTATION 20'
A Policy for Good Relations and the Role of Restorative Justice
Attias (FI)

Miriam Attias has been a mediator for many years, and she has been working on the policy level (national and city level in Finland) to promote the use of restorative justice and practices in building good inter-group relations. She found a way to justify the use of restorative justice to policy-makers and to link it with other efforts for equality, non-discrimination and anti-racism. It is a tool for "a policy for good relations". In Finland, a new-ish policy field is the policy for good relations. It has been introduced by the Ministry of Justice in the frame of work for equality and non-discrimination. What does it mean? How can relations be administrated, and what is the role of restorative justice and restorative practices in a policy for good and fair relations? What needs to be taken into account when building inter-group relations in a society or a community?

Presenter
Miriam Attias (Finland) is an independent mediator, researcher, trainer and consultant in community relations, polarisation and conflicts based in Helsinki. Her areas of interest and expertise are identity and intergroup conflicts, depolarisation strategies and building good inter-group relations. Her own first book "Identities, conflicts and mediation" was published in 2020, and she has been co-author of two others: "Mediation and its applications" (2022, edited with Dr Kaijus Ervasti) and "Un versus them – tools for times of polarisations" (edited with Dr Jonna Kangasoja) – all in Finnish.

PRESENTATION 40'
Restorative Justice with Young People: Protecting Children’s Rights & Trauma
Informed Work
Wolthuis (NL) & Chapman (UK)

In 2022 the book “Restorative Justice from a Children’s Rights Perspective”, edited by Annemieke Wolthuis and Tim Chapman was released. It contains contributions from all over the world, including policy related aspects which influences the way restorative justice can develop or can be held back. The authors have presented about the topic in many countries and developed training on various child rights and needs. During this workshop we will explain how countries which are covered in the book, such as Chile
and Georgia, have introduced legislation which has modernised their youth justice systems and how international policy instruments on the rights of the child have supported these reforms. We will also address current restorative justice policy for youth in the Netherlands and Northern Ireland by addressing aspects that paved the way for the growth, but also point at difficulties created by governments or addressed by children’s rights advocates or victim support. We will then outline research that has found that some restorative justice practice can both undermine the rights of children and fail to be responsive to trauma. We argue that to avoid these failings policymakers must ensure the observance of rigorous standards of practice which are led by values and structured by sound principles of practice based upon research evidence. These standards should be the foundations of training and managerial supervision so that restorative justice practices are effective in enabling children and young people to restore what has been lost, damaged or violated by the experience of serious harm whether as a victim or a perpetrator. The presenters will make use of interactive working forms and create space for discussion.

**Presenters**

Tim Chapman (UK) and Annemieke Wolthuis (The Netherlands) edited together the book “Restorative Justice from a Children’s Rights Perspective” (Eleven Publishers, 2022). Tim had a lengthy career in the Probation Service in Northern Ireland. He spent 10 years as a lecturer in Restorative Practices at the University of Ulster. He teaches as visiting professor at the University of Sassari and at the University of Strathclyde. He publishes widely on restorative justice. Annemieke is more than 20 years involved in children’s rights and restorative justice. She is a researcher and trainer at Restorative Justice Nederland, a guest lecturer at different universities and schools, mediator in youth cases, and substitute youth judge at the Court of Rotterdam.

**PRESENTATION 40’**

**Restorative Justice in Colorado**

Leach (US)

The State of Colorado is often referred to as the epicentre of US restorative justice with a robust legislative framework implementing RJ in the criminal and juvenile systems, the Dept of Corrections, Division of Youth Services and in schools. Colorado has formulated and revised RJ policy and practices, to ensure best practices and evidence-based policy over three decades. Colorado has created a State-wide RJ Coordinating Council, secured dedicated funding for RJ programs, developed standards and practices for facilitators, worked with stakeholders (including prosecutors, defense lawyers, judges, victim advocates, educators and community members) and supported on-going training and innovation to improve justice and
school-systems practices to align RJ values and practices/policies. Both former Senator Lee and Lynn Lee have lectured, trained and participated extensively in RJ and will open this combined session. Ms. Leach will then invite ground-level exploration of one key area where policy and practice gaps have significant implications, and how we can close those gaps at pre-conference assessment stages, which are the most critical steps in the restorative justice process for all parties concerned.

This presentation will capsule each key area as it relates to Colorado’s progress, challenges and growth over a span of 20+ years: practice developments, quality standards (for practice and training), legislation, interagency cooperation (including relationship/trust building with relevant stakeholders), awareness raising (with the public as well as with interested professionals), evolving approaches including suitability assessments and victim empowerment. It will examine the pre-conference assessment stage and lay out the policy and practice gaps that we’ve discovered in our specific work conducting Restorative Community Group Conferencing Processes.

Ms. Leach will assign clear solution recommendations in both policy and practice. Combined, we will outline:

- Building relationships of trust cross-profession and overcoming resistance—what we’ve learned;
- Policies—what worked and what needs improvement;
- What our critics have taught us and how we built relationships with them;
- How the Colorado RJ Fund policy catapulted our growth;
- How we formulated our Best Practices in Facilitation and Training Guidelines and continued work to keep them relevant and current;
- Our thoughts on “Certification”;
- Our biggest achievements and most critical gaps;
- Current legislation in Colorado & How we got there;
- The Assessment / Pre-Conference Stage and key strengths/weaknesses
- Solutions for improving Facilitator abilities specific to Assessment / Pre-Conference

**Presenters**

Molly R. Leach is the founder of “Restorative Justice on The Rise Podcast” (2011-Present), former Executive Director of Full Circle Restorative Justice (Colorado, USA), practitioner of circle and conference processes (conflict and non-conflict related). Her research interests are: Policy and Internal Structures; Policy and Pre-Conferences; Restorative Justice in Workplaces and in Family Law Structures. Daughter of former long-term incarcerated parent, she contributed to the manual *Children of Incarcerated Parents* (Lamoille Restorative Justice, Vermont).

Pete Lee and Lynn Lee will join in a videocall. Pete is a former five term Colorado State Senator and Representative and former criminal defense attorney, member National Association of Community Restorative Justice. Lynn is a long-term
practitioner/facilitator/trainer, including HRVOD (High-Risk Victim-Offender Dialogue), member of the Colorado State Restorative Justice Council, and advisory and board member of multiple organizations serving different areas of restorative justice.

**CIVICAN – Floor 1 – Sala 3**

**INTERACTIVE 60’**
**Why Policy Makers and Trainers Need Each Other to Ensure Good Quality Restorative Training and Practice**
EFRJ TRAINING COMM

In this workshop we will explore the following questions:
- What values and standards govern high quality restorative training?
- What is unique/special about training in restorative justice?
- What does it mean to train in a ‘restorative’ way?
- How do we evaluate training and its impact on practice?
- What policies need to be in place to ensure high quality training provision in a service/agency?

Using circle practice, active participation and experiential training ideas we will engage participants in thinking about the above questions and deepen their understanding of what it means to train in a restorative way. We will also explore the relationship between high quality standards in training and in practice, and the role of policy in a service or organisation to ensure that the one follows from the other.

**Presenters**
Gael Cochrane and Belinda Hopkins (UK) are members of the EFRJ Training Committee. Gael is the Learning Development and Innovation Lead at Community Justice Scotland in Edinburg, while Belinda is the director and founder of Transforming Conflict in Berkshire.

**PRESENTATION 20’**
**The Landscape and Reflections on RJ Training Policy in Taiwan**
Reynol Cheng (AU)

Policy matters, and cultural and legal contexts influence policy; this is particularly true in the field of restorative justice, where practices are strongly associated with
individuals’ cognition, emotion, and experience. The training and accreditation system for restorative justice facilitators has received much more attention in recent five years in Taiwan, with some ambitions and some challenges. This research plans to contribute to this scholarship by reviewing and analysing government documents, journal articles, published books, and training materials in Taiwan and worldwide. Since the Taiwan Presidential Office National Conference on Judicial Reform in 2017 and the amendment of the Criminal Procedure Code, the Juvenile Justice Act, and the Prison Act in 2019, the administration of restorative justice has become one of the main judicial reforms in Taiwan’s criminal justice system, especially the training and accreditation system for facilitators to meet the needs of local people and communities. In 2022, a government-funded study (of which I was a co-author) was conducted to design a localised training and accreditation system for restorative justice facilitators, based on consultation with local RJ practitioners’ practical experiences and review of international practices such as Resolution Institute in New Zealand, Restorative Justice Council in the UK, Täter-Opfer-Ausgleich in Germany, and the Re-justice project in the European Forum for Restorative Justice. To date, there are three widely used RJ models in Taiwan. Three challenges emerge from the current analysis. First, the training policy is divided. With three different RJ models introducing different approaches to delivering RJ, there is little consensus, as is the ambiguity of the government’s stance. There is also a concern about creating an orthodoxy in restorative justice. Second, awareness of the cultural context is not yet firmly embedded in training. The fact that Taiwan is both committed to Confucian tradition and open to Western philosophies such as human rights and democracy, makes the society a unique place for practicing RJ. However, the cultural context of relationalist thinking and interdependent-self in Taiwan is different from individualist thinking and independent-self in the West, which may lead to different facilitation strategies and needs. Third, the training of law enforcement professionals is inadequate. These people can be seen as gatekeepers for RJ practice, whether they are introducing RJ ideas to potential participants or transferring cases to an RJ approach. Their attitudes are crucial for the flourishing of RJ in society as a whole.

Presenter
Reynol (Hsueh-Hung) Cheng is a PhD scholar at the Australian National University, focusing on restorative justice and juvenile justice. Prior to his academic career, he was a restorative justice facilitator and a police inspector in Taiwan. In his work, he strives to bridge communities and find innovations that promote harmony.
The ending project called “Building and empowering of the alternative dispute resolutions through mediation and the effective use of the restorative justice values in Slovak Republic” (ADR) has been a benefit for the whole Probation and mediation service in Slovakia. The main task of the national project has been to strengthen and make more effective the core principles of the restorative justice and the diversion measures in the criminal proceedings. The outcome of this project has been to identify if the probation and victim-offender mediation should be regarded as two different working methods, so the content of one could not be confused with the other. The new perception of the idea of the restorative justice and its programs will be strengthened in creating a new position called specialist for the mediation in criminal matters who will be available as a restorative justice service for both the victim as well as the offender at any stage of the criminal proceedings regardless of the type of crime committed. The presentation will cover the new structure of management of the Probation and mediation service and how can it effectively contribute to unburdening not only the criminal justice authorities dealing with the crime, but also repairing the well-being of the Slovak community as a whole.

**Presenter**
Tomas Horehaj (Slovakia) is employed at the Ministry of Justice (MoJ) as a specialist in criminal law for the restorative justice and probation unit, department of mediation and restorative programs. His main working tasks are drafting the strategies and methods in the field of restorative justice and restorative programs, analysing the legislative documents drafted by the European Commission and the Council of Europe and their implementation into the domestic law and presentation of the application practice and attendance at the events organised by the EFRJ. He studied law at the Trnava University in Slovakia, and is currently pursuing the PhD programme in the field of criminology/victimology. He also teaches and raises awareness about the restorative justice in the academic field and lectures the probation and mediation officers as practitioners of the victim–offender mediations.
Adaptations
Borràs Andrés (IT)

Over the last two decades, there has been a growing number of supranational texts aimed at promoting the resolution of conflicts through alternative mechanisms to traditional jurisdiction. The application of these mechanisms in the criminal context is provided for in the well-known Directive 29/2012/EU on victims' rights in criminal proceedings, and the concept of Restorative Justice is making inroads, although its content and delimitation in the European jurisdictional sphere and culture are not very clear. Many member states have decided to redirect the required mechanisms to pre-existing procedural figures of conditional dismissal or negotiation in criminal proceedings, which do not truly amount to restorative justice. At the Spanish level, the number of referrals to intra-judicial mediation in criminal area is increasing, but restorative justice is a phenomenon that, although tolerated, is still very alien to the configuration that underlies our criminal procedural system in the common imagination, causing a lack of trust among many practitioners. The study and reflections underlying this proposal are based on the European research project "Counter–Hate: Improving the assistance of victims of hate crimes through a victim-centred and intersectional approach", funded by the Justice Programme (JUST–2021–JACC), in which 6 European countries are participating: Spain, Italy, Hungary, Slovenia, Lithuania and Greece. This presentation aims to shed some light on the concept of Restorative Justice and its complexity, which allows us to understand the resistance of European countries to the inclusion of such mechanisms in the criminal process. It is emphasised that the objectives, paradigm and motivations that promote these mechanisms at the European and Spanish levels are different from those that promoted them in the North American context and their incorporation should not necessarily imply the acceptance of procedural paradigms that are opposed to our legal culture. It concludes by identifying the procedural principles that generate resistance, and calling for a European translation of this model and its values as soon as possible. The re–signification of these mechanisms will allow us to lose our fear of their incorporation in the context of conflict resolution and to delimit more clearly their scope of procedural impact, which is currently far from clear.

Presenter
Núria Borràs Andrés has a PhD in procedural law from the University of Barcelona. She was a visiting researcher at the University of Leiden (2019) and at the Ludwig-Maximilien Universität Munich (2020). Currently, she is a post–doctoral researcher at the Università degli Studi di Brescia (Italy), working on the European research project "Counter–Hate: Improving the assistance of victims of hate crimes through a victim-centred and intersectional approach".
PRESENTATION 40'
Hobson & Fisk (UK)

Despite there being little in the way of new policy on restorative justice in England and Wales in the last decade, there is a well-established and growing restorative sector with a strong presence in policing and the criminal justice system, education, health, and social care amongst other sectors. It is within this setting that the Restorative Justice All-Party Parliamentary Group was formed in April 2021 with the intention to drive forward cross-party conversations on restorative justice, raise awareness about its principles, and provide information for policy makers. This presentation reflects on the work of the APPG, which has now completed two rounds of investigation. The first focused on establishing the breadth and depth of restorative justice and practice across England and Wales. It focused on issues of ‘access’, ‘awareness’, and ‘capacity’, and made a series of nine policy recommendations:

1. That commissioned services should be registered as providers.
2. That there should be standardisation in the sharing of information.
3. That effective monitoring and evaluation would improve service quality.
5. That there should be a review of ring-fenced funding for restorative justice services.
6. That there should be an exploration of automatic rights for victims through the Victim’s Law.
7. That blanket bans for RJ in certain types of cases (particularly DV/SV and hate crime) should end.
8. That there should be more and better communication around RJ and RP.
9. That a Government minister should have specific responsibility for restorative justice.

The second phase of the APPG’s work, reporting in early 2023, focused on 4 key themes to have emerged from the initial report:

1. Raising practitioner standards within the criminal justice sector
2. Opening up universal access to restorative justice in the criminal justice sector
3. Implementing restorative practices in education, health and social care
4. The commissioning, collection, and dissemination of evidence-based research & the benefits of a national reporting framework

Across these issues, key findings included the need for policy to be underpinned by effective, consistent reporting of cases and outcomes and a discussion on what should be considered as a ‘successful’ restorative intervention. In this presentation, we will consider the impact of the APPG and what their findings mean for the future of Restorative Justice policy in England and Wales.

Presenters
Dr Jonathan Hobson teaches and researches at the University of Gloucestershire, where he supports research and impact across Social Sciences, Education, and Social Work. He is vice chair of the Advisory Board for the Restorative Justice APPG and an elected council member of the Restorative Justice Council.
Ben Fisk is a qualified social worker and is undertaking a PhD commissioned by the Restorative Justice Council in partnership with the University of Gloucestershire, titled ‘Evidencing Success and successful Evidence in Restorative Work: Developing Models of Effectiveness, Efficiency, and Impact’.

CIVICAN – Floor 3 – Espacio Bienestar

PRESENTATION 40'
Prácticas Restaurativas con Víctimas Difusas
Baig & Cabós (ES)

Des del Programa de Justicia Restaurativa del Departament de Justicia de la Generalitat de Catalunya, gestionado por la fundación AGI, hemos empezado a facilitar procesos restaurativos en procedimientos judiciales derivados por diferentes operadores judiciales en delitos que no tienen una víctima concreta. Dentro de esta casuística hemos tratado delitos contra el orden público, delitos por conducción temeraria, y también, cada vez más, delitos de odio. Esta tipología a delictiva conocida en victimología como víctima difusa, la cual, en la literatura especializada, se define como aquella que tiene una “identidad intangible pero real”, puesto que toda la sociedad es víctima. Son grupos humanos, etnias, comunidades... dañadas por “acciones u omisiones intencionales o imprudentes de personas físicas o jurídicas”. Esta falta de una víctima concreta obliga a repensar las intervenciones al respeto y construir procesos restaurativos atendiendo la particularidad de cada caso teniendo en cuenta sus objetivos y a la vez, los recursos disponibles. Así, en este espacio pretendemos exponer nuestra experiencia en el uso de herramientas tales como encuentros restaurativos y los círculos de diálogo en la construcción de procesos
restaurativos específicos para estos casos. Nos interesa compartir con otras facilitadoras, operadores jurídicos y/o investigadoras, sus prácticas, así como intercambiar preguntas y reflexiones para consensuar algunas conclusiones.

**Presentadores**
Marçal Baig es facilitador de procesos restaurativos en el programa de justicia restaurativa (adultos) del Departamento de Justicia. Isabel Cabós, de la Fundación AGI, es coordinadora del programa de justicia restaurativa del Departamento de Justicia Restaurativa.

**PRESENTATION 40'**

**Actualidad y Perspectivas de la Justicia Restaurativa en Cuba**

**Barroso González, Pérez Inerárity & Azcuy Aguilera (CU)**

En esta presentación, se describirá el nuevo marco regulatorio de la justicia restaurativa en Cuba a partir de la Constitución del 2019 y las sucesivas leyes complementarias que han ido incorporando prácticas restaurativas en el país. Se realizará un análisis particular sobre el contenido del Decreto-Ley de Mediación, y sobre la responsabilidad de los abogados pertenecientes a la Organización Nacional de Bufetes Colectivos en la mediación derivada del ámbito judicial. A su vez se enfatizará en las peculiares características, composición y dinámicas de la comunidad cubana que favorecen la implementación de prácticas restaurativas así como los retos y desafíos que enfrentará el diseño y desarrollo de un prospectivo modelo cubano de justicia restaurativa en los próximos años, tanto en el campo judicial como en el comunitario.

**Presentadores**

Jorge Luis Barroso González, Maydell Pérez Inerárity y Lucrines Azcuy Aguilera (Cuba) son promotores del Proyecto “RESTORE” con KU Leuven.

Jorge Luis es doctor en Ciencia Jurídicas, Profesor Titular de Derecho Penal y Criminología de la Universidad Central “Marta Abreu” de Las Villas; abogado, miembro de la Organización Nacional de Bufetes Colectivos; miembro de la Directiva Nacional de la Sociedad Cubana de Derecho Penal y Criminología.

Maydell es doctora en Ciencias Psicológicas, Profesora Titular del Departamento de Psicología de la Universidad Central “Marta Abreu” de Las Villas; vicedecana de Investigación y Postgrado de la Facultad de Ciencias Sociales; miembro de la Sociedad Cubana de Psicología.

Lucrines es doctora en Ciencias Sociológicas, Profesora Auxiliar e Investigadora del Centro de Estudios Comunitarios, adscripto a la Universidad Central “Marta Abreu” de Las Villas; asesora del Gobierno Provincial de Villa Clara para el desarrollo de las políticas sociales.
Poster shows

CIVICAN – Floor 0 – Main hall

Restorative Conversations in Criminal Policy to Debate Crimes Against Ecosystems and Animals
Varona (ES)

Critical towards the trend towards punitivism in criminal law, but with the public opinion perception of impunity in its implementation, the results of a 2023 two-day workshop with participation of different stakeholders (magistrates, prosecutors, police, forest rangers, lawyers, activists, researchers…) in Spain will be presented. In order to foster dialogue among different stakeholders, with diverse power and/or authority to influence the criminal policy in Spain, restorative justice researchers seems to be challenged to understand the need for a “greener restorative justice” in order to place the debate beyond polarisation (impunity/punitivism). This poster (translated in English/ Spanish/ Basque) is within the research project “Restorative justice for crimes against the environment and against animals: Design of prevention, intervention and reparation programs within a globalised framework” (Ministry of Science and Innovation, 2021-2025).

Author
Gema Varona is a senior researcher at the Basque Institute of Criminology (University of the Basque Country) where she coordinates the RJ Theory & Practice Lab.

The Long-Term Impact of Restorative Transitional Justice: Lessons from Rwanda
Druart (BE)

This poster (based on Pierre Druart’s PhD research) is devoted to “restorative transitional justice”. Transitional justice refers to the mechanisms or processes implemented by societies which try to cope with a violent past in order to ensure accountability and possibly reconciliation. Restorative approaches to transitional justice address the harm by engaging all actors affected by it, and by creating room for collective exchange on how the harm could be repaired. By involving three disciplines (law, anthropology and philosophy), and by combining both fieldwork (in
Rwanda and Belgium) and literature research, his PhD project aims at answering the three following research questions: (1) What has been the impact of restorative justice mechanisms put in place in the aftermath of the Rwandan genocide on the way memories of the genocide are being transmitted over three generations of victims and perpetrators; (2) What is understood by “restorative justice” in transitional settings; (3) What lessons can be drawn from the Rwandan experience for the implementation of restorative justice approaches in the Belgian context?

By addressing these three questions, the PhD project aims at (1) understanding the long-term impact of restorative justice mechanisms set up in transitional settings; (2) contributing to the lacking theoretical conceptualization of what restorative justice implemented in transitional settings exactly entails; (3) fostering dialogue between researchers and practitioners working on restorative justice in transitional and non-transitional fields.

Author
Pierre Druart (Belgium) is a PhD Student at KU Leuven and UCLouvain, with funding from the Max Planck Institute for Social Anthropology. One character trait is that I am very admiring of the spirituality of Ignatius of Loyola, who underwent his spiritual conversion in Pamplona.

Evaluation of Family Group Conferences in The Czech Republic: Research Findings
Diblikova (CZ)

The poster summarizes findings from research on family group conferences and experiences with their application within the juvenile justice system in the Czech Republic. The main aim of the research was to evaluate the effectiveness of this restorative measure and to observe the opinions of both victims and offenders. The evaluation from the perspective of the facilitators was carried out twice, immediately and then three years after the conferences. The results showed that the FGC model is an effective way of meeting the basic needs of victims of crime where appropriate. The analysis of data on the rate of subsequent recidivism of offenders was also relatively favourable.

Author
Simona Diblikova is a graduate of the Faculty of Law of Charles University in Prague, where she also obtained a doctorate in criminal law. She has been a researcher at the Institute of Criminology and Social Prevention since 1999. Her research focuses on criminal policy, crime trends, alternative sentencing and restorative justice. She is a member of the Czech Society of Criminology.
Practicalities

Venue(s)

EFRJ events are well-known for creating the occasion to explore some local realities, in line with the values we promote with restorative justice. For this reason, the policy seminar in Pamplona will be hosted in the local cultural centre CIVICAN. As mentioned in its mission statement, this is “a living space for intergenerational and multidisciplinary meetings” promoting “solidarity and social action, thought and philosophy, with strong awareness of sustainability, and guarantor of the active participation of citizens.” No need to explain further why we chose CIVICAN to host us in Pamplona! Also the social dinner will take place in a special place for Pamplona citizens. Geltoki is a participatory, open and non-profit project promoted by 50 social organisations and managed by a cooperative. Its restaurant is located in the old Pamplona bus station, a beautiful way to give a second chance to old buildings. Its mission to promote solidarity and a sustainable future for all is something we definitely wish to support.

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<tr>
<th>Cultural center CIVICAN</th>
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<tr>
<td>Avenida de Pío XII 2, Pamplona</td>
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<td>Restaurant Geltoki</td>
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<td>Antigua Estación de Autobuses, Av. del Conde Oliveto 6</td>
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Wi-Fi & Social media

The Wi-Fi connection of CIVICAN is not so strong to allow all participants to navigate on the Internet at the same time. If you have a European sim card, you can use your data roaming. If this is not an option for you, ask the Wi-Fi codes at the info desk. Note that all seminar rooms are equipped with cables to access Internet from the computers.

Use #EFRJseminar2023 #EFRJPamplona2023 on your social media.
Simultaneous interpretation

Attendees of the plenary sessions will benefit from simultaneous interpretation between English and Spanish. Most workshops will be in English, but some will be in Spanish, making sure that during the parallel workshops everyone is welcomed to contribute. This is a great opportunity for everyone to engage in their preferred language. The interpretation service, and much more, is offered by the Penal Enforcement and Restorative Justice Service of the Government of Navarre, our local host and financial supporter of this event.
## Participants’ list

This list includes the 135 participants of the seminar (including organisers and speakers), coming from 29 different countries, listed (in alphabetical order) by country, organisation (when provided) and family name.

Last update (before printing): 06/06/2023.

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<th>First Name</th>
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<td>Vanessa</td>
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<td>Janet</td>
<td>Hope</td>
<td>University of Canberra Law School</td>
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<td>Buonastea</td>
<td>EFRJ &amp; Mediante, Centre pour une Justice Restauratrice</td>
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Deфрère Rik & Anda Zsofia – Administrative & Finance Officers
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Juhá sz Bá lint – Training & Communication Officer
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Government of Navarre

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Burgui Iguzkiza Daniel – Cabinet Secretary

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The seminar is financially supported by the Justice Programme of the European Commission and by the Penal Enforcement and Restorative Justice Service of the Government of Navarre. Our local host organises also some cultural moments to welcome our international audience: the Basque honour reception dance "Aurresku" and traditional percussions "Txalaparta" (see below) and the visit to the Fort of Saint Cristobal in Mount Ezkaba (more info: p. 12). The music during the social dinner is provided by KABIA Multicultural DJ session, a social project for inclusion of youth migrants through art and leisure.

Aurresku is a ceremonial dance that pays tribute to and greets the people in the spotlight, guests, authorities and the general public. This traditional Basque dance, covered with solemnity and elegance, is a sign of respect and welcome that is danced both on public occasions and at important private events, in front of outstanding people or personalities of the community. It is performed by a txistulari (musician who plays the Basque flute and a double-headed drum) and a dancer.

Txalaparta is a Basque traditional music device for percussion made by forest wood or stone, which produces differing rhythms, playing with wood knots and spots of the boards for different tones. A pair of players perform consecutively by striking with the sticks on the boards, combining their art of produce a polyphonic improvisation. During the last 150 years, txalaparta has been attested as a communication device used for funerals, celebrations or the making of cider.