

# A JOURNEY AROUND RESTORATIVE CITIES IN THE WORLD

## A TRAVEL GUIDE



EUROPEAN  
**FORUM** FOR  
RESTORATIVE  
JUSTICE

# A journey around restorative cities in the world: a travel guide

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# 1 Introduction

## THE TRAVEL GUIDE: AIM AND STRUCTURE

“A journey around restorative cities in the world: a travel guide” illustrates the journey undertaken by the Working Group on Restorative Cities to better understand why and how restorative cities have emerged around the globe and in Europe, how they function, what results they deliver and under which conditions they prove to be effective.

The Working Group on Restorative Cities (hereafter called the WG), created in 2018, is part of the [European Forum for Restorative Justice](https://www.euforumrj.org/en/working-group-restorative-cities), an international network organisation connecting members active in the field of restorative justice as practitioners, academics and policy makers throughout Europe and beyond. The WG aims to bring together different local experiences that have the intention of creating a cultural change with citizens who are empowered in their conflict resolution skills and decision making. At this stage in the drafting of the travel guide, the WG is made up of representatives of non-governmental organisations (NGOs), municipalities or universities active in the field of community oriented restorative justice initiatives in the following cities: Bristol (United Kingdom – UK), Como and Lecco (Italy – IT), Leuven (Belgium – BE), Tempio Pausania (IT), Tirana (Albania – AL) and Wroclaw (Poland – PL). The WG also includes Chris Straker, a practitioner with experience in one of the oldest restorative cities, namely Hull (UK)<sup>1</sup>.

Since its creation the WG has travelled virtually or in person around its seven-member cities to share and advance knowledge and practice on restorative cities. In 2021, the WG decided it was time for it to open up to cities around the world, in particular to countries with a long tradition in restorative justice (Australia – AU, Canada – CA and New Zealand – NZ),

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<sup>1</sup> Further details on the WG are available on the EFRJ website: [www.euforumrj.org/en/working-group-restorative-cities](https://www.euforumrj.org/en/working-group-restorative-cities).

in order to exchange learning and experiences on restorative cities. This journey took the WG members (virtually) to Canberra (AU), Vancouver (CA) and Whanganui (NZ). These cities outside Europe were approached mainly because of existing personal contacts, without striving for completeness; the WG is also aware of other relevant initiatives around the world, but these are not (yet) included in this travel guide.

The results of this journey are included in this travel guide with the purpose to increase attention and provide learning opportunities for policymakers and practitioners working on, or who are interested in restorative cities. This guide aims to demonstrate the process of constructing a restorative city, where such a process is ongoing, or to raise awareness on the potentialities of constructing a restorative city, where such a process has not yet started.

The travel guide is structured in four sections:

1. an introductory chapter to the travel guide and to its topic;
2. a second chapter presenting the main highlights of the journey around restorative cities worldwide;
3. a third chapter analysing in detail the ten restorative cities;
4. a fourth chapter indicating the next steps.

## RESTORATIVE CITY: AIMS AND POTENTIALITIES

Before getting into details of the journey of each city, it is useful to clarify why we should turn our attention to the topic of what a restorative city is.

Nowadays, cities host a great part of the inhabitants worldwide. In European Union (EU) Member States (MS), 39% of the overall population lives in cities<sup>2</sup>. Cities represent not only the place where many citizens live, but they are also

a driving force for knowledge economy, the creation of employment opportunities, access to education, innovation and culture and territorial development. Cities are also a living lab for co-creating knowledge and innovation in all areas (social, welfare, environmental, justice, etc.). However, cities are also facing multiple and complex challenges deriving from climate change and social challenges (ageing, poverty, housing costs, migration, discrimination, feelings of unsafety, social isolation, crime, etc.).

In recent years, cities have also registered an increase in polarisation and conflicts among their citizens<sup>3</sup>. A certain degree of polarisation is not only accepted, but needed in pluralistic societies. When polarisation results in the end of the dialogue and clashing, it represents a real danger to citizens' well-being. Cities are often the place where such conflicts escalate, fuelled also by social media, turning into effective violence, radicalisation to violent extremism and crimes that threaten social cohesion and increase feelings of insecurity among citizens. Local authorities and stakeholders are thus called not only to understand the causes beneath polarisation, but also to channel it into a constructive path in order to avoid its negative effects on social cohesion. Furthermore, local policymakers are also called to act to enhance social cohesion, as low levels of social cohesion have promoted polarisation and security risks<sup>4</sup>.

The role of social cohesion in polarisation and violence prevention has been recognised by the EU Urban Agenda:

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2 European Commission. 2020. Report on the Quality of Life in European Cities, [https://ec.europa.eu/regional\\_policy/sources/docgener/work/qol2020/quality\\_life\\_european\\_cities\\_en.pdf](https://ec.europa.eu/regional_policy/sources/docgener/work/qol2020/quality_life_european_cities_en.pdf)

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3 Ecorys. 2021. Final report & recommendations of Action 5 – measure the impact of social cohesion on security in public places, <https://futurium.ec.europa.eu/en/urban-agenda/security-public-spaces/library/action-5-final-report-importance-social-cohesion-urban-crime-prevention?language=fr>

4 Ecorys. 2021. Final report & recommendations of Action 5 – measure the impact of social cohesion on security in public places, <https://futurium.ec.europa.eu/en/urban-agenda/security-public-spaces/library/action-5-final-report-importance-social-cohesion-urban-crime-prevention?language=fr>

“strong social cohesion is an important aspect in preventing polarisation as well as violence and crime. It is also an important aspect of good life and means that people live in a trustful surrounding, where mutual understanding and inclusive participation are high, where the social and political structures provide equal opportunities and where people feel safe and secure.”<sup>5</sup>

The new Leipzig Charter – the transformative power of cities for the common good, adopted in 2020, also encourages the adoption of local policies (at neighbourhood and city level) that promote local commitment for community building and inclusiveness to deal with social tensions caused by inequalities, poverty and environmental distress. Moreover, the Leipzig Charter acknowledges that it is through the combination and balance of the just, green and productive dimensions that cities can deal with the new social, environmental and economic challenges. According to the Charter, a just city is a city that leaves no one behind, providing equal opportunities for all to integrate into society, thus fostering social cohesion<sup>6</sup>. The provisions of the Charter are further developed in the framework of the Urban Agenda Partnership Security in Public Spaces. The recent report of Action 5 of the Urban Agenda Partnership Security in Public Spaces underlines that:

“it is precisely at the local level that the factors for cohesion, democracy and dialogue must be strengthened, while the risk factors of division must be kept as low as possible and even reduced.”<sup>7</sup>

The report emphasises that in societies characterised by inequalities social discontent, criticism must be expected, but that this should not be fought against but rather turned into a constructive dialogue. It is precisely to this aspect that restorative cities can contribute to.

Restorative cities aim at disseminating restorative justice values and principles in different settings where conflict may occur, such as families, schools, neighbourhoods, sport organisations, workplaces, intercultural communities, with the aim to strengthen relationships, encourage active citizenship and look at conflict as an opportunity for change, rather than a threat. By doing so, restorative cities – as part of broader social policies – help to lay the foundations for embedding restorative justice into a larger societal context. The latter is greatly needed for the effective development and implementation of restorative justice in its more narrow, institutional sense often identified solely in a criminal justice context: restorative justice practices should not operate in an isolated way, but should connect and respond to needs and opportunities in society at large.

In particular, restorative cities aim to:

- Support the development of healthy and just relationships in all layers of the society to foster cohesive and inclusive communities.

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5 Ecorys. 2021. Final report & recommendations of Action 5 – measure the impact of social cohesion on security in public places, pp. 8, <https://futurium.ec.europa.eu/en/urban-agenda/security-public-spaces/library/action-5-final-report-importance-social-cohesion-urban-crime-prevention?language=fr>

6 [https://ec.europa.eu/regional\\_policy/en/newsroom/news/2020/12/12-08-2020-new-leipzig-charter-the-transformative-power-of-cities-for-the-common-good](https://ec.europa.eu/regional_policy/en/newsroom/news/2020/12/12-08-2020-new-leipzig-charter-the-transformative-power-of-cities-for-the-common-good)

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7 Ecorys. 2021. Final report & recommendations of Action 5 – measure the impact of social cohesion on security in public places, <https://futurium.ec.europa.eu/en/urban-agenda/security-public-spaces/library/action-5-final-report-importance-social-cohesion-urban-crime-prevention?language=fr> (pp. 9)



- Spread the restorative justice values of respect for people's dignity, fairness, solidarity, social cohesion, truth and dialogue.
- Empower communities to solve tensions/conflicts, to deal with harm and its causes and to support all the involved parties (victims, offenders, citizens) so that they adopt more responsive and responsible ways to deal with social challenges and to undo or prevent injustices.
- Entrust communities with the confidence to solve their own problems/ conflicts and define together their own set of social values.

To reach these objectives, restorative cities promote the integration of restorative justice methods and tools into the wider city system and collaborate with various city actors to deal with causes beneath social conflicts. Restorative cities draw on the development and expansion of restorative justice from the criminal justice sphere to the wider community to create forums for discussion and inclusion to restore damaged relations in the community and foster social cohesion. As highlighted by the literature, restorative justice has proved to be an effective approach to dealing with the restoration of relations, the prevention of harm and the enhancement of social cohesion both within and outside the criminal justice system<sup>8</sup>.

While restorative justice is nowadays acknowledged worldwide and often integrated in the justice legislation and practice, restorative cities have still a long journey ahead of them towards being widely diffused and formally recognised. Even though building a restorative city is still a challenge for numerous reasons, as detailed throughout the chapters of the guide, there are however several European and international experiences, where the

building of the restorative city is an ongoing process (e.g. Oakland, Detroit in the USA; Canberra and Newcastle in Australia; Whanganui in New Zealand ; Seoul in South Korea; the European cities members of the WG; Brighton, Hull, Leeds, Portsmouth, Southampton, Stockport, in addition to Bristol, in UK). The experience of these cities shows that restorative cities have the potential to help the development of effective skills and attitudes in dealing with, or preventing, conflict and tension, and so to contribute to the objectives of fostering social cohesion and democracy and, in the case of EU cities, of reaching the EU Urban agenda objective of creating *just cities*. Furthermore, the experience of these cities also points out that local authorities play a relevant role in underpinning the valorisation and further development of this potential.

Without having any claim of proposing a roadmap or a model of restorative city, as each city needs a tailor-made scaffolding, the next chapters take the reader through the journey of these cities to unfold the potential of restorative cities for creating forums of dialogue, recomposing social fractures and ultimately fostering social cohesion and active citizenship, and to provide learning on challenges faced in the process and on how they were dealt with.

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8 For further details, see, for instance: Chapman & Campbell. 2016. Working across frontiers in Northern Ireland: The contribution of community-based restorative justice to security and justice in local communities. In *Restorative Justice in Transitional Settings* by Clapp. London: Routledge; EFRJ. 2017. Effectiveness of restorative justice practices. An overview of empirical research on restorative justice practices in Europe; IIRP. 2012. World's First "Restorative City": Hull, UK, Improves Outcomes of All Interventions with Young People, Saves Resources; IIRP 2014. Evidence from schools implementing restorative practices; Wested Justice and Prevention Research Center. 2019. Restorative justice in U.S. schools: An updated research review.

## 2 Highlights: summing-up the main findings

Despite differences in contexts and in the design and implementation process of restorative cities, digging into the journey of the ten cities included in the guide reveals some common features that can contribute to advancing knowledge on the building of restorative cities. This chapter will focus on highlighting the main common features and differences in the journey of the ten cities towards becoming restorative cities. It will reflect on five questions:

- What is the aim of undertaking a journey towards a Restorative City?
- What is the starting point of the Restorative City journey?
- How does the journey occur?
- Where does this journey take a city?
- What challenges emerge during the journey and how can a city cope with them?

### WHAT IS THE AIM OF UNDERTAKING A JOURNEY TOWARDS A RESTORATIVE CITY?

Restorative cities included in the guide aim to move beyond restorative justice in the criminal justice system and embed its principles, values and practices in all social layers (be they schools, neighbourhoods, hospitals, social houses, workplaces, sport organisations, youth organisations, public agencies, etc.) where conflicts and harm can occur with the overall goal of fostering just, trustful, respectful, responsible and positive interpersonal relationships that can enhance social cohesion and prevent crime. In the analysed restorative cities, moving beyond the criminal justice system does not mean leaving behind restorative justice in the criminal system, but rather constructing bridges between the criminal justice system and the community with the aim of creating a community that contributes to justice and a justice system that supports community involvement. Bridging the criminal justice system and the community can also contribute to enhancing the application of restorative justice in its original setting (criminal justice system), as its wide



dissemination in the community can increase social support for restorative justice. Otherwise said, the more people are knowledgeable about and used to the restorative approach and practices, the higher the possibility that this approach and its practices become the preferred way of action in all settings, including also in the criminal justice system. The lack of wide social support has been, indeed, identified, both in the literature (Pali & Pelikan, 2010) and in some of the ten cities of the guide (e.g. Leuven and Whanganui), as one of the factors hindering the recourse to the restorative justice practices and its development into a mainstream movement.

With these aims in mind, the ten restorative cities intend on one hand to create the conditions necessary to prevent that interpersonal conflicts cause interruption of social relations, violence and harm and on the other hand, when such situations occur, to provide people with opportunities to deal with them restoratively, both in the criminal justice system and outside it, by jointly finding appropriate solutions that respond to their needs and restore the just way of things.

To reach this purpose, the ten restorative cities aim, in particular, to:

- **Raise awareness** about restorative justice and about its principles, values and practices, in particular at community level.
- **Build** people's **skills** to deal restoratively with conflicts/harm in both formal (schools, workplaces, hospitals, neighbourhoods, social houses, etc.) and informal (family, friendships, etc.) social settings.
- **Provide** people with **access** to restorative practices for conflict/harm management in formal and informal social settings.
- **Create** spaces and opportunities for **dialogue** between all people's truths.

Moreover, restorative cities also aim to connect people and resources to co-create and co-produce a shared vision and action plan of the restorative city as well as to develop a common language throughout the restorative journey. In restorative cities (e.g. Bristol, Canberra, Leuven), where

restorative practices were in place before the concept of a restorative city, the restorative city aims to bridge the various initiatives under a shared vision and a common language on restorative justice at the community level. In the other cities, the aim is to activate restorative practices grounded in the shared vision of a restorative city. Besides connecting restorative initiatives and practitioners, restorative cities also aim to link restorative justice actors with actors from other policy areas (education, health, social housing, sports, etc.) with a twofold purpose: enhance the mainstreaming of restorative justice principles, values and practices in wider policies at community level and deal with the causes beneath social conflicts. While restorative practices at the community level can unveil causes beneath social tensions/conflicts and channel such tensions/conflicts into a constructive path, it needs to be integrated with other policy measures so that causes beneath these tensions/conflicts are dealt with effectively.

Furthermore, some restorative cities (Vancouver, Canberra) aim also to support the decolonisation commitment by restoring harm done to indigenous populations.

#### WHAT IS THE STARTING POINT OF THE RESTORATIVE JOURNEY?

The journey around the ten restorative cities shows that their creation does not depend on their size (the ten cities range from cities with almost 50,000 inhabitants to cities with over 600,000 inhabitants) or on their economic and social characteristics (the ten cities analysed include both top cities from the point of view of quality of life – such as Vancouver, in the top 10 most liveable cities in the world according to the Economist, 2022 – and cities with a lower quality of life, such as Tirana), even though both aspects are relevant in the way the process of becoming a restorative city is carried out. Neither it seems to depend on their restorative justice legislative and practice tradition. The considered restorative cities include both cities and especially countries

with a well-established<sup>9</sup> and more recent<sup>10</sup> tradition of restorative justice legislation and practices, especially in the criminal justice system. Nevertheless, in Bristol the restorative city concept emerged essentially from the need to connect in a shared vision and language the various restorative practices implemented on the ground. The existence of a consolidated tradition of restorative justice legislation and practice does not appear to be a prerequisite for the construction of a restorative city. However, it can facilitate the process by deploying the potential of restorative justice dissemination at community level, as in the case of Canberra.

In all the ten cities included in the guide, the creation of the restorative city seems to strongly depend on the existence of an innovator able to mobilise actors' interest in the topic of restorative city and to develop an advocacy coalition of local actors<sup>11</sup> interested in pushing restorative justice principles, values and practices beyond the criminal justice system within all layers of community life. The crucial role of both policy innovators (or entrepreneurs) and advocacy coalitions has been widely acknowledged in the policy innovation literature (Jenkins-Smith et al., 2017, Sabatier & Weible, 2007). Furthermore, the need for an advocacy coalition is also consistent with the objective of restorative cities of embedding restorative justice values, principles, and practices in all layers of societies.

In the analysed cities, the role of the policy entrepreneur is taken on by various types of actors: an individual/informal group of practitioners (e.g. in Canberra, Lecco, Wrocław and Vancouver), non-governmental organisations (e.g. in Como, Whanganui or Tirana) and universities (e.g. in Leuven and

Tempio Pausania). The case of Bristol restorative city is interesting, as the role of policy entrepreneur seems to be shared between the City Council and an informal group of restorative practitioners. Whilst the City Council initiated the idea to make Bristol a restorative city, it was the informal group of restorative practitioners who pushed the Council's intention by bringing restorative actors alongside the Council.

Advocacy coalitions also have a mixed composition, being made of non-governmental organisations active in the field of restorative justice and organisations representing indigenous communities (Australia, Vancouver), university/research centres (Leuven, Tempio Pausania), public institutions and, freelance practitioners in the field of restorative justice, and in some cases, also "ordinary" citizens (e.g. in Lecco, Como or Leuven). Furthermore, in some cities (Canberra, Whanganui), international experts in restorative justice have also played a relevant role in pushing forward the restorative city creation and agenda. When it comes to local public institutions, in many of the cities considered they were one of the actors of the advocacy coalitions since the beginning of the construction process (e.g. Wrocław, Vancouver, Tirana, Como, Canberra, Bristol), while in other cities they formally joined the advocacy coalition at a later stage of the process (e.g. Lecco, Leuven, Whanganui). However, it is worth noting that, even when they are part of the advocacy coalition as from the beginning, local public institutions (municipalities) are not the initial policy entrepreneur, except for Bristol City Council. On one hand this seems to suggest that the potential of restorative cities has not yet been fully seized by local institutions, on the other hand it also seems to suggest that restorative cities need a social humus from which to grow. Nevertheless, this does not mean that local institutions do not have a crucial role in the development of restorative cities. On the contrary, the experience of all cities considered in this guide shows that local institutions play a key role in pushing forward the development of the restorative city through its formal legitimisation, by promoting specific legislation (e.g. Bristol, Canberra, Vancouver, Wrocław) and/or by embedding the concept into specific social policies plans (e.g. Como, Lecco, Leuven), through dedicating specific funding for its functioning (e.g. Canberra, Bristol, Leuven, Vancouver) as well as

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9 Australia – Canberra, Belgium – Leuven, Canada – Vancouver, New Zealand – Whanganui, UK – Bristol

10 Albania – Tirana, Italy – Como, Lecco, Tempio Pausania, Poland-Wrocław

11 e.g. Restorative Collective Vancouver, the Restorative Justice Board in Wrocław, the Leuven Restorative City Learning Network and steering group, Lecco and Como restorative working groups also called intermediary bodies, Restorative Bristol Board, public-private working groups in Tirana and Tempio Pausania, the Advisory Board of the Trust in Whanganui

through creating opportunities for mainstreaming the restorative principles, values and practices in local social policies (e.g. Canberra, Lecco, Whanganui). Not least, as previously mentioned, local institutions, and, in particular, municipalities, are at the centre of social conflicts and tensions and called to act to manage them.

## HOW DOES THE JOURNEY OCCUR?

Whatever the starting point, the experience of the restorative cities included in this guide shows that the journey towards becoming a restorative city might not be always linear and smooth. This requires the determination, courage and hope of innovators and advocacy coalitions, as well as a continuous analysis of the process set-up to overcome the setbacks that the journey towards becoming a restorative city may encounter.

The journey of the ten restorative cities included in this guide is unique, which shows that each city needs a tailor-made process towards becoming a restorative city. This implies modelling the restorative journey based:

- on the features of the community (frames, values, size, existing tensions/conflicts, level of social capital, etc.),
- on the existence or not of a restorative legislation and practice, on the level of resources (political, legal, financial, knowledge, social capital, etc.) available to the advocacy coalition,
- on the needs to which the Restorative City is called to provide an answer,
- on the timing of the starting process as well as on the aspirations of the actors (restorative practitioners, public and private organisations within and outside the restorative field, citizens, etc.) engaged in this journey.

Therefore, the journey of the ten cities presents both differences and similarities.

One major difference resides in how the process has unfolded. In some cities (Bristol, Canberra, Tirana, Wroclaw), the process of building a restorative city occurred top-down, even when the innovator was not an institutional actor, while in other cities (Como, Lecco, Leuven, Tempio Pausania, Vancouver, Whanganui) the process occurred bottom-up. This suggests that, based on the available resources and on the characteristics of the context, restorative cities can be initiated both through a top-down process and a bottom-up one. Nevertheless, the experience of the considered restorative cities shows that at a certain point of the journey these two levels should join forces towards the common objective of building a restorative city. Indeed, the construction of a restorative city is a complex process that requires both a social humus from which to grow as well as institutional and political support. The existence of one level without the other puts the journey at risk or lowers its potential reach. Moreover, a mixed process is particularly significant, as becoming a restorative city does not limit itself to providing citizens with restorative opportunities for dealing with conflicts, but it implies grounding city policies in restorative values and principles and taking transformative action to deal with causes beneath conflicts. Indeed, as Chris Straker (2014, p.58) underlines

“to achieve a restorative paradigm requires more than overlaying a new cloak over the old. It requires a fundamental examination of all that the organisation stands for, at every level within the organisation’s hierarchy, and in every relationship it has with others”.

Another difference is the level of formalisation and institutionalisation of the process. Various models co-exist in the analysed cities. In some cities (Canberra, Bristol), the journey towards the restorative city is embedded within the municipality through the creation of specific units (as in Canberra), the identification of a dedicated municipal staff (as in Bristol) or the creation of a multi-level and/or multi-agency working group (as in Wroclaw and Bristol) or the creation of a public-private partnership (as the partnership

between the Tirana municipality and AFCR in Tirana); in other cities (e.g. Leuven, Lecco, Vancouver), even though the objective of becoming a restorative city is officially taken on by the municipality in its social planning documents/specific regulation, its delivery is entirely or mainly delegated to multi-agency groups. In some cities, these groups are more formalised, as in Leuven, while in others (e.g. Lecco, Como, Vancouver) their formalisation level is fairly loose. However, irrespective of their formalisation level, they are independent from the municipality, even though municipal representatives and representatives of other public institutions at local/higher levels are part of it. Furthermore, some cities (Bristol, Canberra, Leuven, Tirana, Vancouver, Whanganui) have specifically identified and formalised (e.g. through an official charter or other document and, in some cases, through an official adherence to the framework) a restorative city framework (definition of the restorative city and/or of its values, principles, objectives and in some cases expected results), while in others (e.g. Lecco, Como, Tempio Pausania, Wroclaw), such a framework is not made explicit, even though restorative justice values and principles guiding the process of constructing a restorative city have been shared. Whether an institutionalised and/or formalised model or a more flexible and undefined one will be more effective in the achievement of the restorative city is still to be seen. As Chris Straker (2014, p.45) underlines the choice of a model or another depends on the context and the culture of cities starting this journey as well as on the need to account that such a journey “requires transformation of status quo–reproducing consciousness into status quo–challenging critical consciousness.”

Another difference consists in how the journey unfolds. In some cities (e.g. Bristol, Canberra) the journey develops around existing restorative practices, while in other cities (e.g. Como, Lecco, Leuven, Wroclaw, Tempio Pausania, Tirana, Vancouver) (new) restorative practices are jointly developed within the restorative city framework. While in the first case, the focus is on bridging the numerous experiences in the city, in the latter the focus is on increasing and diversifying the restorative practices implemented at community level.

Despite these differences, there are also similarities in the how the journey towards becoming a restorative city is carried out.

A significant similarity regards the network approach adopted by restorative cities. In all considered cities, irrespective of whether the process is top-down or bottom-up, institutionalised/formalised or flexible, a network approach to constructing the restorative city is adopted. This implies creating bridges both between restorative practitioners and organisations, including institutional ones, and between them and other actors (public and private) from different policy areas as well as citizens. In all cities, multi-agency networks have been set-up to advance the process of constructing a restorative city. While in most cities such networks limit themselves to engaging organisations and practitioners around the city, in some cities (e.g. Como, Lecco, Leuven), they also include “ordinary” citizens. Furthermore, in almost all ten cities, workshops/meetings on restorative justice and restorative cities have been used to construct networks. Moreover, in all considered cities the network building process is not limited in time, but it is ongoing even when an initial network is created. In some cases (Bristol, Canberra, Wroclaw) such networks are coordinated by the municipality, while in others they are coordinated by a specific steering group (Como, Lecco, Leuven), a non-governmental organisation (Whanganui, Tirana) or the university (Tempio Pausania).

Another similarity refers to the adoption of an approach integrating restorative practices to prevent conflict from turning into violence and harm or to deal with such situations, when they occur, with networking meetings to share restorative values, principles, and practices at community level, to bridge actors and unleash resources for the construction of the restorative city.

An additional element that the ten cities have in common regards the implementation of restorative practices both in the criminal justice system and the community (schools, workplaces, neighbourhoods, social houses, etc.) and the adoption of both a preventive and management approach to

conflicts. While the preventive approach consists in building skills to deal with conflicts restoratively so that conflicts are not seen as a fracture of relations and are dealt with in a constructive way so that they do not turn into violence and harm, the management approach refers to providing parties involved in a conflict (wrongdoers/offenders, victims, the wider community) with the possibility to jointly find appropriate solutions to conflicts that can restore the harm done.

When it comes to the types of practices, the considered restorative cities base their practices on restorative methods, such as, for instance, restorative circles, conferences, victim-offender mediation, peer mediation, community mediation, etc.

#### WHERE DOES THIS JOURNEY TAKE A CITY?

Evaluating a restorative city is a challenging task, not only for the complexity of the ambition pursued, for its interdependence on other policies and initiatives in the city, but also because the construction of a restorative city is an ongoing process. Nevertheless, evaluation of the restorative city is needed both for improving the implementation design and for maintaining policymakers and stakeholders committed to and engaged in a process that will deploy its full impacts only in the long run. With this goal in mind, some of the restorative cities (e.g. Canberra, Leuven, Whanganui) considered in the guide have already established an evaluation framework of the restorative city, while in other cases (e.g. Como, Lecco, Tempio Pausania) evaluation is limited to the single projects that partially fund the restorative city actions.

Even though restorative cities considered in this guide are still at the beginning of their restorative city journey, some preliminary results have already been obtained.

A relevant result in all considered restorative cities regards the governance of the restorative city. In all restorative cities considered the process of

constructing a restorative city resulted in a multi-agency partnership covering various fields (from restorative justice to education, sport, social housing, healthcare, urban development, etc.) and involving various types of actors (politicians, institutional actors, non-governmental actors, experts, academics). In some cities (e.g. Como, Lecco) the partnerships put in place also include “ordinary” citizens, while in the others this is still an objective to be reached. From this point of view, considered restorative cities have managed to raise awareness of actors outside the restorative justice field on the potential of the restorative approach for dealing with polarisation and conflicts in the city as well as for preventing violence, harm and social fractures often produced by conflicts. In most of the ten restorative cities, this also resulted in putting the creation of a restorative community/city on the public agenda, through the adoption of specific legislative frameworks or the mainstreaming of this objective in local policies. Furthermore, in some cities (e.g. Como, Lecco) local partnerships also resulted in the activation of citizens, allowing them to take joint responsibility for the care of social relations within their own communities.

In all considered cities, these partnerships resulted in the expansion of the field of action of the restorative city beyond the criminal justice system as well as in the creation of innovative experiences (e.g. pilot projects in private companies in Leuven, building a restorative hospital in Canberra, restorative corners in Lecco, restorative library in Como) even though the level of expansion and innovation is different among the various cities. Furthermore, in cities (e.g. Bristol, Canberra, Leuven, Whanganui), where restorative interventions at community level already existed, the creation of multi-agency partnerships allowed for overcoming fragmentation of initiatives and for creating an integrated framework of action. These results represent a stepping stone in the creation of the restorative city that relies on multidisciplinary partnerships, on the ability to insert restorative approaches in conflict management and healthy relations building the various social layers of the city as well on the continuous innovation of its practices to reach the society at large.

Moreover, engagement in the multi-agency partnerships activated by restorative cities also had a positive impact on participants as individuals living and working in a community (e.g. Como, Lecco, Bristol). For instance, in Como interviewed participants declared that their involvement in the restorative working group triggered a change in the way in which they approached conflicts in their own social settings (workplace or families, friendships); in Bristol the Local Authority Human Resources involved in the restorative city promoted a shift from punitive to restorative approaches for dealing with employee problems.

Another significant result consists in the sharing of restorative justice values and principles at its basis, the development of a common language on restorative justice and practices beyond the criminal justice system among the various participants in the multi-agency partnerships created in the city and the development of standards/guidelines guiding restorative practices in the restorative city. This is particularly relevant for developing common objectives and actions grounded in the restorative justice values, principles and practices as well as for ensuring the quality of the restorative practices delivered within the city.

Restorative practices implemented in restorative cities also produced positive effects on individuals engaged in them, as local evaluation and research have shown. For instance, in Lecco restorative-oriented meetings offered participants the possibility of mutual understanding of their experience of suffering, pain, damage and guilt, created the premises for overcoming it, through opening new perspectives and creating new meanings, and made citizens aware of the responsibility of the community in anti-social behaviours/offences as well as in including offenders and empowering victims; in Canberra and Como students learnt better nonviolent ways of dealing with conflicts and crises.

In some cities (e.g. Canberra, Vancouver), restorative practices in the framework of restorative cities also contribute to dealing with structural inequalities produced by colonisation.

In some cities (e.g. Bristol), the construction of the restorative city has been hindered by the COVID-19 crisis<sup>12</sup>, resulting in personal meeting limitations and in reduction of staff and budget. However, the experience of some cities (Lecco, Whanganui) also shows that social crises can represent an opportunity for the development of restorative cities. In Lecco, the increasing social polarisation connected to the mandatory vaccination against Coronavirus triggered the development of RestoCovidCircles practice, which, even though on a small scale, showed its potential for dealing with polarisation in a city. In Whanganui the increasing social tensions and distress following the COVID-19 triggered in part a resurgence of interest in advancing the construction of a restorative city.

These preliminary results show the potential of restorative cities at both community and individual levels for creating cohesive and responsible communities. As demonstrated in the next section, often this potential is hindered by various challenges faced in the building of a restorative city.

## WHAT CHALLENGES EMERGE DURING THE JOURNEY AND HOW CAN A CITY COPE WITH THEM?

The ten cities included in the guide faced several challenges in the process of constructing a restorative city.

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12 "The COVID-19 pandemic is a global outbreak of coronavirus, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) virus. The first cases of novel coronavirus (nCoV) were first detected in China in December 2019, with the virus spreading rapidly to other countries across the world. This led WHO to declare a Public Health Emergency of International Concern (PHEIC) on 30 January 2020, and to characterize the outbreak as a pandemic on 11 March 2020. Since the COVID-19 pandemic started, over 2 million people in the European Region have died from the disease.", <https://www.who.int/europe/emergencies/situations/covid-19>. In order to stop the spread of the virus, lockdowns were introduced in several countries around the world.

There are three major challenges that the restorative cities included in this guide have all faced in their journey:

→ **Limited/lack of political and institutional support at both local and upper levels**

In many of the cities included in this guide getting the municipality or other local institutions outside the justice area on board has not always run smoothly and rapidly. Even though local institutions had not contested restorative action at city level, they kept out of the way and carefully observed the process activated and, in some cases, supported it without undertaking a formal commitment towards its promotion. For restorative cities in this situation, it has not meant abandoning the process. In order to deal with this issue, restorative cities engaged in a dialogue with local institutions, in particular with municipalities, to raise their awareness about restorative cities and more in general restorative justice and about the benefits of restorative practices at community level for local institutions (the municipality). Furthermore, they involved local institutions staff in meetings/workshops/practices implemented within the restorative city to allow them to experience directly restorative practices. The lack of municipal support triggered the need to construct a wide coalition, made of non-governmental organisations, academics and practitioners on restorative justice, interested in building the restorative city. In some cities (e.g. Vancouver, Tirana, Tempio Pausania) engaging with top-level decision-makers proved essential for giving an impetus to the development of the restorative city. In other cities (e.g. Como), it was easier to engage the municipality by starting from the bottom levels and showing municipal staff and social workers the potential benefits of restorative justice at community level for their daily work and afterwards scaling to the top levels. The experience of some cities (e.g. Leuven, Lecco) shows that in constructing a relationship with the municipality careful attention should be paid to the level of autonomy of the restorative city multi-agency partnership so that it does not run the risk to reproduce existing power hierarchies and inequalities. This means taking time to build

the social humus of the restorative city so that it can rely on a certain amount of negotiation power allowing it to challenge potential requests not coherent with the values, principles and standards of the restorative city.

→ **Limited/lack of financial support**

Limited/lack of financial support, in particular of the City Council, is a relevant challenge in all restorative cases as it undermines the process towards a restorative city put in place, as for instance in the cases of Vancouver and Bristol. While in most cases it is connected to the limited/lack of political and social support, in some cases (Whanganui and Vancouver) this was a challenge even in a context of institutional recognition of the relevance and effectiveness of the restorative work carried out at community level. However, in both cases the restorative city building process received an increasing attention in the context of social crises, which suggests that seizing the right window opportunity is particularly significant for securing funding for the restorative city. Such a window of opportunity can be represented by both a social issue to which a restorative approach can offer a valid response and a development opportunity to which the restorative approach can contribute. While funding is particularly relevant for being able to expand the application of restorative practices at community level, the experience of Lecco shows that some steps towards the restorative city can be undertaken even when funding is limited. Indeed, in Lecco the initial experiences were born through the valorisation of community resources, namely practitioners, ordinary citizens and non-government organisations that mobilised various types of resources: knowledge, social and political relations and funds (in the case of non-governmental organisations that contributed with paid staff to implement the restorative approach on the ground).



→ **Limited/lack of broad social support to and engagement in restorative practices**

Limited/lack of broad social support has been identified as one of the factors hindering the creation of a mainstream restorative movement (Pali & Pelikan, 2010). The experience of restorative cities included in this guide also points out that a broad social support needs to be created for mainstreaming restorative practices within layers of social settings. This takes time as it implies challenging consolidated perceptions of both conflict management and justice, especially in punitive/paternalistic processes of many public structures at local and national level as is often the case nowadays. As the Whanganui case shows conflict is generally framed in a negative way and, often, this causes reluctance in handling it in a positive, constructive and non-punitive way both in informal settings (families, friendships, neighbourhoods) and formal ones (schools, social services, sport clubs, workplaces, etc.). However, the Whanganui example as well as the experience of the other stories included in the guide shows that this frame requires challenging and deconstructing, which takes time and requires specific action (e.g. Leuven Restorative City – ‘Turning conflicts into opportunities’). The experience of the ten restorative cities shows that several strategies can be adopted to build broad social support:

- Undertake a stakeholder mapping to understand actors and their role in the community.
- Start by engaging reputable and known actors (individuals and/or organisational actors) of the community who can act as ambassadors of the restorative approach in the community and that can further disseminate it at various layers of the community. Pay attention to involve not only restorative practitioners, but also citizens and organisational actors from various social settings and social groups. Engaging with both citizens and organisations from various social settings and groups in the medium-long run will support the embedment of restorative

justice values, principles and practices in various social layers of the community.

- Seize opportunities to invite champions from other areas/countries to add their perspective and learning and stimulate curiosity on the restorative approach and practices.
- In an initial phase, undertake an informal engagement to allow actors to understand the purpose of the engagement and its potential benefits, while in a second phase an official commitment can be asked for.
- Build a community network through engaging with community actors in one to one meetings or through awareness raising (e.g. movie broadcasting followed by debates on restorative justice, restorative readings, restorative corners in community spaces, such as for instance libraries, bars, etc., restorative stories disseminated in public spaces through specific QR codes, human libraries), training events (seminars, workshops, short classes, etc. targeted to specific groups be they citizens or organisational actors). In building a community network attention should be paid to the inclusivity of the perspectives and to ensuring power balance. In addition, meetings should be based on restorative justice values and principles and should allow for all voices to be heard.
- Engage the community network in co-creating and co-producing the vision and agenda of the Restorative City development.
- Provide people with opportunities to directly experience the potential of the restorative approach and practices at community level. For instance, seize an emergent conflict, which is recognisable or affects many people, as an opportunity to apply or exercise a restorative approach/model.
- Identify, disseminate and promote good practices of restorative practices at local level.
- Build evidence on the effectiveness of restorative justice through the adoption of both quantitative and qualitative evidence. While numbers are important, listening to all participating actors’ stories can shed light on how and in which conditions both inhabitants and public and

private organisations can benefit from living in a city undertaking a restorative journey.

- Collaborate and build relationships with trusted media to ensure the dissemination of the restorative approach and practices on a wide scale.

As noted previously, the journey of cities towards becoming restorative is often made of ups and downs. Besides the above-mentioned challenges, cities wishing to adventure on this journey should pay attention to the following aspects:

- **Building a Restorative City** is a **complex, multi-faceted and ongoing process**. Cities are living organisms, which implies that this building the restorative scaffolding is a continuous work as population changes and with it also the society and its values and behaviour.
- Considering the complexity of the journey, a single person or organisation cannot build a Restorative City by itself, it takes a village. This implies activating a dialogue with community members (citizens, institutions, politicians, civil society, economic actors, experts, etc.), adopting a networking approach and identifying common interest for action and discussion. It also means that the network should go far beyond the restorative justice field or the social work field and encompass individuals and organisations from social settings where conflict can arise frequently (workplaces, sport clubs/organisations, apartment buildings, social houses, hospitals, schools, neighbourhoods, etc.). When it comes to organisations, whether public or private, engaging the top level proved crucial in several cities included in the guide. It also implies starting a dialogue and collaboration with other movements in the city working in line with restorative justice values and principles (e.g. child-friendly city, peace city, LGBTQ friendly cities, elderly friendly cities). Moreover, it requires paying attention to not reproduce power imbalances and inequalities in society. In addition, attention should be also paid to maintaining the autonomy of the network from public

institutions and politicians, even though they should be a significant and active member of the network. Independence of the network is crucial especially in cases when conflicts arise between citizens and local institutions/politicians.

- Engaging **foreign ambassadors** and **building networks** with other cities is useful not only for acquiring **knowledge and improving** actions, but also for **showing that another way is possible** and legitimised at international level.
- **Building a Restorative City** requires **good knowledge** of the respective **community**, of its values, culture, tradition, frames, of its actors, of its institutional, political and legal context and of how a city social, economic, political and legal characteristic may hinder/favour the development of the Restorative City.
- There is a need to **co-create a shared vision of what being a Restorative City means** for the respective city jointly with citizens and actors engaged in the process and to develop a common language. Actors engaged in the process, including citizens, should be involved in the co-creation, co-production and co-evaluation of the Restorative City agenda. While each city should develop its own vision based on its needs, frames and characteristics, this vision should be on the one hand grounded in restorative justice values, principles and practices and on the other hand be **open and inclusive** so that bridges can be established with other movements in the city. In order to be sustainable, the vision should be broadly assumed by community members at all levels (from citizens to institutions). Institutionalisation may prove useful to ensuring its sustainability. However, one should pay attention that institutionalisation without broad social support may not necessarily ensure survival of the Restorative City vision in turbulent times.
- The **process** for the creation of a Restorative City should be **based on restorative justice values, principles and methods**. This means being mindful not to replicate colonial, punitive, unequal, non-restorative thinking, or structures as well as to suspending assumptions, judgements and limitations. Respect and empathic listening should

be ensured throughout the process and, if conflicts should arise, they should be dealt with restoratively.

- Non-judgemental and respectful opportunities and **spaces for dialogue** between community members on **how to deal with social tensions/conflicts** in their city and take responsibility for putting it into practice **should be provided**. Specific attention should be paid to the places selected for meeting. They should not be politically or socially connotated to encourage participation of all community members irrespective of their views, social status or origin. Attention should be also paid to the logistics (time, language, setting, etc.), which should be as inclusive as possible.
- A **Restorative City** is a city that **expands its restorative action beyond the justice field** and that **engages with the community** in various social settings to empower it to deal with conflicts and harm and to allow it to take responsibility for dealing with conflicts and harm. This means that restorative values, principles and practices should influence organisations and citizens in various areas of the city. It also means that existing restorative services should be better coordinated and made accessible to the community, hence not only through referral from other institutions. Furthermore, opportunities for facilitating dialogue between all those affected by an offence/conflict/harm and for promoting responsibility and accountability for actions that have caused harm should be created.
- A **Restorative City** is also a **city that pays attention** not only to positively dealing with social conflicts but also **to dealing with causes beneath conflicts**. This requires also working jointly with other actors to address social inequalities, to promote social cohesion and well-being in society.
- **Expertise in restorative justice, communication and participatory processes** is **needed** to open up the overall community and to deliver restorative practices.
- The complexity of the building process and its length requires a **coordinating body/group/committee that can coordinate this process and**

**dedicated staff**. This implies that continuous and adequate funding should be ensured to make the Restorative City a reality. From this point of view building both a social humus and a political and institutional support for the Restorative City is crucial.

- Not least, gathering evidence on the results and added value of the Restorative City is paramount for improving its action, but also for maintaining actors engaged committed to the vision of Restorative City



3

**Bristol**  
RESTORATIVE CITY

## 3 Bristol Restorative City

AUTHOR: MARIAN LIEBMANN<sup>13</sup>

### 3.1 Where and why?

Bristol is the largest city in the South West of England, with a population of 465,900 (December 2021). It is an important regional centre, as shown by being one of the UK's eleven 'Core Cities' (an alliance of large regional cities)<sup>14</sup>. It has more children under 16 than people of pensionable age. 16% of the population belong to a black or minority ethnic group (including African, Caribbean, Somali, Indian, Pakistani, Bangladeshi, Chinese, Arab, Mixed Race).

Bristol's economy is built on creative media, technology, electronics and aerospace engineering industries. It has a reputation for new initiatives, which draws young creative people and entrepreneurs to the city.

Bristol is very hilly, leading to an informal segregation of neighbourhoods, with some very wealthy areas with a village atmosphere and several poverty-stricken areas. The latter may be found in some inner-city districts but mostly in large council housing estates, built between the two world wars or in the 1960s, when there was a big expansion of council house building on the edges of the city. These areas have many social problems and few resources and give rise to much conflict and crime<sup>15</sup>.

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13 Marian Liebmann is an art therapist, victim-offender and community mediator, and trainer dedicated to restorative justice for 50 years.

14 Core Cities UK. 2022. <https://www.corecities.com/>.

15 Bristol City Statistics. 2022. <https://www.bristol.gov.uk/statistics-census-information/the-population-of-bristol>.

### 3.1.1 Restorative justice legal and institutional context<sup>16</sup>

In the UK, responsibility for restorative justice rests with the Ministry of Justice (MoJ) (for England and Wales), the Scottish Government (for Scotland) and the Northern Ireland Executive, and there are differences in approach in the three jurisdictions.

In England and Wales, restorative justice services are funded in the main by Police and Crime Commissioners (PCCs) and the three directly elected mayors with PCC responsibilities. The MoJ devolves funding for some (not all<sup>17</sup>) victims services to PCCs via an annual grant, subject to a grant agreement. Currently there are no requirements in place for PCCs to fund restorative justice, however it was previously an expectation that this would be an element of provision, and it is a common but not universal feature of the services provided. Further information is available from the appropriate PCC<sup>18</sup>. Services may be provided through the commissioning of an external provider or in house, most commonly the former. In Bristol's case the PCC for Avon and Somerset currently commissions Restorative Approaches Avon and Somerset.

The Revised Victims Code (2021)<sup>19</sup> refers to restorative justice, specifically in 2 of the 12 rights. Rights 3 and 4 refer to a right to information about and referral to restorative justice services if available. In some areas, victims of certain crime types, such as domestic abuse and sexual violence, may experience

difficulties in accessing restorative justice, due to local views on suitability, or lack of services, or lack of communication between agencies.

Funding and policy for restorative justice services for those organisations working with offenders are less well developed; however, Youth Offending Teams (YOTs) have a duty to abide by the Victims Code, including its provisions regarding restorative justice<sup>20</sup>. This is widely interpreted as a duty to provide restorative justice, where the offender is under eighteen. YOTs are the responsibility of upper tier local authorities, i.e., those with responsibility for education and social services.

In Scotland, the Scottish Government has put in place a national action plan with the aim of ensuring that services should be widely available across Scotland by 2023<sup>21</sup>.

In Northern Ireland (NI), the provision of restorative justice where the offender is under 18 is the responsibility of the Youth Justice Agency 2022<sup>22</sup>. The Justice Act (NI) 2002 formalised restorative justice approaches by including youth conferences in the youth justice system as the main option. This is the only place in the UK where restorative justice is the mainstream option.

The NI Executive's Department of Justice published the results of a consultation about developing an Adult Restorative Justice strategy in April 2021<sup>23</sup>, consulting with community organisations including Northern Ireland

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16 The information in this section is courtesy of David Smith, Restorative Justice Council Policy and Communications Officer, February 2022.

17 For instance, in 2022, the MoJ provides funding for Support Services for victims of Domestic Violence or Sexual Violence, through the PCCs.

18 Find Your PCC. 2022. <https://www.apccs.police.uk/find-your-pcc/>

19 Revised Victims Code. 2021. <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>.

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20 Youth Justice Board for England and Wales. 2014. <https://www.gov.uk/guidance/work-with-victims-and-restorative-justice-youth-offending-teams>

21 Scottish Government. 2022. Restorative Justice Action Plan. <https://www.gov.scot/publications/restorative-justice-action-plan/>

22 Youth Justice Agency of Northern Ireland. 2022. <https://www.nidirect.gov.uk/contacts/youth-justice-agency-northern-ireland>

23 Northern Ireland Department of Justice. 2022a. Adult Restorative Justice Strategy. <https://www.justice-ni.gov.uk/publications/adult-restorative-justice-strategy>



Alternatives (NIA) and Community Restorative Justice Ireland (CRJI). The resulting Adult Restorative Justice Strategy and Action Plan 2022–2027 was published in March 2022<sup>24</sup>.

The Restorative Justice Council (RJC) was established in 2001 as the independent third sector membership body for the field of restorative justice practice covering England, Wales, and Northern Ireland. The RJC's role is to advocate for the importance of restorative justice and set clear standards for restorative justice practice. It ensures quality and supports those in the field to build on their capacity, professional knowledge, and practice skills. It launched a new registration scheme in 2019, which provides robust quality assurance for organisations and individual practitioners. However, the use of the scheme is not mandatory and is reliant on the good will of commissioners and service providers<sup>25</sup>.

The All-Party Parliamentary Group on Restorative Justice has recently published the report of its inaugural inquiry into Restorative Practices in 2021/2022. It includes nine recommendations about further action the Government needs to take in respect of the provision of restorative justice in England and Wales, including the introduction of mandatory standards<sup>26</sup>.

### 3.1.2 Why build restorative Bristol?

In late 2007, Bristol City Council held a high-profile conference about making Bristol a restorative city. However, although many restorative initiatives already existed in the city, some of twenty years' standing, most of them were

not included in the conference – speakers came from restorative initiatives in other parts of the UK. So, in 2010, a small group gathered practitioners and began meeting in workshops of about 30 participants, helped with slender resources from civil society. The objectives were to:

- Identify common underlying principles of restorative process.
- Bring people together to be inspired by what they were all doing.
- Create an ongoing Restorative Justice forum for Bristol, to discuss issues.
- Identify a common vision and find more ways to work together collaboratively.
- Work out how to make Bristol a 'Restorative City'.

The group ran several workshops and mini-conferences between 2010 and 2012, exploring restorative themes and working collaboratively. Examples were: restorative justice in prisons, restorative practice in schools, police involvement in restorative justice, mediation with homeless people, restorative approaches with young people, hate crime, and more. However, from April 2014 financial cuts to many national and local services led to the demise of these workshops.

The group had begun to build links with Bristol City Council, and in August 2012 met with senior professionals, who wanted to mainstream restorative working. The professionals set up the Restorative Bristol Board to include heads of department of Bristol City Council, as well as statutory agencies, police, criminal justice agencies, voluntary organisations and independent members, including a few restorative justice practitioners. The Board met every six weeks. A senior probation officer compiled a report of all the restorative justice activity in the city, and a large conference launched Restorative Bristol officially in December 2012, providing a showcase for all the projects.

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24 Northern Ireland Department of Justice. 2022b. Restoring Relationships, Redressing Harm: Adult Restorative Justice Strategy for Northern Ireland. <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/adult%20restorative%20justice%20strategy%20and%20action%20plan.pdf>

25 Restorative Justice Council. 2022. About the RJC. <https://restorativejustice.org.uk/about-rjc>

26 For further details see All Party Parliamentary Group on Restorative Justice 2021 report available at: <https://rjappg.co.uk/inquiryreport/>



In 2013, restorative work continued to gain momentum across the city. A Project Officer was appointed by the Board (funded by the City Council) for one year to help develop a strategy for future development of services. The 'strapline' adopted for Restorative Bristol was 'working together to resolve conflict and repair harm'. A website was set up and a membership scheme initiated. Further conferences took place, although with increasing financial pressures, they became harder to arrange<sup>27</sup>.

## 3.2 How?

### 3.2.1 Restorative justice approach: the values

At the heart of Restorative Bristol is a clear set of values<sup>28</sup>. These values were listed on their website in 2016 (sadly not updated) as follows:

- **"Organisations:** We want to encourage the effective use of restorative approaches amongst staff and employees across all sectors.
- **People Harmed Through Conflict:** Restorative Bristol will place the victims of crime at the heart of any restorative approach.
- **Perpetrators:** Although the victim of crime should be at the very forefront of restorative justice, a restorative process can also meet the needs of the offender.
- **Communities:** By involving a diverse range of communities in Restorative Bristol, we will be better placed to develop solutions at a community level.
- **Families and schools:** Restorative Bristol is embedding restorative approaches in schools, parenting and tackling conflict within the home.

- **Training:** Restorative Bristol will work to make more training opportunities open to staff, volunteers and parents.
- **Innovation:** We want to make Bristol the national leader for restorative approaches and become a city that sets the standard for their uses"<sup>29</sup>.

### 3.2.2 Restorative practices/projects/services

In 2014 Restorative Bristol published a report entitled 'Restorative Bristol Report: Restorative Bristol 1 Year On'<sup>30</sup>. This included its aims and strategy, and short pieces about the existing services in Bristol. The then chair wrote: 'There is an energy and commitment to restorative approaches in Bristol with many partners actively offering restorative approaches to repair harm and resolve conflict. Restorative approaches have built up a momentum in the city and are here to stay'<sup>31</sup>.

Developments continued to take place until Brexit and Covid-19 led to many of the leaders in the City Council losing their posts (see below), and meetings of the board became less frequent and less well attended. However, many individual services managed to continue.

Some projects worked on in 2016 included:

- A restorative intergenerational service for young and older people.
- A restorative justice service for young victims of sexual abuse to access.
- Restorative approaches in a supported housing setting for young people.

27 Liebmann, Marian. 2019. "Bristol: working together to resolve conflict and repair harm." *The International Journal of Restorative Justice* 2019 vol. 2(2): 298–302. doi: 10.5553/IJR.J/258908912019002002008

28 Restorative Bristol – Values. 2014. <http://restorativebristol.co.uk/introduction/values/>

29 Restorative Bristol – Values. 2014. <http://restorativebristol.co.uk/introduction/values/>

30 Restorative Bristol Report: Restorative Bristol 1 Year On: <https://www.voscur.org/system/files/Restorative%20Bristol%20Report%201%20Year%20On.pdf>

31 Restorative Bristol, Restorative Bristol 1 Year On, 2014, page 11, <https://www.voscur.org/system/files/Restorative%20Bristol%20Report%201%20Year%20On.pdf>

- Road sharing – a restorative approach, providing small groups enabling dialogue between different road users.

Other projects and services have been developed since then. Restorative projects and services in Bristol 2021 are:

- *Resolve West* (formerly Bristol Mediation), established in 1987, provides a range of conflict resolution tools to neighbours/communities in dispute in Bristol and the surrounding areas, using a team of over 40 volunteer mediators and two casework staff, and deals with over 150 cases per year<sup>32</sup>.
- *Restorative Approaches Avon & Somerset* (RAAS), part of Resolve West, offers restorative approaches including conferencing, shuttle and restorative letters, for criminal justice (including sexually harmful behaviour and domestic abuse) and some school cases. It has 34 volunteers (including 17 trained for complex and sensitive cases) and three managers. In 2020–21 the service received 122 referrals, including 22 complex and sensitive cases (e.g. historic sexual abuse, serious violence, etc)<sup>33</sup>. The Probation Service and police refer cases to RAAS.
- *Bristol Youth Offending Team*, working with offenders between the ages of 10 and 17, encourages them to take responsibility for the harm they have caused their victims, and to make reparation to them<sup>34</sup>.
- *Bristol Reparation Service*, run by Catch 22, a national charity working in Bristol with Bristol Youth Offending Team, provides reparation projects – practical community service projects to make amends, such as cleaning up graffiti, serving teas in elderly persons' homes, etc<sup>35</sup>.

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32 Resolve West. 2022. <https://resolvewest.org/>

33 Resolve West. 2022. <https://resolvewest.org/>

34 Bristol Youth Offending Team. 2022. <https://www.bristol.gov.uk/crime-emergencies/bristol-youth-offending-team>

35 Bristol Reparation Service. 2022. <https://www.catch-22.org.uk/services/bristol-reparation-service/>

- *Bristol Hate Crime and Discrimination Services*, a joint venture between Resolve West, SARI (Stand Against Racism & Inequality), Off the Record LGBTQ+ (gender & sexuality), Brandon Trust (disability), Bristol Mind (mental health) and Bristol Law Centre, provides a range of restorative interventions<sup>36</sup>.
- *RESTORE*, part of the Forgiveness Project, works with offenders at Eastwood Park women's prison<sup>37</sup>.
- *Shirehampton Primary School* is run completely on *restorative practices*<sup>38</sup>.
- *Resolution at Work* provides workplace mediation services, and runs workshops for organisations, helping them to resolve disputes and improve working relationships.
- Several large public sector organisations have their own in-house *workplace mediation services*.
- *Salaam Shalom* brings Muslims and Jews together in a variety of ways, such as radio work, art exhibitions and workshops, plays and conflict resolution work in schools<sup>39</sup>.
- *Restorative Justice Week* (November) provides an opportunity to gather and promote a variety of restorative projects, such as films, workshops, talks and school conferences.

The projects/services described above show how different initiatives can come together to show examples of restorative work in practice. However, Restorative Bristol wanted to go much further in developing a restorative approach for all individuals and organisations in the city. Restorative Bristol's

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36 Bristol Hate Crime and Discrimination Service. 2022. <https://resolvewest.org/our-services/bristol-hate-crime-and-discrimination-services/>

37 The Forgiveness Project. 2022. "RESTORE Project." <https://www.theforgivenessproject.com/restore-programme/>

38 Shirehampton Primary School 2022

39 Salaam Shalom. 2022. <https://salaamshalom.org.uk/>

Strategy developed in 2014 included the following (with examples of achievements in brackets):

- Develop a range of communication tools to promote efforts, good practice and learning. (The Local Authority Human Resources department promoted a shift from punitive to restorative approaches for employee problems).
- Develop a standard for organisations and individuals to meet to become part of Restorative Bristol. (See Membership below).
- Identify training needs, developing and implementing a training package to meet these needs across the diverse population within Bristol. (The Learning and Development Adviser developed a training package 'Navigating Conflict – A Restorative Approach' and delivered this to 150 Council staff)
- Make restorative approaches available to everyone, with a skilled and diverse workforce across the city. (Restorative Justice Week – shopping centre information stall).
- Work collaboratively with key partners in different organisations adopting a multi-agency approach to strengthen the use of restorative approaches across the city.
- Continue to develop innovative ways of using restorative approaches in Bristol with special emphasis on hate crime, substance misuse, homelessness and workplace tension, animal cruelty, anti-social behaviour and neighbourhood disputes<sup>40</sup>.

Unfortunately, much of the strategy remained incomplete. Factors affecting the plans include Brexit in 2016 (resulting in a shortage of workers from European countries – many professionals decided to go home or were no longer admitted to the UK), then the UK government policy of cut-backs for local authorities (resulting in redundancies and redistribution of local

authority tasks) and Covid-19. For example, with Covid-19, the Restorative Bristol City Council worker's time was first halved and then fragmented amongst many other responsibilities. Many workers were furloughed (that is, they received government pay for not going to work), which further impacted on the shortage of workers. Almost everyone still working was doing so from home. All organisations had to invest in huge amounts of new equipment, training courses and developing ways of carrying on their work via email, Zoom, Microsoft Teams, etc. The lack of staff and finance meant there was no time for 'extras', as most organisations could not even fulfil their basic legal obligations. Many people suffered from depression, anxiety and other mental health conditions. Many people also caught Covid-19 or were dealing with elderly relations in hospital and dying. Most organisations in Bristol doing restorative work managed to carry on client work at a lower level using online applications, but coordination and meetings of professionals were beyond the limits of people's energy. Meetings of the Restorative Bristol board ceased.

The first meeting of the Restorative Bristol board post-Covid-19 took place in March 2022. The main decision was to take steps to achieve more engagement and 'political buy-in' by Bristol City Council, reminding them of the benefits of restorative approaches. There was also a recognition of the need to re-map all the organisations in Bristol using restorative approaches, perhaps through a student project.

### 3.3 With whom?

#### 3.3.1 Governance model

Restorative Bristol is governed by the Restorative Bristol Board (RBB).

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40 Bristol Mediation: Road Sharing – a Restorative Approach 2016, <https://resolvewest.org/wp-content/uploads/2015/08/Road-Sharing-Conflict-A-Restorative-Approach-Pilot.pdf>

The aims of the RBB<sup>41</sup> are to:

- Provide strategic leadership and direction to partners in delivering a Restorative Bristol Strategy.
- Champion restorative approaches and methodologies and increase awareness across the community.
- Ensure there are clear standards for the delivery of restorative approaches and that practitioners are trained to agree standards.
- Ensure effective communication mechanisms are in place to promote restorative approaches, best practice and learning tools and to celebrate achievements across the city.
- Maximise the use of restorative approaches across the city and in different settings (e.g. criminal and civil justice, neighbourhoods, schools, workplaces and families).
- Ensure restorative approaches are only used where appropriate.

The RBB meets regularly, usually once every three months. It met more often at the beginning, to establish the groundwork, and not at all during Covid-19 times.

## MEMBERSHIP<sup>42</sup> AND COLLABORATION WITH OTHER ACTORS

Restorative Bristol is open to any organisation providing a restorative service in Bristol (application criteria are listed below). Applications are welcomed from organisations who provide some restorative approaches (for example a service within a large organisation) and from organisations which have completely adopted a restorative culture across all services. Restorative Bristol gives members the opportunity to showcase their work

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41 Restorative Bristol Governance. 2016. <http://restorativebristol.co.uk/introduction/vision/>

42 Restorative Bristol Membership. 2016. <http://restorativebristol.co.uk/become-a-member/>

and develop networks with other restorative approach providers across the city.

Prospective members are asked to submit a completed application that meets the Restorative Bristol standard in line with its core principles, which are:

- Facilitating dialogue between all those affected by the wrongdoing or conflict.
- Encouraging those responsible for the harm done to become accountable for their actions and responsible for putting right the wrong.
- Ensuring that all those involved or affected are given the opportunity to share their story, their feelings and their needs.
- Involving everyone affected in finding mutually acceptable ways forward.
- Repairing the harm caused by any behaviour that has a negative impact on others.
- Repairing, or at times, building relationships between those affected.

Prospective members fill in a form providing evidence and examples to show that they fulfil the six principles above. Membership is free of charge. These forms then come to a meeting of the Restorative Bristol Board, which decides whether these have been fulfilled. They sometimes ask for more detail or further examples. A sub-committee is sometimes appointed to read the details and make recommendations.

In May 2016 the RBB members represented the following organisations<sup>43</sup>:

- Housing Solutions & Crime Reduction, Bristol City Council.
- Learning & Development Adviser.

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43 After 2016 Restorative Bristol began to lose momentum (for the reasons explained above) and did not update its documents or the website.

- Deputy Chief Probation Officer, Avon & Somerset Probation.
- Stand Against Racism & Inequality (SARI).
- Bristol Mediation (now Resolve West).
- Independent Practitioner.
- Avon Fire and Rescue Service.
- Voluntary Community Sector (VCS) Advocate.
- Mediation at Work.
- Bristol Lighthouse Victim and Witness Care, Avon and Somerset Constabulary.
- Senior Lecturer in Criminology, University West of England.

Despite the various organisations represented in the RBB, some of the actors active in restorative justice practices in Bristol were not involved in the RBB.

When the RBB came into being, it consisted mainly of heads of departments from the City Council and heads of voluntary organisations (non-governmental organisations – NGOs). The Board took over the promotion of restorative practices from the informal group that had done the work up till then. Only one or two independent practitioners were allowed on the Board, because of concerns at the Board becoming too unwieldy. Probably more of these should have been included, as they were champions of restorative practices, and might have helped carry RBB through the difficult times, whereas (because of the difficulties already mentioned) many heads of department changed roles and new RBB members were not always well-versed in restorative principles.

Originally the Restorative Bristol Board was chaired by the Executive Director for Children's Services, who was keen to drive the restorative city vision for Bristol. However, the handover to his successor was to a lower position in the hierarchy, leading to a smaller influence across the local authority. The lack of a leader in a sufficiently senior position has been detrimental. More thought needed to be given to succession planning.

When it comes to collaborations with other restorative cities/networks, Bristol has had some correspondence with Brighton, which adopted a similar model, namely, gathering together existing restorative projects under a 'restorative practice umbrella'.

Through some of its members, Restorative Bristol is also connected to the Working Group on Restorative Cities of the European Forum for Restorative Justice and to other international restorative cities, such as Canberra.

## SUPPORT FROM THE STATE

Regarding funding for Restorative Bristol, so far there has been no specific state support. Local support has come from the City Council and from voluntary charitable organisations. However, the State financially supports restorative justice services and projects implemented in Bristol. Nevertheless, the support from the national government waxes and wanes according to the political climate. There was a period of three years (2013–2016) when the MoJ initially made an indicative allocation for restorative justice in the local victims' services grants to Police and Crime Commissioners (PCCs). However, this was advisory rather than mandatory, and discontinued after 2016. The level of funding for restorative justice from this source is, and always has been, determined locally by PCCs. This results in a 'postcode lottery' in which provision of restorative justice depends on where people live. In the Avon and Somerset PCC / Police area, which includes Bristol, there has been a supportive PCC, who has been happy to fund the work of RAAS (see above).

The Restorative Justice Council has a registration scheme for service providers, training providers and practitioners. Resolve West is the only organisation in the Bristol area to be registered with the RJC, they hold the Restorative Service Quality Service Mark (RQSM) accreditation.

### 3.4 Which results achieved/expected and why?

Within Bristol many restorative services were created and many of them kept going, with the encouragement of others, e.g. Resolve West, Youth Offending Team, Bristol Reparation Service, Bristol Hate Crime and Discrimination Service. Some of them had been in existence for several years, coming together to form Restorative Bristol, while others started through the encouragement of Restorative Bristol.

The project 'Road Sharing – a restorative approach' showed how a small-scale initiative could achieve understanding between different road users.

The main factors that favoured these results consisted in allocating regular funding to ongoing services and at the same time using special grants to create additional small-scale projects (e.g. Road Sharing project).

### 3.5 Which lessons for future implementers?

The main lessons from Restorative Bristol for future implementers are:

- Buy-in (with budgets) at a high enough level to have impact across the city.
- A leader from a sufficiently high enough position in the local authority, who is well-versed in restorative approaches and can articulate the benefits of the model, as Chair of the Board.
- Multi-agency approach.
- Nurturing champions and enthusiasts.
- Inclusion of practitioners.
- Involvement of organisations as members.
- Collaboration with other cities.
- Effective succession planning if the leadership changes hands.
- A robust and resilient connection between the vision and a strategic plan.

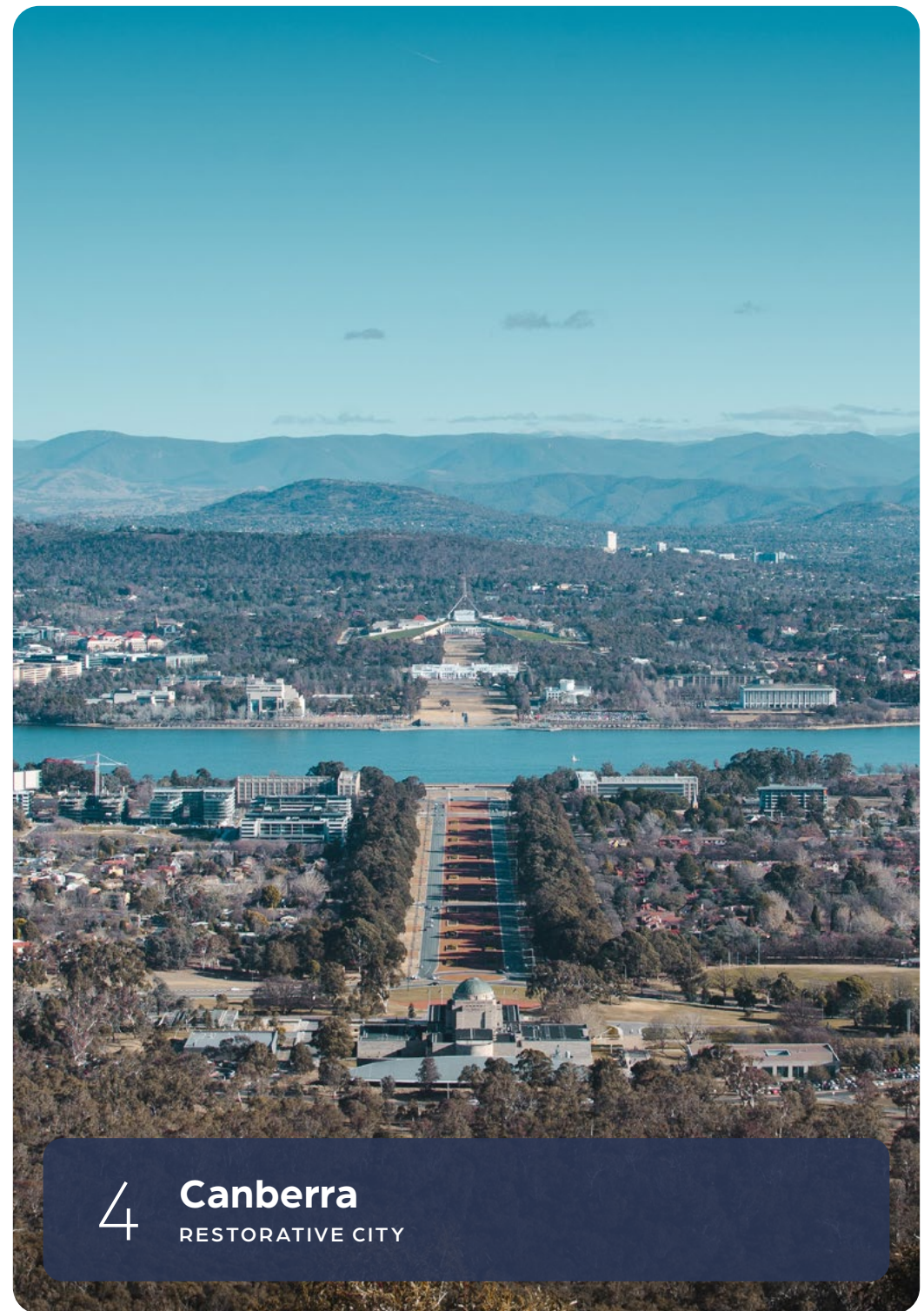
### 3.6 Want to know more?

#### CONTACT

If you want to know more you can contact Jules Cox, Director, Resolve West: [jules@resolvewest.org](mailto:jules@resolvewest.org)

Marian Liebmann, Independent Restorative Justice Practitioner and Trainer: [marian@liebmann.org.uk](mailto:marian@liebmann.org.uk)





4

**Canberra**  
RESTORATIVE CITY



## 4 Canberra Restorative City

AUTHOR: CANBERRA RESTORATIVE COMMUNITY<sup>44</sup>

### 4.1 Where and Why

#### 4.1.1 Social, economic and political context

Canberra is the capital city of Australia situated in its own jurisdiction, the Australian Capital Territory (ACT). It has a population of 450,000, a higher-than-average educational level, a large federal and jurisdictional public service for national and regional services, many educational institutions and non-governmental organisations (NGOs). While the crime rate is generally low, the ACT experiences the full spectrum of social disadvantage and offences resulting in the need to support victims and manage the social and financial costs of crime. The ACT Government is working to reduce the rate of recidivist offenders and the overrepresentation of First Nations Australians through its Reducing Recidivism by 25 percent by 2025 plan<sup>45</sup>. Restorative practices are a lead principle of that plan.

Aboriginal and Torres Strait Islander peoples, who occupied Australia for millennia and formed more than 500 nations prior to colonisation, used restorative approaches in their culture. The Ngunnawal people are the traditional custodians of the unceded Country where the ACT is situated. Many other Indigenous Australians live and work in Canberra. Restorative justice is acknowledged in the ACT Aboriginal and Torres Strait Islander Agreement

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<sup>44</sup> This document has been produced by Canberra Restorative Community Network following consultation with other relevant stakeholders across that ACT. This is a community document 'restoratively' drawn together guided by community and government in partnership. We acknowledge and thank all the people involved and the goodwill expressed. Special thanks to the leaders of this chapter, David Purnell and Holly Northam.

<sup>45</sup> [https://justice.act.gov.au/sites/default/files/2020-08/Plan%20-%20RR25by25%20-%20Plan%20for%20printing%20-%20web-%20%20Final\\_0.PDF](https://justice.act.gov.au/sites/default/files/2020-08/Plan%20-%20RR25by25%20-%20Plan%20for%20printing%20-%20web-%20%20Final_0.PDF) Published 2020

2019–2028 under the area of justice as follows: “Aboriginal and Torres Strait Islander peoples, their families and communities thrive in a safe environment and have equitable access to justice and culturally safe restorative justice, prevention and diversion programmes”<sup>46</sup>.

This chapter reflects the holistic approach that has developed in Canberra as a restorative city. There is a close integration of the policies and practices being adopted by the government, the courts, the schools, and the health agencies, as well as the community-based Canberra Restorative Community Network (CRC). Regular communication across different parts of the society, sharing support, information, ideas and skills enables the connections.

#### 4.1.2 Restorative justice legal and institutional context

The Commonwealth of Australia has a federal structure, comprising a national government, six State governments and two Territories. The High Court of Australia and Federal Parliament are in Canberra as well as embassies and high commissions representing many of the world’s nations. At a national level, restorative justice is evident in a Redress Scheme for victims of institutional child sexual abuse<sup>47</sup>, and a restoratively based Defence Abuse Redress Team (DART) Scheme for victims of bullying and abuse in the defence forces<sup>48</sup>. Within each State and Territory there are restorative justice programmes.

The ACT has been a self-governing territory since 1989. As of 2022, the Legislative Assembly has 25 members elected by proportional voting, and an alliance government of Labour and Greens. There is a well-established

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46 [https://www.communityservices.act.gov.au/\\_data/assets/pdf\\_file/0015/1323132/ACT-Aboriginal-and-Torres-Strait-Islander-Agreement-2019-2028.pdf](https://www.communityservices.act.gov.au/_data/assets/pdf_file/0015/1323132/ACT-Aboriginal-and-Torres-Strait-Islander-Agreement-2019-2028.pdf)

47 <https://www.nationalredress.gov.au/>

48 <https://www.ombudsman.gov.au/How-we-can-help/australian-defence-force/reporting-abuse-in-defence>

Human Rights Commission, a Legal Aid office and a legislated restorative justice scheme<sup>49</sup> available across the ACT’s criminal justice process. Building on the previous work of enacting restorative approaches, in 2016 a bi-partisan parliamentary commitment was made to make Canberra a restorative city<sup>50</sup>. The government also supports community agencies such as the Conflict Resolution Service<sup>51</sup> and Relationships Australia<sup>52</sup>, which offer mediation and restorative conferencing beyond the criminal justice system for specific kinds of cases including family relationship breakdown and neighbourhood disputes. The legislative initiatives are part of this commitment.

In 2005, after extensive consultation in government, community and academia, the Crimes (Restorative Justice) Act 2004<sup>53</sup> legislation was passed. Described by the Australian Law Reform Commission as “the most ambitious restorative justice legislation in Australia”<sup>54</sup>, this took a victim-focused approach, allowing people harmed by crime and their families/friends/supporters the opportunity to meet with the person or people responsible for causing harm to discuss the impacts and work together to determine what needs to be done to repair that harm.

Examples of embedded restorative approaches to social justice in Canberra include the Restorative Justice Unit (RJU) bringing together victims, those responsible for identified offences and their supporters. Since 2004, the Galambany (Ngunnawal ‘we all including you’) Adult Circle Sentencing Court

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49 <https://www.legislation.act.gov.au/a/2004-65/>

50 <https://www.hansard.act.gov.au/hansard/2016/pdfs/20160218a.pdf>

51 <https://crs.org.au/>

52 <https://relationships.org.au/>

53 <https://www.legislation.act.gov.au/a/2004-65/>

54 <https://www.alrc.gov.au/publication/family-violence-improving-legal-frameworks-alrc-cps-1/11-alternative-processes/restorative-justice/>

has operated, using a culturally sensitive approach that includes a specialist sentencing process providing restorative justice approaches for Indigenous offenders. Since 2019, the Warrumbul Children's Circle Sentencing Court for young Indigenous people has also provided culturally sensitive approaches. A recent review of the Mental Health Act 2015 included examining how restorative practices are considered and applied in the Act's operation.

The RJU was established in 2005 with the primary objective to provide restorative justice to members of the ACT community who have been affected by an offence, in a forum that offers (a) victims an opportunity to talk about how the offence has affected them and others close to them, (b) offenders an opportunity to accept responsibility for their actions, (c) victims, offenders and supporters an opportunity to discuss the harm and what needs to be done to repair that harm, and (d) offenders an opportunity to repair the harm done by the offence<sup>55</sup>.

The RJU is committed to providing a culturally safe environment for Aboriginal and Torres Strait Islander peoples, who are disproportionately represented in the criminal justice system. A key component of this commitment is the employment of two Aboriginal and Torres Strait Islander officers working as a convenor and a guidance partner, who can develop understanding, trust and confidence in the restorative justice process within the local Indigenous community.

Between 2005 and 2016 the restorative justice scheme was available for less serious offences committed by young people.<sup>56</sup> In 2015, preparation for phase two of the restorative justice scheme commenced, with the inclusion of serious and less serious offences committed by adults and young

people. The RJU identified appropriate training for managing more serious, complex offences across intersections of culture, sexuality, disability and gendered dynamics.

The growing recognition of the success of the RJU and interest in restorative justice approaches were steppingstones to the restorative city. For example, a drug and alcohol court and legal aid is available to support family dispute resolution. Government and community host workshops on restorative practice, and restorative approaches are applied in areas of mental health, child protection and schools. Throughout 2021 other restorative city initiatives have continued, with Relationships Australia (RA) Canberra and Region (the ACT Coronial Counselling Service<sup>57</sup>) facilitating a multi coronial roundtable forum process. The first roundtable was held in July 2021 with family members who had been or were going through the coronial system, and the second roundtable was held online during Covid-19 lockdown in August 2021 with professional stakeholders, including legal stakeholders, first responders (such as police and paramedics) and Court staff. The purpose of the roundtables was to provide both families and professionals the opportunity to voice their experiences with the coronial system and express views on coronial system reform. The third and final roundtable was held in December 2021 with a purpose to bring together families and professionals to discuss commonalities in their feedback and next steps for the reform process.

The ACT has adopted a Charter of Rights for Victims of Crime and it promotes the option of referring and participating in restorative justice conferences<sup>58</sup>. Opportunities to participate in restorative justice can happen at different stages throughout the criminal justice proceedings depending on the type of crime. Over 1600 conferences have been held since the

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55 <https://ln.theact.gov.au/justice-act.gov.au/justice-programs-and-initiatives/restorative-justice>

56 Seriousness of offences is ascertained by penalty allowable for an offence: a less serious offence in the ACT is one that attracts a maximum prison penalty of 10 years or less; serious offence is one with a maximum penalty of more than 10 years imprisonment.

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57 <https://racr.org.au/services/counselling-services/coronial-counselling>

58 [https://www.victimsupport.act.gov.au/\\_data/assets/pdf\\_file/0004/1838074/Charter-of-Rights-for-Victims-of-Crime-booklet.pdf](https://www.victimsupport.act.gov.au/_data/assets/pdf_file/0004/1838074/Charter-of-Rights-for-Victims-of-Crime-booklet.pdf) Published June 2021.

RJU was established in the ACT Government's Justice and Community Safety Directorate.

From time-to-time specific ACT Government initiatives are developed that lend themselves to the inclusion of restorative approaches, such as the ACT Government's Parliamentary and Governing Agreement for the 10th Legislative Assembly which has agreed a key legislative reform is to raise the minimum age of criminal responsibility, in the ACT<sup>59</sup>.

## 4.2 How?

### 4.2.1 Restorative approach and process

An official website<sup>60</sup> launched in 2019 framed the restorative city vision as follows:

"Canberra is growing and becoming more diverse. We are preparing for and responding to changes in our climate. We are maintaining a high standard of living while simultaneously diversifying our economy. All of these changes present both opportunities and challenges. By approaching them restoratively – that is, by valuing relationships, treating each other with care and respect, and solving problems collectively – we can make sure that we are responsive to the needs of our most vulnerable community members in adapting to change". For the restorative city initiative to take root, it required champions from both the 'grassroots', and across the political, bureaucratic, academic, legal and community sectors. It also required a connected community to act in principled relationships with respect, where all feel welcome. The Canberra community is highly educated and well informed on many

aspects of restorative justice practice and supported the spread of these practices. Steps in the design and delivery of Canberra Restorative City

The building of Canberra Restorative City has been a long journey.

Since 1994 Canberra has cemented its place in the field of restorative justice with the successful completion of the Re-integrative Shaming Experiment (RISE) project undertaken by the Australian National University (ANU) in partnership with ACT Policing between 1995 and 2000. It involved the random assignment of offenders to the courts or a diversionary conference. The offences included violence, property crime, and drink driving. The research showed positive outcomes on victim and offender perceptions of fairness, safety and re-offending<sup>61</sup>. In 2014, after a decade of restorative justice practice, the RJU increased awareness of the benefits of restorative justice for adults and more serious offences through the publishing of key evidence-based research by Sherman and Strang (2013) on the efficacy of restorative justice for serious violent offences. The increased recognition of restorative justice benefits represented a relevant step in its formal recognition in 2016 and its further development.

The following table describes the main steps that have brought Canberra Restorative City.

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59 [Parliamentary-Agreement-for-the-10th-Legislative-Assembly.pdf \(act.gov.au\)](#) Appendix 2

60 <https://justice.act.gov.au/justice-programs-and-initiatives/canberra-restorative-city>

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61 Sherman L, Strang H & Woods D 2000. Recidivism patterns in the Canberra reintegrative shaming experiments (RISE). Canberra: Centre for Restorative Justice, Australian National University. Strang H, Sherman L, Woods D & Barnes G 2011. Experiments in restorative policing: Final report of the Canberra Reintegrative Shaming Experiments. Canberra: Australian National University

Year	Event	Activity	Main actors/ support
2008 – ongoing to present	Workshops	Educated and highlighted the benefits and methods of restorative practice and 'just relations' in everyday life. This would include citizens as well as key members across government and non-government organisations and institutions. Workshops enabled the emergence of the CRC.	Initially organised by the RJU. Drawing on practitioners in different areas of concern, the workshops broadened participation from government, community agencies and individuals. It began with a focus in schools and included areas of aging, disability, health, gendered violence and the criminal justice system.
2014	Community workshop	The RJU identified the restorative 'champions' across government and community and held an event to acknowledge their enormous contribution to the development and growth of restorative justice in the ten years since the scheme began	Guest speakers: Former Victorian Attorney General, Director of the Centre for Innovative Justice on alternative responses to sexual offences, and a Canadian Senator who spoke about his strong advocacy of restorative justice in response to crime when Chief of Police in Ottawa.
2015 July	First 'Towards A Restorative City' conference	Guest speakers: Highly regarded professors and subject matter experts.	Host ACT Attorney General; invited experts: spoke compellingly of the importance of restorative justice in all spheres of life and activity. Further defined this as the need to create the conditions for social fairness generally and to uphold 'just relations' everywhere as the core requirement for individuals, families, communities and cities to flourish.
2015 November 15	Inaugural CRC meeting, ongoing twice monthly meetings	The CRC host zoom and face to face meetings that enable the diverse community to connect and contribute to issues of importance.	The CRC grew with in-kind support from the ANU and now by the University of Canberra (UC). Over 500 members from a wide range of social, economic, educational, and legal fields. Responsible for submissions to enquiries on such matters such as humanising the coronial process for bereaved families by supporting the use of restorative approaches to coronial reform, for child protection, and family violence.

Year	Event	Activity	Main actors/ support
2016	Official recognition of Canberra Restorative City	Canberra declared as a Restorative City	Legislative Assembly
2018	The LRAC Report	Recommendations: The government develop a set of restorative values and principles <sup>62</sup> unique to Canberra through community consultation. It called for robust accountability measures to ensure that agencies disclose steps they take to use restorative practices for the management of any dispute. It identified priority areas including child protection, public housing, Indigenous justice, public enquiries, human rights and coronial reform.	Attorney-General commissioned the ACT Law Reform Advisory Council (LRAC) to consult the community and report on policies for Canberra becoming a Restorative City
2019	Website	A vision document for Canberra as a Restorative City. That vision document acknowledges the principles that restorative cities are built on and recognises the ACT uses restorative practices across sectors including the justice system, schools, family support programs and in healthcare. Throughout the process of making Canberra a Restorative City.	ACT Government has been working alongside the CRC.

Table 3.1 Main steps undertaken to build Canberra Restorative City

62 Tito Wheatland F. Bright Ideas – from people, places and research Canberra on the journey to become a Restorative City. ACT Law Reform Advisory Council (LRAC) Reference 5. 2018. LRAC, Canberra.

### 4.2.2 Effects of Covid-19

The Covid-19 pandemic and associated management strategies implemented by ACT Government have had a significant impact on the delivery of the Restorative Justice Scheme. Since the beginning of the pandemic (and just before this with the 2019–20 bushfire season), RJU staff have largely worked from home. Similarly, clients have had restrictions on their ability to attend face-to-face meetings. RJU responded by providing preparation, assessment, and conferences virtually (i.e. phone and videoconferencing). However, many participants were unable to meaningfully engage via these formats and preferred to wait for opportunities to progress their matters face-to-face. Where pandemic policy settings allowed this, the RJU provided these face-to-face services and meetings utilising risk management strategies (including masks, distancing, and hygiene practices). The pandemic has also had an impact on referrals to RJU, with the functioning of many criminal justice agencies significantly affected by the pandemic and associated restrictions, as well as a marked decrease in reported crime during this period.

One of the positive outcomes from operating during a pandemic was that the 'indirect' conferencing methods (video, telephone, written exchanges) which had always been available as an option and sometimes preferred by people fearful of being in the same room as the person responsible for causing them harm, were fine tuned to become much more sophisticated and effective processes.

### 4.3 With whom?

The development of restorative justice and practice in the ACT has involved a significant period of connecting and strengthening 'principled' relationships to widen into a network of people interested in restorative practice in many areas – justice, education, health, welfare, environment, and citizen participation. It has worked alongside moves to create more consultation and engagement of the community in decisions affecting them. The 'grassroots'

emergence of the CRC has provided trusted relational connections that have been important to enhancing government and community awareness of the principles and value of restorative approaches, in elevating voices that may be vulnerable to poor consultation, and in lobbying the government to enact its commitments to a restorative city.

It is important to recognise that during the years, 2004 – 2016, after the first restorative justice legislation and before the Parliamentary statement proposing Canberra become a restorative city, a small group of individuals, primarily at ANU, were conducting research in this area, quietly building relationships in Canberra and internationally. Connections were made with the International Learning Community (ILC) at Dalhousie University, Canada, the US, UK, and in New Zealand, and when people from the ILC were visiting, the community members took them to meet political, bureaucratic leaders and the judiciary to advocate and educate for restorative approaches for Canberra. When funding became available to run seminars, these individuals voluntarily worked on building relationships across Canberra, so that understanding the vision of a relationally just restorative community rippled and grew. The informal social capital that underpins the CRC as evident on the community website<sup>63</sup>. Restorative practitioners in the states of New South Wales (NSW), Victoria and South Australia have forged links with the CRC. Of note, the NSW city of Newcastle, is also on a pathway to becoming a restorative city supported by Canberra and the ILC.

### 4.4 Which results achieved/expected and why?

In the ACT, the Restorative Justice Unit has reported more than 90% of people who took part in restorative justice find it to be helpful. People who have been harmed through a criminal offence often find that meeting or communicating with the person who has harmed them helps them to take

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63 <http://www.canberrarestorativecommunity.space/>

back the sense of control they might feel they have lost, to move forward and to feel more positive about the future. For those who have committed an offence restorative justice can help them to own their actions and make things right again. It can also reduce the likelihood of them harming someone else in the future.

The RJU has been critical in achieving a high success rate for participants. The valuing of First Nations perspectives in law enforcement and justice has been an important factor in raising awareness of the disadvantage suffered by Indigenous people over many years.

The success of the restorative justice program has been a stimulus for the wider use of restorative practices in the ACT. Key restorative initiatives in 2022 include (a) developing tailored information to help families navigate the coronial system, (b) supporting the Community Service Directorate to embed restorative approaches in Child and Youth Protection services, and (c) developing community engagement tools to encourage the Canberra community to engage with and own the restorative city commitment.

Important results have also been obtained in the healthcare field. Participatory action research was used to explore the implementation of restorative justice practices for the new UC Hospital to reduce preventable suffering caused by inequity. This engagement opened dialogue and connection between the traditional custodians with the Community. The relationships that have developed, strengthened, and grown now enable transformational outcomes. This work is supported by the UC Collaborative Indigenous Research Initiative. The ACT Chief Nurse and Midwife has also supported the use of restorative approaches providing funding for a First Nations PhD scholarship in restorative health to UC. The impact of these projects led by CRC representatives has been substantial. For example, the UC Hospital Director of Nursing referred to impact of the 'Cultural Blessing' of the new campus as "(a) memorable event that coincided with the opening of UCH as a specialist rehab centre aligned so well with this work as a

"restorative hospital". The restorative community seeks truth in the delivery of healthcare and connects with child protection, justice, education and the social determinants of health to build equity. An example of this work was the pilot 'Feasibility of an Aboriginal and Torres Strait Islander Cardiac Rehabilitation programme delivered in a non-Indigenous health service (Yedding Gaur)''.<sup>64</sup>

Beneficiaries of the 'Restorative City' approach have included many individuals who have been caught up in the justice system, families of those affected, students who have learned better nonviolent ways of handling conflict and crisis, agencies that offer welfare and health services, and the police forces that are expected to maintain civil order. The ACT Government has indicated an intention to raise the minimum age of criminal responsibility from 10 years to 14 years, a significant improvement in the national landscape. They have also agreed to further implement the charter of victims' rights, to begin treaty discussions with First Nations peoples and have established a dedicated Coroner.

## 4.5 Which lessons for future implementers?

The following lessons are shared to help inform others on their restorative city journey:

Firstly, it is important to include political and bureaucratic support. The RJU is based in the Justice and Community Safety Directorate, separately to other agencies involved, which has been an important basis for stakeholder engagement for participants and of referrers, and ultimately a key aspect of success of the restorative justice scheme. The RJU Director is an expert

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64 Freene, N., Brown, R., Collis, P., Bourke, C., Silk, K., Jackson, A., Davey, R., Northam, H. (2021) Feasibility of an Aboriginal and Torres Strait Islander Cardiac Rehabilitation program delivered in a non-Indigenous health service (Yedding Gaur): a mixed methods feasibility study BMC Cardiovascular Disorders



in the field and strategically plans approaches for how it may be applied in other initiatives. Underpinning the efforts, are community members with expertise who champion restorative approaches to share awareness and understanding with others in the community of the authentic and legitimate benefits of restorative approaches in all spheres of life. Seize opportunities to invite champions from other areas/countries to add their perspectives and learning. Collaborating and building relationships with trusted media representatives further promotes community understanding of restorative approaches. Invite people, especially those with lived experience, to participate in this while ensuring that the media component is respectful, careful, informative and consent oriented.

Build networks of community led expertise through workshops, government or community. This implies ensuring the inclusion of diverse perspectives and people with lived experiences; involving people who are decision makers across diverse areas as well as citizens; being well facilitated to ensure understanding of restorative approaches in governance and practice and that all voices are heard.

Face to face work is often regarded as the best practice but sensitivity to trauma experiences and questions of accessibility can lead to offering alternatives. The CRC has enabled the recent emergence of the Restorative Practice Specialist Network, which brings together practitioners, academics and those with lived experience to consider ways to promote restorative justice as a useful and safe response to sexual offences. Evaluation and research into the impact and outcomes of these approaches is critical for understanding its value. The RJU has always conducted surveys. Victims are often interested to understand what other victims have said about their experiences, and this provides an evidence base for raising awareness of the impacts of restorative approaches.

Keep in mind that building a restorative city is not free of challenges:

- The development of Canberra Restorative City has not always been smooth. The ACT's Restorative Practice (RP) network has been limited by available resources. University affiliations have supported progress. Many of the CRC activities and initiatives are led by volunteers who share their time, skills, and sometimes financial support. It is important to stay connected to all the members and champions as people move into different life journeys – it is positive principled relationships that are the foundations of a Restorative City.
- The CRC acknowledges that schools are using learning circles to enhance teaching in the classroom and a growing number of teachers are joining the Restorative Community. Planning is underway to provide additional Restorative Practice programmes within universities to support education providers.
- To achieve just relationships between the individuals, the community and the government it is important for all voices to be respected and heard. Particularly those who have felt suppressed by policies and practices that have not recognised their situation or listened to their voices. Many areas of government and other hierarchical organisations can be uncomfortable with the shifts in power required for successful restorative practice – the unconditional positive regard and cultural humility required for restorative processes to work. It is common for institutions to respond reactively following problems, unused to engaging those affected by their decisions early and positively in the development of mutually satisfactory solutions. The impact of colonisation for many First Nations Australians continues to harm communities today. This is evidenced with disproportionate Indigenous child removals, incarceration and a life expectancy gap compared with non-indigenous Australians. First Nations voices reveal ongoing suffering. Truth telling towards a truly restorative community – this is our most important challenge today.

#### 4.5.1 Future Vision

Canberra began its restorative journey by undertaking seminal restorative justice conferencing research. This research, and community participation in restorative justice conferencing, would later inform the support for a legislated scheme. This scheme has steadily increased its reach alongside a growing application of restorative practice across a range of areas including family and neighbourhood disputes, education, health and child protection. The importance of commitment by government, community engagement, well-resourced programs, sustained access to training in Restorative Practice, coordination across agencies, use of human rights protocols, and evaluation underpins the hopes of the Canberra Restorative Community for a flourishing city and peoples.

Our vision is to use the potential restorative approaches bring to enact social justice by anticipating harms, intervening early to reduce suffering and trauma caused by insensitive cross institutional governance. Community learning from our workshops have framed new positive, equitable and inclusive approaches that Canberra will explore across the 'circle of life' social and justice determinants of health.

The use of restorative practices across Canberra continues to develop through the work of organisations such as the Restorative Justice Unit, Canberra Restorative Community, Relationships Australia and the Conflict Resolution Service. These practices are also supporting community and government collaboration in Canberra to enact 'just' relationships to enable well-being and a flourishing community.

#### 4.6 Want to know more?

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**Como**  
RESTORATIVE CITY

## 5 Como Restorative City

AUTHORS: CRISTINA VASILESCU & COMO RESTORATIVE CITY COORDINATION GROUP<sup>65</sup>

### 5.1 Where and why?

#### 5.1.1 Social, economic and political context

Located on the branch of Lake Como and at the border with Switzerland Como is the capital town of Como province. With 85,543 inhabitants, Como is a well-known tourist destination. Once a rich industrial town, it has undergone a deep restructuring of the economic fabric, having a service-based economy nowadays. In recent times, however, Como has encountered formidable challenges, exacerbated by the 2008 economic downturn and the global impact of the COVID-19 pandemic. These dual crises have precipitated a labour predicament, resulting in a substantial – 1.9% decline in employment between 2020 and the preceding year. The repercussions have rippled through the community, manifesting in heightened rates of addiction and increased instances of social isolation, as documented by ASCOMLAR in 2019.

Moreover, the town faces another pressing concern as reflected in its crime statistics. The incidence of offenses stands at a concerning rate of 2,718.7 individuals per 100,000 inhabitants, contributing to a total of 16,416 reported offenses.

#### RESTORATIVE JUSTICE: LEGAL AND INSTITUTIONAL CONTEXT

When the inception of Como Restorative City started in 2016, restorative justice was almost absent from the public agenda and only partially dealt with in the justice legal framework. Some elements ascribable to restorative

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<sup>65</sup> The members of the Group contributing to this chapter are: Alessandra Bellandi, CSV dell'Insubria Varese; Patrizia de Filippi, Associazione Comunità Il Gabbiano; Monica Mordente, ASCOMLAR and ASCI.

justice were included in several pieces of criminal national justice legislation (e.g. decree 274/2000, decree 231/2001, decree of the President of the Republic 448/1988).

As previously mentioned (see Lecco Restorative City chapter), in the absence of any comprehensive legislation on restorative justice, restorative justice interventions have been implemented mainly by civil society organisations in collaboration with local institutions and/or probation agencies. In the Lombardy region, including Como, these initiatives were often integrated into the social welfare and inclusion programmes funded by the European Social Fund or private bank foundations like the Cariplo foundation. Some municipalities in Lombardy, such as Milan, Bergamo, and Como, also utilized mediation services for restorative interventions.

The bottom-up promotion of restorative justice in various Italian regions has triggered an increasing attention to restorative justice, particularly in the criminal justice framework, both nationally and regionally level, notably in Lombardy. This peaked in 2019–2021 with the introduction of restorative justice in the reform of adult criminal justice, approved with the law n. 134<sup>66</sup> adopted in 2021. The law allows the use of restorative justice in the criminal justice system for any type of offence and at any stage of the trial as well as during or after the execution of the sentence/security measure and the creation of Centres for restorative justice under the coordination of local authorities. At regional level, in Lombardy, a regional programme for the creation of territorial centres for restorative justice was adopted<sup>67</sup>. While the reform of the criminal justice system focuses on restorative justice interventions in the criminal justice area, the regional centres for restorative justice expand the focus of restorative interventions, including also restorative practices targeted to students, youth and more generally to the whole community.

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66 [https://www.gazzettaufficiale.it/eli/id/2021/10/04/21G00146/sg;https://www.ordineavvocatimilano.it/media/news/OTTOBRE2022/DLGS\\_150-2022\\_GU\\_Penale.pdf](https://www.gazzettaufficiale.it/eli/id/2021/10/04/21G00146/sg;https://www.ordineavvocatimilano.it/media/news/OTTOBRE2022/DLGS_150-2022_GU_Penale.pdf)

67 <https://lodi.e-pal.it/AttiVisualizzatore/download/allegato/2982670?fid=2982676&sbustato=true>

Locally, support to restorative justice has not been linear and continuous. While the construction of Como Restorative City obtained the support of the municipality under the left party coalition (2016), it was barely tolerated under the right coalition gaining political direction of the municipality of Como in 2017 but supported without interruption by the local public-private social enterprises ASCI at the beginning and since 2019 also ASCLR, in charge of social policies at district level in the province of Como.

Several projects have been promoted at local level to fund the construction of Como Restorative City: ConTatto project (the first project putting the basis of the building of Como Restorative City), funded by Cariplo Foundation; ConTatto 2 project, “SoStare nel conflitto, luoghi e pratiche della comunità riparativa”, “Un futuro in Comune”, “Un futuro in comune affiance alle vittime” funded by Lombardy Region. Furthermore, building on the first ConTatto project, restorative justice interventions have been implemented also within projects focusing on the social and labour market of (ex) offenders (e.g. LinkedIn, My Map 3 D).

These endeavours led restorative justice to become an essential facet of the social policies embraced by the Como social district, featured in the 2018–2020 and 2021–2023 Social Plans of Como district.

### 5.1.2 Why build Como Restorative City?

As previously noted, the 2008 economic crisis, coupled with increased immigration influxes, the recent COVID-19 pandemic, and the ongoing conflict in Ukraine, have contributed to a rise in conflicts among residents and, to a limited extent (pertaining to pandemic regulations), social actors. These heightened conflicts have often led to diminished social connections, heightened psychological distress, and social tensions, particularly at neighbourhood



level<sup>68</sup>. Rebbio, a periphery neighbourhood of Como, where the construction of Como Restorative City began, is exemplificatory of such conflicts. Rebbio is considered an 'Area at risk of juvenile deviance' (MIUR,1999) due to the high juvenile delinquency, high presence of cultural and economic poor families in need for support, and a high level of immigration, exacerbating social conflicts and requiring social inclusion actions<sup>69</sup>. Furthermore, it also faces a relevant mafia presence<sup>70</sup> and is characterised by a social fracture between the social house area and the centre of the neighbourhood. Other areas of Como city and Como province face similar issues.

In the Como context, conflicts around immigration play a significant role. Positioned at the border with Switzerland, Como is a crossroad of immigration routes towards Northern and central Europe. The large influxes of migrant people combined with a political discourse against immigration, promoted by right parties, exacerbate conflicts around immigration. Thus, Como finds itself divided in two polarised groups: associations defending immigrants' right to protection and supporting their social inclusion and the right party promoting an anti-migration discourse.

Beyond the escalation of social conflicts, the Como milieu also grapples with a growing lack of empathy among its citizens. Increasingly, individuals are inclined to prioritize their own needs, often disregarding those of others.

The increase in social conflicts coupled with the decrease in citizens' empathy result often in a full delegation of conflicts to the juridical authorities and in an excessive use of juridical tools. This jointly the high length of the time to solve cases (conflicts) delegated to the juridical system, which often brings

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68 <https://periferiecoinformazioni.files.wordpress.com/2018/12/PDZ-2018-2020.pdf>

69 <https://www.ciaocomo.it/2020/11/10/como-la-polizia-sgominata-unaltra-baby-gang-del-terrore-tre-minorenni-al-beccaria/204122/>

70 <https://www.laregione.ch/cantone/ticino/1415334/avere-la-ndrangheta-come-vicina-di-casa>

about an increase in the tensions at the origin of the conflict, fail to provide an answer to people's quest for justice and truth. The increase in conflicts and their limited constructive management produces often high social costs, prolonged states of individual and collective malaise, the rigid definition of the social roles of victim and perpetrator, with their clear separation into their respective solitudes, the exacerbation of conflicts and their removal from the contexts in which they are produced.

These reasons lay behind the creation of Como Restorative City. The construction of Como Restorative City started with ConTatto project and continued with the other projects mentioned previously. While all the projects share the overarching goal of constructing a restorative city in Como and fostering restorative communities within the province, each of the aforementioned projects has pursued distinct objectives aimed at realising the vision of a restorative Como city.

The first ConTatto project aimed to:

- Promote cultural, social and network conditions to spread the values, principles and practices of the restorative community's approach in handling conflicts in social settings (neighbourhood, schools, justice, etc.);
- Go beyond the rationale of pitting the conflicting parties against each other and spread restorative community practices;
- Encourage voluntary and consensual meetings between the conflicting parties, while also involving groups of citizens.

The initial ConTatto project focused on social settings beyond the criminal justice. The second ConTatto project focused in particular on bridging restorative justice in social settings with restorative justice in the criminal justice area. The overall aim was to cultivate a restorative community capable of taking responsibility for addressing social conflicts, thus reducing

full delegation to judicial bodies. Additionally, the project aimed to integrate socially former offenders and empower conflict victims.

The two “Un futuro in commune” projects draw on the previous ConTatto projects. Their primary objective is to amplify the utilization of restorative justice within both social and judicial frameworks. This entails establishing and solidifying dedicated structures, such as the Restorative Justice Provincial Centre and Working Group, alongside the Victims’ office. Furthermore, these projects involve conducting interventions to raise awareness and enhance understanding of restorative justice principles. Practical implementation of restorative justice strategies in both criminal justice and social contexts is also a core aspect of these projects, aiming to proactively prevent and effectively address conflicts and offenses.

## 5.2 How?

### 5.2.1 The restorative approach

The idea of making Como a restorative city is inspired by how Lecco became one. These cities are alike in terms of where they are and how they work, and they both have the same people supporting them.

Building on what Lecco did, the approach shaping Como Restorative City relies on the following conceptual frameworks:

- The CoRe model (Restorative Relational Communities) (Patrizi, Lepri, Lodi & Dighera, 2016) which focuses on the complex circular relationship between human actions and the social context, recognising that the local community is the preferred system for intervention to spread and practice restorative approaches;
- The Humanistic Victim–Offender Mediation approach (Mannozi & Lodigiani, 2015, 2017), which focuses on listening, showing empathy,

sharing memories and respecting the emotional experiences involved in a conflict, as well as on the use of common/emotional language;

- The social–pedagogical approach (Lizzola, 2018; Lizzola, Brena & Ghidini, 2017), which focuses on individual and collective responsibility, on the collaborative handling of conflicts and on the educational dimensions underlying restorative processes;
- Wachtel and McCold’s Social Discipline Window (2001), adapted by Campbell, Chapman and McCredy (2002), which develops the various ways of responding to challenging actions and their consequences along the two axes of responsibility and social support;
- Wenger’s Communities of Practice (1998), which underlines the importance of mutual engagement, joint enterprise and shared repertoire;
- Transformative restorative justice approach (UNDOC, 2006), which focuses not only on the encounter between parties (even in the absence of a conflict) and on the restoration of a damage deriving from a crime/wrongdoing (even in the absence of the victim), but especially on the identification and handling of the causes that are at the basis of wrongdoings/crimes and on challenging people to apply restorative principles in their daily relations.

Another characteristic of the construction of Como Restorative City consists in bridging restorative justice in the legal field with community restorative justice in various social settings (schools, neighbourhoods).

The approach followed by ConTatto also pays specific attention to the concept of “us”, of common goods, to a shared vision of “good” and to the social responsibility of all parties involved in a conflict.

As to the restorative values, the process of building Como Restorative City has been guided by the following restorative justice values:



- The value of kind relations, i.e. relations based on empathic listening and dialogue, care/attention to relations; seeing the others as humans with complexities and contradictions;
- Community as a context for justice (i.e. context where a justice exercise is possible);
- Mutual responsibility;
- Mutual trust;
- Inclusion and participation;
- Recognising the other as an equal and worthy interlocutor;
- Truth through dialogue;
- Respect of the differences;
- Respect for human dignity;
- Solidarity;
- Accountability.

The process of building Como Restorative City included activities in four main areas of intervention:

- **Restorative justice in schools** including parallel awareness raising and training targeted to students, teaching staff and parents to discuss on conflicts in school; the creation of co-design groups made of the school management staff, teachers and in some schools also students; animated readings and narrative workshops on conflicts involving pupils of infant and primary schools; training courses on restoratively conflict management and peer-to-peer education addressed to students of secondary and high schools; restorative practices (circles, restorative questions, etc.).
- **Restorative justice in neighbourhoods** of Como city and municipalities in Como province. At neighbourhood level, the creation of *Intermediary bodies* with a focus on diffusing and applying the community restorative approach to solving social conflicts at neighbourhood level. Intermediary bodies are “plural agora made up of citizens – ‘antennas’

able to intercept suffering and social tensions in the community, to propose again the common good of staying together and to construct ‘threshold’ experiences as areas of pause, suspension of conflicts, honest and respectful dialogue, regenerative transition of interrupted relations originated by or in conflicts. These citizens deem essential not leaving people trapped in conflicts alone. They are engaged in the creation of the context and cultural conditions for the development of a Restorative City/community, through a steadfast, daily and apparently invisible community work.”<sup>71</sup>

Intermediary bodies are bottom-up, being made of citizens of the respective neighbourhood. Furthermore, citizens, part of intermediary bodies, have been involved in restorative practices, such as, for instance, (i.e. dialogues with citizens, victims and citizens and perpetrators, firstly separated and afterwards united). In Como province, 3 intermediary bodies have been created since 2017, of which one is created at provincial level and brings together citizens of neighbourhoods where restorative justice interventions are promoted and institutions (schools, probation officers, etc.).

- **Restorative justice in the social policy area.** Several awareness raising and training sessions have been planned for the staff of local actors involved (local municipalities, social public-private enterprises, etc.) with the aim to manage conflicts in a restoratively. Furthermore, restorative practices (e.g. circles) have also been delivered.
- **Restorative justice in the judicial field**, including joint trainings on community restorative justice issues, targeted to lawyers, professionals from the legal administration sector and social services. Furthermore, judicial services have been involved in the testing of restorative practices (Restorative justice-oriented Groups, Circles, mediation, etc.).

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71 Dighera B., Vasilescu C., Aertsen I. (2019) Restorative cities and the role of intermediary bodies, UK RJ Council newsletter

- **Communication, fundraising and monitoring and evaluation.** The process of building Como Restorative City was accompanied by a continuous monitoring and a final evaluation of each of the projects delivered within its construction process. The monitoring and evaluation activities also fed communication initiatives (seminars, social theatre plays, video storytelling, etc.) delivered within the various projects implemented to build Como Restorative City. As to the fundraising activity, it was tested only in ConTatto 1 project, as it was requested by the funding organisation. In the other projects fundraising was carried out through participation in specific tenders.

When it comes to methods, the building of Como Restorative City has relied on a set of mixed methods and tools: educational games, simulations, role play, peer to peer education, artistic works used within interactive trainings and awareness raising meetings; brainstorming; field visits; interviews/focus groups with local experts, stakeholders, people involved in conflicts (offenders, victims, community); focused conversations with all parties interested by a critical social situation/conflict (citizens of the respective community, offender, victim) to re-read the context and the conflict; non participatory observations; conflict analysis charts; active listening; working groups for reflecting on specific issues related to critical social situations/conflicts; circles; mediation; survey to participants in restorative practices.

### 5.3 With whom?

Managing the creation of the Como restorative justice city is quite a challenging task. It requires a participatory and transparent governance architecture that involves different actors with different roles:

**An intermunicipal Working group on restorative justice** made of:

- Citizen representing the three intermediary bodies created within the ConTatto 1 and 2 projects

- Staff of public institutions in the social and judicial fields (e.g. Municipality of Como, Azienda Sociale Comasca e Lariana, Municipality of Turate, UEPE – probation agency for adults, USSM – probation agency for minors, SERT – Service for drug addiction, the Prison of Como)
- Representatives of civil society (e.g. Volunteering Service Centre of Insubria and Lecco, the Association Il Gabbiano onlus).

The Working group jointly with the Co-ordination group (see below) sets the agenda of the issues to tackle and activities to be delivered and takes part in restorative practices.

A **Coordination group** in charge of the strategic and operational management of the process of building Como Restorative City. The group is currently made of representatives of local institutions (Social public-private enterprise “Azienda Sociale Comasca e Lariana”) and third sector organisations (the Volunteering Service Centre of Insubria – the Como branch, and the Association “Comunità Il Gabbiano onlus”).

An **Operational team** implementing all restorative justice practices.

The construction of Como Restorative City has been involving also other actors: local institutions (Azienda Sociale Comuni Insieme, Municipality of Lomazzo, Municipality of Rovelasca, etc.), research organisations (University of Insubria – Department of Law, Economy and Culture, University of Bergamo, etc.), third sector organisations (the social cooperative “Cooperativa lotta contro l'emarginazione”, Icarus Counselling Centre, ForMattart, etc.).

### 5.4 Which results achieved/expected and why?

While the creation of a restorative city is a long-term and ongoing process, due to the evolving nature of the city, several results towards the creation

of a restorative city have been reached so far by the projects pursuing this objective:

- **Community Involvement:** Activation of strategies for citizens' involvement in the dissemination and implementation of the restorative approach through intermediary bodies, restorative justice-oriented dialogues, mediation, and restorative justice initiatives implemented in the school setting. The activation of the community allowed the process of building a Restorative City to take root in the contexts of intervention.
- **Creation of widespread skills on restorative conflict management.** A change in the frames and behaviour of citizens and public and private staff (e.g., teachers, judicial functionaries, lawyers, social workers, staff of civil society organisations) involved in the awareness raising, trainings and restorative justice implemented in Como were reported by the evaluations undertaken within the projects aimed to build Como Restorative City: e.g. most of the participating citizens and staff view conflict in a constructive way, pay attention to listening to the other conflicting party's views and try to find an agreement fulfilling the needs of all conflicting parties. Furthermore, evaluations report that citizens involved in Como Restorative City initiatives have developed a higher sense of responsibility towards the well-being of their community as well as a higher awareness of the responsibility of the community in managing social conflicts, overcoming their prejudices regarding certain categories of people (e.g. offenders or ex-offenders). Evaluations also underline that most of the participants in the restorative justice initiatives implemented in Como have started to apply restorative justice principles and values in their daily life as well as to pass them on to other people.
- **Creation of widespread places/spaces** on the territory of Como and province of Como that **promote the restorative justice** approach,

values and principles: e.g., three intermediary bodies; the intermunicipal Working Group on Restorative Justice; two social concierges; the restorative corners of the library of Como and Lomazzo; the restorative column part of the school newspaper of the Istituto comprensivo di Mozzate; etc. It is also worth mentioning the intention of the Istituto comprensivo di Mozzate to create a restorative corner within the school library (its realisation was postponed due to the COVID-19 emergency).

- **Creation of restorative justice initiatives** (restorative justice-oriented groups, circles, mediation) involving offenders/conflicting people, victims and community members as well as opportunities of open, non-judgmental and empathetic dialogue on conflicts/social tensions that affect a given community and of processes of relationship healing in the respective community.
- **Strengthening of the territorial governance** in the field of restorative justice, which has allowed:
  - The **integration of territorial resources** (e.g. human and financial, restorative initiatives) in the area of restorative justice and their expansion through new projects.
  - **Widening of the network of actors in the area of restorative justice:** e.g. the process of building the Restorative City of Como started in Como and part of its district (Lomazzo and Rovellasca), but it soon extended also to Cantù, involving private and public actors from this area.
  - Influencing of participating actors' perspectives on restorative justice, as well as the **sharing of a common language** in this area. In turn, this has favoured the framing and delivery of a shared vision of restorative justice in Como and province.
  - **Institutionalisation of the restorative approach:** the restorative approach has become an integral part of the offer of some of the

territorial social and judicial services (e.g. ASCI and ASCOMLAR, UEPE and USSM of Como), of some of the schools involved in the project (Istituto comprensivo di Mozzate and I.T.E.S. Caio Plinio) and also of the NGOs coordinating the process of building Como Restorative City (e.g. CSV Insubria Varese, Associazione Comunità Il Gabbiano, Cooperativa Lotta contro l'emarginazione sociale). Furthermore, the restorative justice approach and the creation of restorative communities in the province of Como have become an objective of the Social Plan of the District of Como.

- **Widening of the restorative justice practices delivered.** The restorative practices delivered in Como Restorative City include restorative justice-oriented groups involving offenders and community members, victims and community members as well as offenders, victims and community members; circles both in the community and school contexts; and mediation between offenders and victims. These practices are accompanied by numerous trainings, awareness raising initiatives and meetings of the two intermediary bodies and of the intermunicipal Working group on restorative justice.
- Several results have been obtained also for offenders and victims involved in restorative practices implemented within Como Restorative City:
  - **Results reported by offenders** interviewed within the evaluations of Como restorative practices: awareness of the crime committed; understanding of the harm done not only to the direct victims but also to the whole community, also as a result of a greater ability to put oneself in the shoes of others and understand their suffering; assumption of responsibility for the damage done to direct and indirect victims; willingness and interest in repairing the damage caused; re-establishment of a sense of trust in justice.

- **Results for victims** unveiled by evaluations of Como restorative practices: creation of opportunities to listen and to accommodate victims' suffering and to transform the suffering experienced as a result of crime; understanding of reasons behind a certain crime/offence; victims' empowerment.

Overall, since 2017, the process of building Como Restorative City has involved over 9,400 citizens, of which around 290 have been actively involved in the implementation of the process, while around 150 have been involved in the restorative practices delivered in the district of Como. Moreover, the process has engaged 116 actors besides the organisations involved in the coordination of the process of building Como Restorative City.

## 5.5 Which lessons for future implementers?

The key factors that have favoured the process of building Como as a restorative city and that should be considered in constructing any restorative city are:

- **Good reputation and social legitimacy of the promoters** of the Restorative City, which favoured citizens' participation in the building of Como Restorative City.
- **Good knowledge** of the frames, values, principles, social conflicts and needs of the community targeted by the process of building a Restorative City, which favours the customization of the process of building the Restorative City.
- **Integration of the restorative approach** within local policies and initiatives in order to both create integrated initiatives and institutionalize the restorative approach. Furthermore, its embedment within local initiatives favoured the overcoming of the risk of excessive overlapping of commitments of engaged actors.
- Adoption of a **participatory, inclusive, open and transparent governance** of the process of building the Restorative City, foreseeing citizens'



active engagement in both the decision-making process and the delivery of restorative practices. In the Como case, the participatory governance was operationalised through the creation of intermediary bodies (see previous section) representing the various perspectives of the community.

- **Engagement of both institutional and political** actors in order to ensure the sustainability of the Restorative City.
- **Definition of a vision** of the Restorative City together with the local community in order to ensure that the process of building the Restorative City is grounded in a common set of values, principles and objectives.
- The adoption of **an all-encompassing approach** to restorative justice practices, including various types of restorative practices within both the community and the judicial context, which are also able to create bridges between the two contexts.
- **Creation of spaces and opportunities** for testing restorative practices in order to allow citizens (offenders, victims, community members) to experiment their benefits.
- Provision of **adequate financial, human and time resources**, considering that the building of a Restorative City is an ongoing process.

## 5.6 Want to know more?

Representatives of the Como Restorative City work team: Alessandra Bellandi, [a.bellandi@cslv Lombardia.it](mailto:a.bellandi@cslv Lombardia.it); Patrizia de Filippi, [patrizia.defilippi@gabbianooodv.it](mailto:patrizia.defilippi@gabbianooodv.it); Monica Mordente, [monica.mordente@gmail.com](mailto:monica.mordente@gmail.com); Cristina Vasilescu, [cristina.vasilescu@gabbianoonlus.it](mailto:cristina.vasilescu@gabbianoonlus.it)



**Lecco**  
RESTORATIVE CITY

## 6 Lecco Restorative City

AUTHORS: BRUNA DIGHERA AND CRISTINA VASILESCU<sup>72</sup>

### 6.1 Where and why?

#### 6.1.1 Social, economic and political context

With 47,454 inhabitants in 2021, Lecco is the capital town of the province of Lecco (333,569 inhabitants in 2021)<sup>73</sup>. It is located in the Northern part of Italy, in Lombardy region, on the branch of lake Como, being famous for its 'spiders', climbing mountains everywhere, and for being the set of 'I promessi sposi', a famous Italian novel by Alessandro Manzoni.

Once an industrial area, Lecco province, also including Lecco town, has undergone a deep restructuring of the economic characteristics, having a service-based economy nowadays. Despite being still a wealthy area (it ranks 15th out of 107 Italian Provinces for wealth and consumption in 2021, according to Lab24), the increasingly precarious nature of employment security, especially for women and young people, and the reduction in income have triggered a raise in the social inequality level, further deepening social fractures. The breakage of the social pact along the years has created higher levels of loneliness, psychological distress and a crisis of values with relevant consequences on the level of social tensions/conflicts and crimes<sup>74</sup>. In 2021, Lecco province ranked 58 out of 107 Italian provinces by number of overall

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72 Bruna Digheira is a psychologist and psychotherapist and member of the Steering committee of L'Innominato – Lecco Restorative city. Cristina Vasilescu is a consultant on policy/project monitoring and evaluation for "Associazione Comunità Il Gabbiano" and current chair of the Working Group on Restorative Cities of the European forum for Restorative Justice

73 [http://dati.istat.it/Index.aspx?DataSetCode=DCIS\\_POPPRES1](http://dati.istat.it/Index.aspx?DataSetCode=DCIS_POPPRES1)

74 Patrizi, M. In rotta verso l'Europa. Ricognizione territoriale sul lecchese. 2017



registered charges/population (2,669<sup>75</sup>) and 13th by the number of voluntary homicides with 0.9 charges/100,000<sup>76</sup> inhabitants in 2021. As revealed by the assessor of the municipality of Lecco, social conflicts have further increased during the COVID19 pandemic, creating 'explosive' situations and requiring further policy actions to manage them<sup>77</sup>.

In this context, the civil society plays an important role in recomposing social relations to favour social cohesion. Lecco can count on a rich civil society, made up 1235 associations and on the presence of a Centre for Volunteering. Furthermore, Lecco can also count on a strong public (municipality) and private (civil society, church) partnership in the design and implementation of social policies. Lecco can rely on a public-private social enterprise whose mission is to promote community welfare, that is a welfare model based on the active participation and responsibility of all public and private actors in dealing with welfare problems and on the integration of social, cultural, educational and housing policies.

From a political point of view, while Lecco capital has been governed by the left-wing party since 2010, the right-wing and left-wing parties have alternated at provincial level.

### 6.1.2 Restorative justice legal and institutional context

At the beginning of the journey of Lecco Restorative City in 2012, restorative justice was almost absent from the public agenda and only partially dealt with in the justice legal framework. Some elements ascribable to restorative justice were included in several pieces of criminal national justice legislation

(e.g. decree 274/2000, decree 231/2001, decree of the President of the Republic 448/1988).

In the absence of any comprehensive legislation on restorative justice, over the years, restorative justice interventions have been implemented by civil society organisations in collaboration with municipalities and/or probation agencies. In the Lombardy region, including Lecco, these interventions have often been implemented within European Social Fund (ESF) financed projects focused on the social and labour inclusion of offenders and/or community welfare/social inclusion projects funded by private foundations. Restorative interventions have also been implemented by mediation services existing in certain municipalities of Lombardy region (Milan, Bergamo, Como).

The bottom-up promotion of restorative justice in various Italian regions has triggered an increasing attention to restorative justice, in particular in the criminal justice framework, at both national and regional level (including the Lombardy region), reaching its peak in the period 2019–2021 with the introduction of restorative justice in the reform of adult criminal justice, approved with the law n. 134<sup>78</sup> adopted in 2021. The law foresees the use of restorative justice in the criminal justice system for any type of offence and at any stage of the trial as well as during or after the execution of the sentence/security measure and the creation of Centres for restorative justice under the coordination of local authorities. At the regional level, in Lombardy, in this period a regional programme for the creation of territorial centres for restorative justice was adopted<sup>79</sup>. While the reform of the criminal justice system focuses on restorative justice interventions in the criminal justice area, the regional centres for restorative justice expand the focus of restorative interventions,

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75 Lab24, 2021, <https://lab24.ilsole24ore.com/indice-della-criminalita/>

76 Lab24, 2021, <https://lab24.ilsole24ore.com/indice-della-criminalita/indexT.php>

77 <https://www.lecconews.news/lecco-citta/conflitti-familiari-a-lecco-e-attivo-lo-sportello-anche-con-la-pandemia-298822/#.YQHA8o4zY2w>

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78 <https://www.gazzettaufficiale.it/eli/id/2021/10/04/21G00146/sg>; [https://www.ordineavvocatimilano.it/media/news/OTTOBRE2022/DLGS\\_150-2022\\_GU\\_Penale.pdf](https://www.ordineavvocatimilano.it/media/news/OTTOBRE2022/DLGS_150-2022_GU_Penale.pdf)

79 <https://lodi.e-pal.it/AttiVisualizzatore/download/allegato/2982670?fid=2982676&sbustato=true>

including also restorative practices targeted to students, youth and more generally to the whole community.

At the local level, the municipality of Lecco has been supporting the restoration of damaged relations between citizens through innovative solutions, such as restorative justice. It has been doing it by partnering with civil society initially within "L'Innominato"<sup>80</sup> (The Unnamed) Lecco Restorative Justice Group<sup>81</sup> and afterwards also through the promotion of/participation in several projects, funded by both European social and investment funds (ESIF) and national funds, such as for instance the project "Porte aperte"<sup>82</sup>, "Innominate vie"<sup>83</sup> or "Un futuro in comune" or "Per il verso giusto". Furthermore, following the building process of Lecco Restorative City, the 2021–2023 Local Social Plan, which sets the basis of social public policies at local level, focuses on supporting the development of community spaces in order to design a territory that grows in terms of social value, citizens' participation and activism and decentralization of public decisions and choices, including also through restorative justice<sup>84</sup>.

### 6.1.3 Why build Lecco Restorative City?

The seeds of Lecco Restorative City were planted in 2012, building on years of collaborations between civil society organisations, the probation agency and the municipality regarding the social and labour inclusion of offenders and, more in general, the strengthening of social cohesion at a local level. In 2012, a strong activation of the citizenship occurred on the occasion of a

theatre play "Alle 2 i monaci tornano in convento", commemorating the massacre of Capaci, by the Rebibbia prison theatre company "Stabile Assai"<sup>85</sup>. The theatre play attracted 800 citizens, who expressed interest in attending it, while the theatre could only host a maximum of 500 people.

The civil society organisations active in the social inclusion of offenders understood that those citizens represented an enormous "social heritage" that needed to be appreciated and engaged in a more complex reflection on justice in the community. They seized this opportunity to construct a dialogue with the community of Lecco on the types of answers that the criminal justice system provided to the crimes that broke the social pact. Too often these answers ended up leaving the offenders, the victims and the community alone in dealing with the consequences of a crime. The dialogue aimed to challenge the Lecco community to think about a justice framework that takes care of the offenders, the victims and the community, that is:

- A justice able to propose paths that through a joint effort allow offenders to take responsibility for their actions and restore the damage to victims and the community, as well as to continue to be an integral part of the society.
- A justice that takes care of the victims, acknowledges and deals with their needs and provides them with opportunities of transforming the victimisation experience.
- A justice able to engage the community in the construction of proximity, responsibility and restorative paths that rebuild the broken social trust.

The aim of this dialogue was to make the community of Lecco aware of the opportunity to see justice through new lens, namely those of restorative justice, in order to put the basis of a restorative community, that is a community

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<sup>80</sup> L'Innominato (The Unnamed) is a character of the novel "I promessi sposi" of Manzoni. He inspired the name of the intermediary body of Lecco, as it testifies a 'restorative conversion' from crime.

<sup>81</sup> see paragraph "With whom" for details

<sup>82</sup> [https://www.larcobaleno.coop/wp-content/uploads/2019/11/Porte\\_Aperte\\_3.0.pdf](https://www.larcobaleno.coop/wp-content/uploads/2019/11/Porte_Aperte_3.0.pdf)

<sup>83</sup> <https://gabbianoodv.it/progetti/>

<sup>84</sup> [http://www.retesalute.net/images/documenti/PDZ/2021-2023/Pdz\\_unitario\\_2021-2023.pdf](http://www.retesalute.net/images/documenti/PDZ/2021-2023/Pdz_unitario_2021-2023.pdf)

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<sup>85</sup> Antonio Turco created the theatre company in 1982 in Rebibbia prison. He used theatre as a tool for social inclusion of offenders.

based on feelings of care for each other, mutual responsibility, understanding, support, cohesion, active listening to everyone's truth and empathy as well as on dealing with conflicts/offences in a peaceful and constructive way.

## 6.2 How?

### 6.2.1 The restorative approach

From the very beginning, the building process of Lecco's restorative process has rested on Nill Christie's assumption that conflicts can strengthen communities, empower victims, reinclude offenders and illustrate behavioural norms, if managed safely and with respect and that communities have a key role in their management.<sup>86</sup>

Civil society organisations engaged in this process were profoundly aware of the fact that a restorative community can be constructed only through the dissemination and mainstreaming of the restorative principles and values in all areas of community life (e.g. school, civil society, public institutions, businesses) and the active engagement of the community itself in this process. Thus, from the very beginning the construction process targeted the community as a whole and combined awareness raising and training actions with restorative justice practices in various settings (neighbourhoods, schools, justice). Furthermore, the approach adopted combined preventive restorative justice with restorative justice intervening in the restoration of relationships damaged by conflicts/crimes. In order to favour the uptake of the restorative justice approach at community levels, citizens were not only involved in trainings and awareness raising events, but also in the delivery of restorative practices.

### 6.2.2 The design and implementation process of Lecco Restorative City

Following this approach, the ongoing building process of Lecco Restorative City occurred in various steps and included various types of activities, as depicted in the figures below.

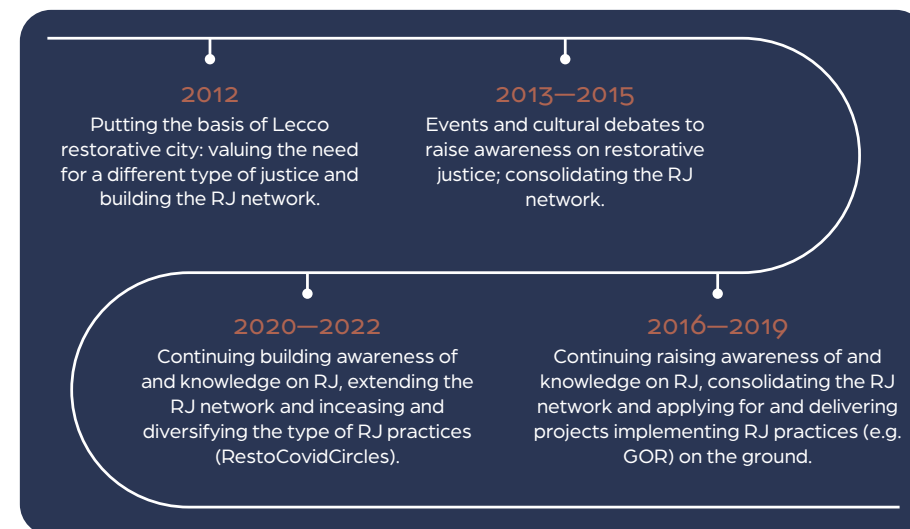


Fig. 1 – Design process of Lecco Restorative City

As mentioned before, in 2012 the desire of numerous citizens of Lecco for a different type of justice was valued through the creation of Lecco Intermediary Body called "L'Innominato", a restorative justice network<sup>87</sup> engaged in planning, delivering and monitoring restorative justice interventions in Lecco.

86 Christie Nils, Conflicts as property. British journal of Criminology. 1997. 17, doi.org/10.1093/oxfordjournals.bjc.a046783

87 Further details on the network are provided in the paragraph "With whom".

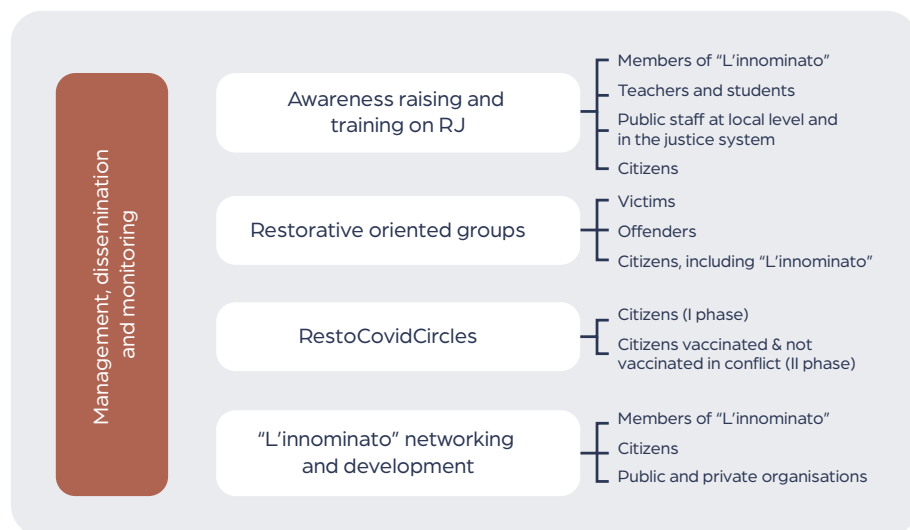


Fig. 2 – Activities implemented to build Lecco Restorative City

Between 2013 and 2015, the civil society organisations promoting the "L'Innominato", together with its members, were engaged in implementing initiatives for increasing awareness on restorative justice among "L'Innominato" members and citizens of Lecco and for creating opportunities of meeting (even though not yet restorative) between citizens and offenders. For instance, in 2013, within the project Lecco Street View, two international street artists were invited to Lecco and created two public art works, involving minor offenders. On that occasion, two of the promoters of the "L'Innominato" held the first awareness raising talks on restorative justice and restorative communities targeted at Lecco citizens. The years 2014 and 2015 brought about new opportunities of dialogue with the Lecco community and between Lecco citizens and offenders on the topic of justice, restorative justice and restorative communities within the projects "FA.TE – FAbbriche TEmporanee Creative del Barro" and "FA.TE Paura. Lecco verso la comunità restorativa".

The period between 2016 and 2019 represents a phase of consolidation of the process for building Lecco Restorative City. The "L'Innominato" increased and diversified its members, being now hosted by the Centre for volunteering organisations and services, which also supported its coordination and daily management. Furthermore, the new social policy assessor of the Municipality of Lecco expressed institutional support for "L'Innominato". Several citizens approached "L'Innominato" after the awareness raising events and became members. The members of "L'Innominato" acted as promoters of the restorative approach in their own living and working settings, aware of the fact that at the centre of social tensions/ conflicts/offences lies not only the individualistic psychology of the single person, but also the action of the context that can either increase them or create virtuous change processes. In this period, "L'Innominato" activated its first projects to deliver restorative practices in various settings, such as, for instance restorative oriented groups, aimed at opening possibilities of encounter and dialogue for offenders, victims and community members on:

- The experience of guilt.
- The suffering generated by the offence.
- The damage experienced.
- The redefinition of its significance.
- The possibility of overcoming the pain in order to allow people not to forget the damage, but rather to "undress" it of the feelings of negation, guilt, fear, shame, anger, resentment and mistrust, so that they can design a new future for themselves.

It also continued its work of awareness raising and knowledge development on restorative justice through, for instance restorative corners in public bars, human libraries, film broadcasting followed by debates on topics related to restorative justice, seminars, workshops and debates as well as readings and games.

The last two years represent a period of maturation of the Lecco restorative community. With the increase in the polarization following measures to mitigate the diffusion of Covid-19, “L’Innominato” was aware of the need to restore relations and promote a dialogue between polarized parties. In this context, the RestoCovidCircles (RCCs)<sup>88</sup> have been an experiment since 2020. Their delivery has been possible due to both the existence of “L’Innominato”, whose members have been able to identify suffering in the community and to refer it to the whole network, and to the logistical support for the delivery of the circles in practice. The RCCs were delivered in two phases:

- **Phase 1:** implemented in 2020 with the aim to allow people to share the Covid – 19 trauma, to listen to each other’s truth and to be listened to, giving voice to their memories of a recent traumatic past; targeted to all citizens.
- **Phase 2:** implemented in 2021–2022 with the aim to open a dialogue between vaccinated and unvaccinated parties in order to deconstruct polarization and to restore interrupted interpersonal relations; targeted to vaccinated and unvaccinated people in conflict.

In these last two years, “L’Innominato” was also called on by the Municipality of Lecco to participate in the other working groups of the Municipality in the welfare services area to disseminate the restorative approach in all social policies at local level. Moreover, the community restorative approach and “L’Innominato” have become integral parts of the new Social Plan of the Municipality of Lecco. One of the explicit objectives of the Plan is to build

a restorative community in the territory of the district of Lecco. In parallel, “L’Innominato” also implemented other restorative practices and continued its restorative justice dissemination work.

### 6.3 With whom?

As mentioned previously, since the very beginning Lecco Restorative City has adopted a participatory governance model, co-creating and co-producing restorative justice together with community members (namely citizens, civil society organisations, public institutions, social parties, private actors). Lecco Restorative City adopts a participatory approach not only in the delivery of restorative interventions, but also in their planning and design. Such an approach stems from the adoption of a community restorative justice framework that puts citizens at the centre of both decision-making and implementation processes.

The figure below details the governance model of Lecco Restorative City.

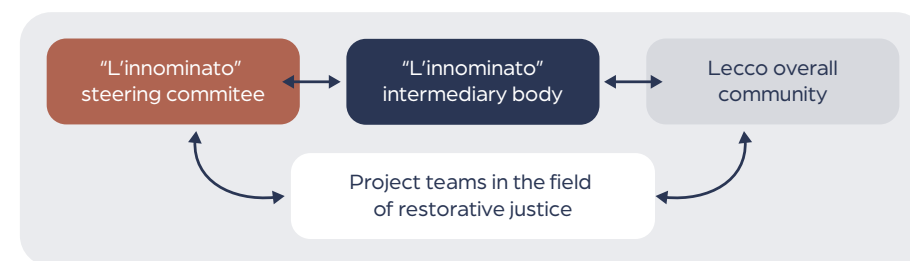


Fig. 3 – Governance structure of Lecco Restorative City

The governance structure of Lecco Restorative City is made up of:

<sup>88</sup> Several subtitled videos on this topic are available at the following links: Lecco Restorative City – RestoCovidCircles (2021. video 9 min). <https://vimeo.com/563345503/aed5477082>; A Restorative City in Times of Pandemic (2021. webinar recordings 1h 36m), <https://vimeo.com/561355655/665da7afd1>

Lecco was invited to present the RestoCovidCircles by the EFRJ in May 2021: <https://www.euforumrj.org/en/restorative-city-times-pandemic>

"L'Innominato" Intermediary Body<sup>89</sup>. It is a restorative justice network at provincial level whose aim consists in the definition, implementation and diffusion of community restorative justice approaches and practices in Lecco. The main features of "L'Innominato" intermediary body are:

Bottom-up, volunteering and informal 'construction site' of community, which involves citizens being interested in community well-being and co-existence forms.

Various Agora made up of citizens – 'antennas' able to intercept suffering and social tensions in the community, to propose again the common good of staying together and to construct 'threshold' experiences as areas of pause, suspension of conflicts, honest and respectful dialogue, regenerative transition of interrupted relations originated by or in conflicts. These citizens deem it essential not to leave people trapped in conflicts alone. They are engaged in the creation of the context and cultural conditions for the development of a restorative community.

Uniting public institutions, civil society organisations and ordinary citizens in dealing with social suffering, conflicts and crimes through increasing awareness of restorative justice, intercepting social suffering and conflicts before they turn into crimes and participating in restorative practices.

Active participation of its members both in the definition of the Network mission and agenda and in its implementation.

Participation in "L'Innominato" is accompanied by trainings on restorative justice principles, values and practices.

Currently "L'Innominato" is made up of around 24 citizens, some of whom engaged in civil society organisations, local public institutions and justice institutions.

"L'Innominato" Steering Committee. It is an operational structure that ensures the daily management of "L'Innominato" Intermediary Body and of restorative initiatives taking place in Lecco Restorative City. Together with the members of the "L'Innominato", the Steering Committee is engaged in building relationships and partnerships at community level. "L'Innominato" Steering Committee is made of members of Association Comunità Il Gabbiano<sup>90</sup>, L'arcobaleno<sup>91</sup>, the Centre for Volunteering services of Monza, Lecco and Sondrio<sup>92</sup> and citizens.

Project teams in the field of restorative justice. While the "L'Innominato" cannot directly be a formal partner of projects, as it does not have a legal status and is not a specific project team, it is actively engaged in supporting the Steering Committee organisations in planning and delivering projects in the area of restorative justice. The link between "L'Innominato" and the projects teams is managed by the Steering Committee. Furthermore, many of the project staff involved in restorative justice projects in Lecco are part of "L'Innominato", thus reinforcing the link between it and the project teams.

In addition, the "L'Innominato" is in continuous contact with the overall community of Lecco, engaging it in the implemented restorative justice activities.

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<sup>89</sup> For further details on the "L'Innominato", see Dighera, B., Vasilescu C., Aertsen I. Restorative Cities and the role of intermediary bodies in Resolution, Issue 69. 2021. UK Restorative Justice Council

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<sup>90</sup> <https://gabbianoodv.it/>

<sup>91</sup> <https://www.larcobaleno.coop/>

<sup>92</sup> <https://www.csvlombardia.it/lecco/>



## 6.4 Which results achieved/expected and why?

Restorative activities implemented along the years in Lecco have allowed citizens engaged in them to acquire a perspective of justice as a framework that aims to restore social relations between wrongdoers, victims and citizens; and see conflict as an opportunity for enhancing social relations instead of fractures.

Restorative justice initiatives have also contributed to creating opportunities of meeting and dialogue in a setting characterised by mutual respect for each other and for one's opinions and feelings, empathic and active listening and by non-judgemental inclusiveness, which allows people to go beyond their roles in which they crystalized themselves (in roles of victim or offender). These meetings offered participants the possibility of mutual understanding of their experience of suffering, pain, damage and guilt, and created the premises for overcoming it, through opening new perspectives and creating new meanings:

'I used to think that an offender would never regret his actions, would never feel the pain that us victims feel, but I was wrong. These certainties have been completely turned upside down. (...) it has been a journey full of emotions that I would recommend to any victim' (participant in restorative-oriented dialogue); 'This experience helps you to understand that when you commit a crime you hurt people' (participant in restorative – oriented dialogue); 'The opportunity to tell each other and listen to each other's experience has enabled the elaboration and the co-construction of a shared truth (...)' (participant in RestoCovidCircles).

Furthermore restorative interventions have allowed citizens engaged in them to understand the role of the community on the one side in harms created and on the other in reconstructing the fractured social relations: 'I realized that often during our busy lives we fail to see a hidden world made of suffering, loneliness, sometimes rage and disappointment'; 'I did not feel

that social detachment we all feel at times when something far from us happens and we think somebody else will deal it' (participants in restorative oriented groups).

Increased awareness of the role and potentialities of the community in justice processes contributed to strengthening citizens' care for social relations in their community, as shown also by the Covid-19 crisis. RestoCovidCircles were, in fact, implemented on the initiative of citizens from "L'Innominato".

In addition, increased awareness of the benefits of restorative interventions implemented in Lecco contributed to generating citizens' curiosity to learn more about it. Furthermore, local institutions showed interest in widening the application of the restorative approach to various social settings (e.g. conflicts in social housing; conflicts in neighbourhoods characterised by a large concentration of immigrant inhabitants; conflicts in schools). They also supported the participation of "L'Innominato" members in other working groups active in the social field in the municipality of Lecco (e.g. working group on youth) with the aim of embedding a restorative approach in various social policies of the municipality of Lecco. The interest in restorative justice of local institutions resulted in the inclusion of the construction of Lecco Restorative City among the objectives of the Social Plan of the District of Lecco.

Another result of Lecco Restorative City consists in strengthening relations between the members of the "L'Innominato" and the generation of new projects contributing to widening the application of the community restorative justice approach in different social settings of Lecco.

## 6.5 Which lessons for future implementers?

The main lessons for future implementers consist of:

- Consider the building of the Restorative City as an ongoing process that needs permanent commitment and resources.
- Pay attention to the timing of the construction process; seizing the right window of opportunity for activating the construction process may reveal itself particularly relevant for the effectiveness of the process.
- Pay attention to the fact that not all communities are equal. This means that there is not a model of Restorative City fitting all communities. Each city needs to build its own model. Thus, it is important to know the community, that is its actors, their values and frames, its social, political and institutional network as well as its traditions, norms and existing legal and institutional frameworks in the justice sector that could favour/block the building of the Restorative City.
- Be aware of the fact that working with the community means listening to it, empowering it to value its own potential, creating opportunities for integrating resources and making them available for all those that live in the respective community and actively engaging it in all stages of the building process of the Restorative City.
- Understand the level and type of social tensions/conflicts that characterise the community and work together with the community to understand how restorative justice can deal with them.
- Make explicit why a Restorative City is an opportunity for collective wellbeing and co-design a vision of the Restorative City with the community.
- Adopt a network approach to be able to disseminate the restorative justice values and principles in the entire social fabric of a specific city and build on the existing social networks and initiatives.

- Engage reputable community restorative justice activators that can enhance the construction process through gaining the consensus of citizens/institutions/politicians.
- Engage facilitators that have a good knowledge of the community context and that are recognised as trustful members of the community.
- Undertake a learning by doing process to share knowledge on restorative justice with community members and build capacities on it.
- Monitor and evaluate the Restorative City building process to improve it and provide continuous feedback on the achievements obtained to maintain people engaged throughout time.

## 6.6 Want to know more?

### CONTACT

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7

**Leuven**

RESTORATIVE CITY

## 7 Leuven Restorative City

AUTHOR: IVO AERTSEN<sup>93</sup>

### 7.1 Where and why?

#### 7.1.1 Social, economic and political context

Leuven is a medium size city, located in the Flemish part of Belgium. It is the capital city of the province of Vlaams-Brabant and has a total population of about 102.000 inhabitants. Add to this 60.000 students, this makes Leuven a typical university city with a major university hospital, numerous research spin-offs both in the industrial and social profit sector, and internationally oriented high-tech companies. The city counts more than 160 different nationalities amongst its inhabitants. Leuven is a rather prosperous city, led by a centre-left local government. The city has a service function for the region, which results in a relatively high number of schools, from primary level to higher education, social and health infrastructure and commercial services. This concentration of research, educational and business provisions very much contributed to the development of the social lab function of Leuven, resulting in, for example, an award by the European Commission with the label of 'European Capital of Innovation' in 2020.

That Leuven is a relatively good place to live as compared to other, similar cities in Flanders, is shown by several indicators.<sup>94</sup> Citizens experience a very high degree of general satisfaction (80 to 90% of all inhabitants) in their relationship with their neighbourhood and the city, with respect to communication processes by local public authorities, and with respect to the social,

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<sup>93</sup> Ivo Aertsen is Emeritus Professor of Criminology at the University of Leuven and one of the founders of Leuven Restorative City.

<sup>94</sup> Stadsmonitor. 2021. *Jouw gemeentescan – Leuven – Benchmark 13 centrumsteden*. Brussel: Agentschap Binnenlands Bestuur Vlaamse Overheid.

health, cultural and sport services. There is also a high degree of satisfaction (70%) with services for young people. Fewer people (about 50–55%) show confidence in local governance and the police. There is a relatively low level of feelings of unsafety (5%) and a rather positive attitude vis-à-vis a culturally mixed population (70%) and people from diverse origins (60%). The 'intensity of contacts' is slightly decreasing during recent years, and – although the degree of confidence in neighbours is relatively high (about 70%) and confidence in 'fellow men' very high (90%) – only 30% or less participate in one or more neighbourhood or city activities per year. However, many people (62%) are member of an association, and 17% are involved in (organised) volunteer work. Finally, about 50% of all inhabitants are prepared 'to talk about the city'.

In terms of crime rates, a slight decrease of registered crime in general can be noted in Leuven from 2011 to 2020, the same tendency as the whole country.<sup>95</sup> For specific types of crime – referring to the outcomes of a national victim survey (2018) –, Leuven seems to score better than the national average for most common crimes such as theft, physical violence, sexual crimes and burglary (but not for bicycle theft!).<sup>96</sup>

## 7.1.2 Restorative justice legal and institutional context

Restorative justice is, in Belgium, well developed. First pilot projects started in the early 1990s and gradually expanded all over the country. Restorative justice has found a strong legal basis, with legislation in the field of adult criminal law in 1994 and 2005 and in juvenile justice in 2006. Later on, as a result of the ongoing Belgian State reform process and the delegation of powers to the regions, further regulations were adopted by the Flemish

Community, the French Community and the German speaking Community. In 2022, restorative justice services are available in every judicial district and are mainly offered by NGOs which are accredited and completely funded for this task by the government. The field of application has no legal restrictions, which makes that restorative justice – mainly in the form of victim-offender mediation and, to a lesser extent, in the form of family group conferences for juveniles – is being offered for all types of crime, for all degrees of seriousness and in all phases of the criminal justice process including the execution of the sentence.

## 7.1.3 Why build Leuven Restorative City?

The reasons why a project for a 'restorative city' was then started, notwithstanding the relatively positive social and legal picture as sketched above, go back to findings and growing insights on how restorative justice in general was developing. Although Leuven, at the local level, had before enjoyed a growing variety of mediation and other restorative justice initiatives since the 1990s and hosts the European Forum for Restorative Justice since its birth in 2000, evaluation revealed that the potential of restorative justice in terms of annual figures – as compared with crime figures in general – remained very much underused and that its impact in a quantitative way was rather limited. Along with this finding came the insight that restorative justice was not sufficiently embedded in society, and that there was limited awareness and support by citizens. Restorative justice services were very successful in terms of quality and innovation of the mediation work, but were restricted in their scope on the basis of their strong degree of institutionalisation through legislation and public funding mechanisms.

For that reason, a study was set up in 2015–2016 at the KU Leuven Institute of Criminology in collaboration with the Flemish restorative justice organisation Moderator, in order to explore how theoretically and within the framework of existing governmental policies restorative justice could find a more solid

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95 Federale Politie, s.d. Criminaliteitsstatistieken. Aantal geregistreerde misdrijven per pleegplaats. Brussel: Federale Politie (<https://www.stat.policefederale.be/criminaliteitsstatistieken/interactief/overzicht-per-politiezone/>).

96 Federale Politie. 2018a. *Veiligheidsmonitor 2018. Grote tendensen*. Brussel: Federale Politie; Federale Politie. 2018b. *Veiligheidsmonitor 2018. Tabellenrapport Leuven*. Brussel: Federale Politie.

anchoring within society.<sup>97</sup> This study, named 'Field glasses' ('Verrekijker'), financed by a private foundation, focused on developments and opportunities within various societal sectors, such as schools, the cultural sector, social work and justice. Theoretical frameworks that could underpin a broader societal approach were explored, including 'prevention pyramid', 'deep democracy', 'democratic professionalism' and 'new authority'. Recommendations were formulated on further steps to build a restorative city, focusing on: awareness building and sensitisation of the public, introducing behaviour changes in organisational settings, and making existing restorative justice services more accessible for direct use by citizens.

This 'preparatory' study paved the way for the further development of Leuven Restorative City.

## 7.2 How?

### 7.2.1 The restorative approach, values and objectives

Leuven Restorative City focuses on the development of a restorative oriented city as a prominent way to building a peaceful and democratic society.

It adopts a network approach.<sup>98</sup> Leuven Restorative City is a learning network where participation of organisations and citizens is being facilitated and where an added value is found in innovative forms of co-creation. The network stands for a horizontal type of cooperation striving for an optimal balance between flexibility and fluidity on the one hand, and continuity and sustainable development on the other.

The general objective of the network is to promote dialogue and restorative oriented ways of dealing with, and preventing, conflicts, tensions and polarisation in various contexts, at an interpersonal level, within organisations and at a larger societal level. Hereto, the network supports the development of participatory and restorative attitudes and skills which enable (groups of) citizens within their daily life to transform conflicts into opportunities for personal and social growth.

Central values include respect for a diversity of opinions and lifestyles, looking at social problems from a relational and bottom-up approach, encouraging involvement, solidarity and responsibility, counteracting discrimination and (structural) injustices, promoting restoration and other forms of making good and problem solving, and respect for human rights and the procedures and institutions under the rule of law. The above also entails accepting opposing interests and the intention to deal with these without hostility.

Operational objectives have been defined as follows:

1. Deepening restorative values, principles, skills and practices *within the organisations* of the network by means of intervision<sup>99</sup>, supervision, exchange and mutual support.
2. Promoting restorative mentalities, skills and practices *in society at large* by means of:
  - a. Implementing a communication and information strategy to citizens with respect to a restorative culture and restorative approaches.
  - b. Implementing a communication and information strategy to citizens with respect to the offer of partner organisations and cooperation opportunities.

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<sup>97</sup> Deboeck, H., Lauwaert, K. Vanfraechem, I., Aertsen, I. and Marchal, A. 2017. *Scherp stellen op innovatieve en gemeenschapgerichte vormen van recht-doen. Naar een maatschappelijke verankering van het herstelrecht – Eindverslag*. Leuven: Leuven Institute of Criminology and Moderator vzw.

<sup>98</sup> For further details see the sub-chapter "With whom?"

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<sup>99</sup> For further details see the next sub-chapter.



- c. Offering training, coaching or other types of support to a diversity of organisations and social environments (citizens, neighbourhoods, socio-cultural organisations, sports clubs, diverse social agencies, social welfare services, public services, police, schools, enterprises, research institutes ...).
- d. Designing and implementing innovative and participatory methods in dealing with complex conflict situations, in view of evaluation and generalisation of the new practices.
- e. Making existing mediation and other restorative services in Leuven more accessible for a wide public.

## 7.2.2 Design and implementation process of Leuven Restorative City

After the preparatory year, further action was undertaken in the form of three consecutive 'project years' during the period 2017–2020. The structuring along different 'project years' had to do with evolving experiences, emphases and topics, but even more with consecutive financing periods by different funders (respectively the aforementioned private foundation and the Leuven city council). During all these years, the project was hosted by KU Leuven Institute of Criminology, where also a part-time staff member was hired, (with degrees of employment between 20% and 50%, depending on the period and the financial resources).

During these three project years, the action was mainly centred around the work of a 'steering committee', consisting of representatives of 15 to 20 organisations, which were mainly active in the sphere of mediation, social (youth) work, schools and socio-cultural education, police, probation and crime prevention. The focus was on 'developing a common language' (developing a restorative understanding and mindset), dealing with (innovative) ways of conflict handling in the respective sectors and awareness building and educational work towards society. One of the many initiatives of this period was the organisation of a TEDx event on Leuven as restorative city in

December 2017.<sup>100</sup> Towards the end of the three years, some experimental projects were initiated to provide training and coaching, for example in a private company, in the university and in a public service.

In the regular meetings of the steering committee, the exchange of daily practices and case work seemed to be most fruitful. This was called a form of 'intervision', where concrete cases of handling conflicts in the respective organisations were discussed. The strength of these exchanges was that they resulted, across different types of organisations, in mutually recognisable situations, challenges and successes, thus in a lot of commonality and connections to find a way forward in constructive ways of dealing with conflict, crimes and tensions.

## 7.3 With whom?

### 7.3.1 Partners

The most important partners of Leuven Restorative City during the first years were the organisations represented on the steering committee. The main actions of this group were inward oriented, while outreaching to society through information or educational work or public campaigns remained rather sporadic. This, however, changed in the next phase of the project, in which 2021 can be considered as a year of transition. In 2020, staff resources for Leuven Restorative City were reduced to 20% and even less in the beginning of 2021. This motivated a core group, consisting of five persons from different member organisations of the steering committee, to work together intensively in order to design a new structure for the network. The structure had to be more sustainable and had to widen its scope to society at large. By the end of 2021, a new structure was indeed ready after a process of consultation and participation of the whole steering committee and some externals.

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100 <https://www.ted.com/tedx/events/27476>; one of the speakers: <https://www.youtube.com/watch?v=nn9SJq2polw>

This new structure took off in January 2022, leaving the 'project' phase of Leuven Restorative City and entering the phase of a more permanent and formally structured 'network organisation'.

An important incentive for developing and adopting a new and more permanent structure was the funding by the city council of Leuven. Thanks to the inclusion of a paragraph on 'Restorative City' in the 5-years policy paper of the city council, it became possible to provide more permanent funding during next five years. This allowed the hiring again of a part-time (50%) staff member by the end of 2021<sup>101</sup>, but now with the prospect of a long-term employment in a coordination role. However, according to the aforementioned core group, the effective support and coordination of a restorative city, such as the one in Leuven, requires the availability of a full-time coordinator and a half time communication officer, at least. In the following paragraphs the new structure for Leuven Restorative City is presented.

### 7.3.2 Structure

A suitable format for the structure of Leuven Restorative City, following its own values and principles, was looked for, and the form of an 'open network organisation' was adopted. This means that the organisation essentially consists of a network – in this case: a network of citizens and organisations – and that an attempt was made to avoid the creation of a new, autonomous organisation. A high degree of formalisation would impede or complicate the alternating participation of many in a flexible way. A hybrid structure was created, which must allow for a multisectoral and multidisciplinary participation. The most important are the 'network members' (both individual citizens and organisations, private or public). Becoming a network member can be done by subscribing to a charter, this is a written declaration of one page (a standard format), in which the subscribers commit themselves to support

the development of a restorative city, 'a city where conflicts and tensions are being dealt with in a positive way focusing on the restoration of relations', 'where conflicts create opportunities for personal and social learning processes and for social reform.'<sup>102</sup>

In order to make this all happen, to be able to organise activities and to create new dynamics, a minimal structure was adopted. This consists of a 'steering committee', with about 15–20 representatives from organisations and society, responsible for setting out the main strategic lines of development for the network and meeting four times a year. Additionally there is a smaller 'management group', consisting of 7 representatives, who are responsible for implementing the daily operations and who meet at least once a month. Moreover, within the network, working groups are created, dealing with respectively: communication, training, research and international cooperation, and funding (May 2022). Besides the paid coordinator and paid staff of member organisations, citizen volunteers can also be engaged to support a particular action or carry out a more permanent task. To support and coordinate this all is the task of the professional coordinator. Finally, an 'internal regulation' was adopted, reminding everyone of the objectives, values and principles of the network, and regulating a series of practical aspects on the functioning and the cooperation between the different parts or organs of the network.

Important to add is that the network organisation is underpinned by a legal structure, which takes the form of an officially registered not-profit organisation. This was considered necessary in order to be able to hire staff, to undertake legal and financial transactions, to participate in European and other projects, and to build credibility in general. The official organs of this non-governmental organisation (NGO) – a general meeting (assembly)

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101 At the time of drafting this chapter, November 2022, the coordinator is still employed on a half-time basis.

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102 Leuven Restorative City Charter (in Dutch): <http://leuvenrestorativecity.be/uploads/file/files/Engagementsverklaring-LRC-bij-uitnodiging-Lanceringsdag-1.pdf>. In October 2022, 62 organisations had signed the Charter.

and a board – are kept small (three persons each) and are integrated in the network structure as sketched above. The main focus is on the functioning of the network members, with the driving forces of the steering committee, management group and network coordinator.

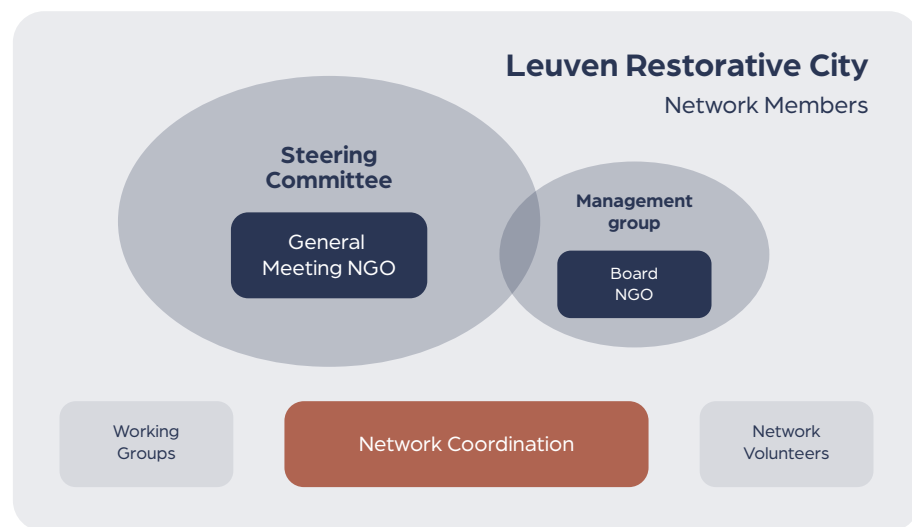


Fig. 4 – Structure Leuven Restorative City

## 7.4 Which results achieved/expected and why?

During the first three years of the project, where the main focus was on inter-agency cooperation, discussing and reflecting the internal approaches in dealing with crime and conflict, while also trying out some innovative methods in a modest way, probably the most important result was the appearance of a strong support to share and build a restorative culture among civil society organisations (including social work and mediation services), schools and university, public institutions (including police, judicial authorities, probation and prisons) and victim support. A common orientation seemed to prevail, referring to a shared will to cope with conflict and polarising tendencies in society in an alternative, constructive and relational way. Many

of these organisations had already acquired strong expertise in this regard, and had undertaken innovative action. However, this common orientation was not reflected explicitly in a common language and sometimes came about rather intuitively. Experiences were often fragmented and did not inspire or reinforce each other. Breaking through this isolation, bringing organisations together and learning from each other was therefore an important objective in this first period. Setting up innovative (pilot) projects, for example in a private company, offered a relevant learning experience as well, but appeared to be rather time and labour intensive. Reaching out to a larger public remained a challenge and rather a dream, with the exception of the organisation of some public events.

To broaden the scope of Leuven Restorative City, a new structure as network organisation was created in 2021 as explained above, but this transition was also built on some theoretical work on how to understand civil society and processes of social change. Notions of civil society and social capital were explored, in order to gain more insight in which types of spaces, actors and institutional forms could be addressed in a restorative city. Inspiration was found in ideas of 'nodal governance', as also developed in security and justice administration.<sup>103</sup> The idea of social capital as the capacity to mobilise resources in society to solve diverse social, political and economic problems in general was welcomed, but developing a sustainable and innovative system of dealing with conflict in a democratic society also seemed to require specific and direct forms of participation of citizens and ongoing norm clarification, shaped by the interplay between citizens and their institutions. Informative was also the theory of 'responsive regulation' and the model of a 'regulatory pyramid', to present the relationship between different response mechanism in society when conflict and injustices arise, and how a relational

103 Wood, J., Shearing, C., and Froestad, J. 2011. Restorative justice and nodal governance. *International Journal of Comparative and Applied Criminal Justice* 35(1): 1–18.

approach to service delivery in general can be understood in a broader societal perspective.<sup>104</sup>

To make it more practical, and to implement an effective model of 'collaborative social change', a strategy was needed to bring the above ideas and theoretical insights into operation. Expanding the scope of the action to broader societal fields can run the risk of going too broad, to be selective in an unwarranted way and to lose direction. In the search for 'which social fields to address', the option was chosen to identify particular 'interactive social settings', where restorative action could be undertaken. These are organisations or social environments where people interact frequently and intensively, and where, by definition, conflict arises on a regular basis. These are places where people can be active citizens; where there is a high probability of adopting a 'restorative discourse' through a special way of talking, thinking and acting about or after conflict; where common values, principles and skills can be shared or developed; where reactions to conflict can be compared with existing (internal or external, formal or informal) regulations; where independence can be guaranteed in view of innovation, and inequality and discrimination be combatted; where various degrees of involvement can be considered (in a direct way, through learning by doing, or in an indirect way, by supporting other or related conflict resolution mechanisms); and finally, where there is room for surprises. In short, a variety of social settings – beyond the traditional ones for dealing with conflict in justice or social work environments – seemed to lend itself for such learning processes.

Initiating action in this way in workplaces, sports organisations, neighbourhood committees, social advocacy groups, volunteer organisations, schools and other educational settings, etc. could help to broaden the field of a restorative city in a more or less controlled and oriented way. 'Initiating action'

can take the form of training, coaching or exchange. Leuven Restorative City as a network organisation offers the space and support for such actions, amongst others by the formation of a group of trainers who can be called to elaborate and provide training in a specific social setting, in order to build restorative skills and a restorative culture.

## 7.5 Which lessons for future implementers?

A restorative city can operate on many levels, as the presentation of the operational objectives of Leuven Restorative City may have shown. What has been instrumental for the development of a restorative city in Leuven – and what could provide some hints and recommendations, was:

- First of all the process of adopting a common language between a large group of stakeholders and defining and refining the concept of a 'Restorative City'. The latter implies a process of clarification and formulation of objectives, values and principles. This is not always easy in a partnership, coming from very different backgrounds and ideologies, but seems to be the most fruitful in the long run (and is, actually, an ongoing process).
- Second, identifying topics of common interest for action and discussion was important to 'feed' the network and ensure commitment and motivation. For the Leuven group, 'intervision' – talking and exchanging on concrete cases – made the difference.
- Third, you need a minimum of effective and efficient organisation. This presupposes continuity in (staff) support and a minimum of funding. The latter often forms the Achilles heel of Restorative City initiatives.
- Fourth, and more generally, special expertise is needed to open up the action to society at large, not to dwell within the circle of 'usual suspects' or already convinced partner organisations. Developing a

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104 Braithwaite, J. 2002. *Restorative Justice and Responsive Regulation*. Oxford: Oxford University Press; Burford, G., Braithwaite, J. and Braithwaite, V. (eds.). 2019. *Restorative and Responsive Human Services*. New York: Routledge.



communication strategy and plan, and implementing effective action within new social settings, seems paramount in this respect. The connection to (new) social movements, which are able to activate many people, must be made. To reach and effectively involve a broader public, a model of working with 'intermediary bodies' in society must be further explored.<sup>105</sup>

- Fifth, and more practically, existing restorative justice services must be better coordinated and made directly accessible for citizens, hence not only through referral processes from other institutions.
- Finally – sixth – careful attention should be given to the autonomous position of a Restorative City network and its organisation, and how it relates to the city government and the local political context. But also, in this respect a happy marriage is not excluded, as is experienced in Leuven.

## 7.6 Want to know more?

For whoever is interested, the best way to know and to learn more is simply to come to Leuven, to visit and to talk with those involved in the network. If that is not possible, looking at the website – who is only partly in English so far – is another way: [www.leuvenrestorativecity.be](http://www.leuvenrestorativecity.be). There are several texts, annual reports and other materials available, but most of them in Dutch. Leuven Restorative City was also presented, together with other cities, in a Notes from the Field of The International Journal of Restorative Justice.<sup>106</sup> Please feel free to also contact the network coordinator, at [info@leuvenrestorativecity.be](mailto:info@leuvenrestorativecity.be).

<sup>105</sup> Dighera, B., Vasilescu C., and Aertsen, I. 2021. "Restorative Cities and the role of intermediary bodies". *Resolution* (UK Restorative Justice Council), 69: 5–7.

<sup>106</sup> Cleynenbreugel, V., L. 2019. "Leuven: creating support and skills for handling conflicts in a restorative way." *The International Journal of Restorative Justice* 2(2): 303–308.



**Tempio Pausania**  
RESTORATIVE CITY

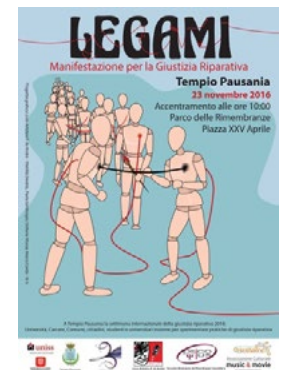
## 8 Tempio Pausania Restorative City

AUTHOR: PATRIZIA PATRIZI, GIAN LUIGI LEPRI, ERNESTO LODI, MARIA LUISA SCARPA, AND LUCREZIA PERRELLA<sup>107</sup>

### 8.1 Where and why?

#### 8.1.1 Social, economic and political context

Tempio Pausania is an Italian town of about 14,000 inhabitants in the province of Sassari, Sardinia. The city is famous for the processing of granite and cork, for the wines, for Acqua Smeraldina and for the “lu carraschiali timpiesu”, allegorical carnival par excellence, an event that has a hundred thousand visitors every year. The town is characterised by the ancient and majestic buildings and the unique granite floorings that have given it the name of “city of stone”. The economy of Tempio Pausania is based on all economic sectors and tourism and agriculture still play an important role in the local economy; crafts are also very developed. In terms of territorial welfare measures, the Local Unit Plan of Services (Plus) is the excellent programming tool, of which the Municipality of Tempio Pausania is the coordinator. Thanks to this plan, the different actors of the district network (9 Municipalities, ATS<sup>108</sup>, third sector) contribute to create a series of measures and services that respond to the real needs of



<sup>107</sup> This is the Team of Restorative Justice Practices of the University of Sassari (UniSS), led by Patrizia Patrizi, Professor of Psychology and Law and Restorative Justice Practices at UniSS, and current Chair of the European Forum for Restorative Justice. Gian Luigi Lepri is a psychologist and the Team's coordinator; Ernesto Lodi is a researcher; Maria Luisa Scarpa is a psychotherapist; and Lucrezia Perrella a Ph.D candidate on restorative justice and mediation.

<sup>108</sup> ATS, Ambito Territoriale Strategico, Local Agency functions relating to economic and social development and strategic planning.



citizens in a coordinated way. This is therefore an instrument to promote essential levels of assistance and protection of the rights of the population, empowerment of citizens and institutions, coordination, and integration of social policies of the 9 municipalities.

### 8.1.2 Restorative justice legal and institutional context

Italy is currently working on the approval of the law on restorative justice. On 28 September 2022 the Italian Council of Ministers, after the approval of the Governing Bodies, expressed a favourable opinion with respect to the implementation of the law of 27 September 2021, n. 134<sup>109</sup>, containing the delegation to the Government for the efficiency of the criminal trial as well as in the field of restorative justice. The legislative decree implementing the law provisions has just been published in the Official Gazette<sup>110</sup>. It will provide for the first time a regulatory framework for already widespread practices, based on European and international legislation, as well as the Council of Europe Justice Ministers' Venice Declaration<sup>111</sup>, adopted in December 2021. Centres for restorative justice will be established with the involvement of local authorities. Restorative justice will go hand in hand with the criminal trial, in the interest of victims of crime and ensure that restorative justice programmes are accessible regardless of the circumstances and the seriousness of the offence. Moreover the availability of restorative justice in any region and at any level of the trial, in the execution phase of the sentence or the security measure or after the execution thereof, and following a judgment of no need to proceed.

It specifies that participants in the programmes of restorative justice, in addition to the victim of the crime and the person indicated as the offender, can

include any other person who has an interest (community, local authorities, institutions, associations). In addition, access to and participation of children in restorative justice programmes is guaranteed.

### 8.1.3 Why build Tempio Pausania Restorative City?

The need to build a community with a restorative approach in Tempio Pausania arose in 2012 due to a conflict within the community, particularly when a new prison was built for prisoners sentenced to life for mafia crimes.

The citizens of Tempio Pausania began immediately to fear the possible infiltration of the mafia in their local community, while the detainees were worried about the great distance from their families. At the time the "Team delle pratiche di giustizia riparativa" (Team of Restorative Justice Practices – TRJP) of the University of Sassari was working on a research project named: "Studio e analisi delle pratiche riparative per la creazione di un modello di restorative city" (Study and analysis of restorative practices for the creation of a restorative city model). Therefore, in agreement with the prison management and the Municipality of Tempio Pausania, in 2014, a pilot project was proposed to the TRJP. The main objective of the project was the study and analysis of restorative practices to support the development of a community-based programme. The idea behind the project consisted in developing a community that shares the values of restorative justice, through a restorative practice (Restorative circle) starting from the needs of the detainees and of a part of the citizens of Tempio Pausania. The aim of the project was, and continues to be, to explore restorative practices capable of involving the entire community (schools, families, police, courts, municipalities, associations) in order to promote among citizens the ability to manage and resolve conflicts and to live everyday life in a more peaceful way.

Seminars and workshops, involving communities and professionals, such as journalists, lawyers, teachers, magistrates, social and health workers, were organised as good practices to raise awareness and spread the values of

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109 <https://www.gazzettaufficiale.it/eli/id/2021/10/04/21G00146/sg>

110 [https://www.ordineavvocatimilano.it/media/news/OTTOBRE2022/DLGS\\_150-2022\\_GU\\_Penale.pdf](https://www.ordineavvocatimilano.it/media/news/OTTOBRE2022/DLGS_150-2022_GU_Penale.pdf)

111 <https://rm.coe.int/14-dicembre-ita-dichiarazione-veneziana/1680a4e07f>

restorative justice and its practices. The TRJP promoted, in Tempio Pausania, an opportunity to establish a cultural change involving the whole community. This innovative experience got visibility at the international level and, in June 2022, it hosted one of the field trips of the 11th conference of the European Forum for Restorative Justice<sup>112</sup>.

## 8.2 How?

### 8.2.1 Restorative approach

The restorative justice approach at the basis of Tempio Pausania Restorative City stimulated a community model aimed at promoting lifestyles and conflict management marked by responsibility, peace, and well-being. The model developed has the aim to improve social intervention to enable a reduction in conflicts within social dynamics and generate positive dynamics of inclusion and empowerment. The model is named: **Co.Re.** – Comunità di Relazioni Riparative (Restorative Relational Community)<sup>113</sup>. This model considers the results of previous criminal justice research and ongoing research both in the criminal sphere and in other contexts such as schools and neighbourhoods. In particular, the model focuses on the transition from inclusion to well-being, from a reactive to a proactive mode. It develops on three main levels:

The ecological level in which reciprocity, obligations, and responsibilities, are the main concepts. Responsibility is understood in an ecological sense, It is co-created in the relationship between the subject, the action, the institutions and society.

The cultural level, through promotion of connection/network, participation, exchange between people, institutions, groups.

The individual and group level, to improve welfare and social cohesion through interventions on resilience, hope, courage, optimism, ability, personal and collective self-efficacy.

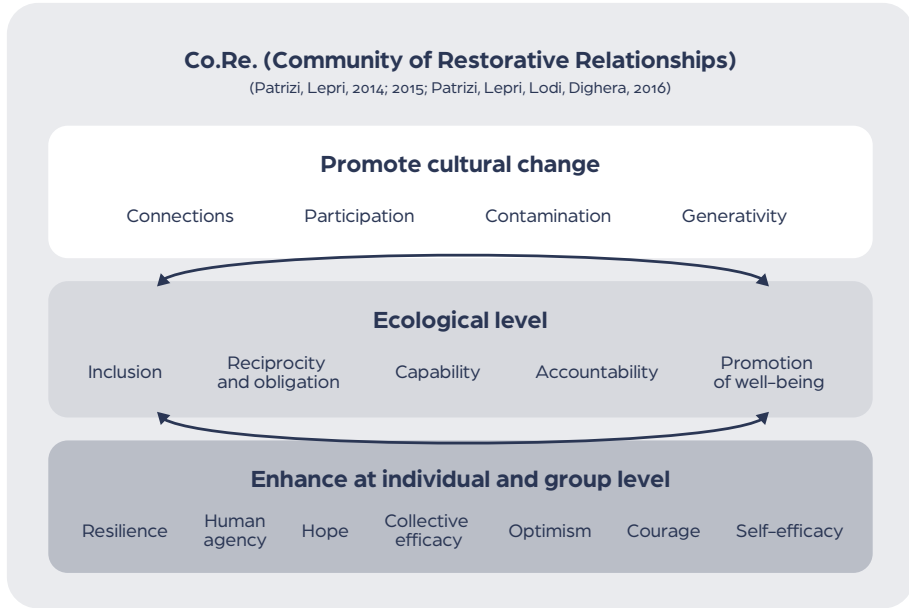


Fig. 5 – Community of Restorative Relationships conceptual model

### 8.2.2 Activities and process of building the Restorative City

The steps for designing Tempio Pausania Restorative City were:

- First step: Building formal bridges (meetings with all the stakeholders of the community).
- Second step: restorative circles (starting the intervention).

<sup>112</sup> Download the conference booklet [www.euforumrj.org/en/events/european-forum-restorative-justice-conference-2022-sassari](http://www.euforumrj.org/en/events/european-forum-restorative-justice-conference-2022-sassari)

<sup>113</sup> Patrizi, P. 2019. La giustizia riparativa. In *Psicologia e Diritto per il Benessere di Persone e Comunità*; Carocci: Roma, Italy

- Third step: focus group (research).
- Forth step: the restorative bridges (sharing the project).

At the beginning of the project these steps were used to build the ideal environment to carry out the project that was to reduce the conflict arisen from the building of the new prison and the arrival of prisoners related to mafia crimes. However, in the end these steps contributed to the design of Tempio Pausania Restorative City, which moved beyond the prison conflict, including other institutions, such as schools and social services, that ask to the TRJP to develop specific interventions and training programmes on restorative justice.

The next paragraphs describe in detail the building process of Tempio Pausania Restorative City.

The first activity developed consisted in building formal bridges. Formal meetings with institutions and local organisations were organised to explore what happened, how they related to the conflict and to promote the idea of restorative justice. This phase lasted for about a year (2014–2015).

The second step was the intervention. The main tool for designing a sense of community and reducing conflict used at Tempio Pausania was the restorative circle. The circles were open to the whole community (judges, volunteers, educators, non-governmental organisations, administrators, law enforcement officers, teachers, students, citizens, prisoners), allowing participants to rethink the links between the territory and the prison in terms of well-being. In 2016 and 2017, students from secondary schools and undergraduates took part in the circle. About 1000 people have participated in the circle to date, of which about 200 were students.

The restorative circles were organised to be itinerant and were supposed to take place in different places of the community (prison, City Hall, NGO, local businesses, Social and Health Services, etc.). At the third restorative circle

organised in one of the high schools of the city, the prisoners did not receive permission to participate because the prison had changed its security policy. On that occasion, the inmates sent letters that were read by students.

In addition to the circle, other activities were also implemented, contributing to the aspirations of Tempio Pausania Restorative City.

In November 2014, during the International Week of Restorative Justice, a restorative lunch was organised with the participation of a prison delegate (having, for the first time in many years, the opportunity to have a culinary experience outside the penitentiary), and bringing together local authorities, magistrates, lawyers, mayors of Tempio Pausania and Sassari together with various councillors. Each table was marked with the words that emerged during the first restorative circle (the values of the restorative circle, among others: responsibility, respect, trust, and reciprocity). About 150 people joined this lunch (among them prisoners, citizens, local politicians, journalists, lawyers, magistrates, victims' associations).

In addition, in 2015, for the first time in an Italian prison, the Municipal Council was convened inside the prison to establish the "Garante comunale dei detenuti" (City Ombudsman of prisoners)<sup>114</sup>.

Every year the International Week of Restorative Justice is an opportunity to introduce new restorative actions to the community trying to strengthen social ties and reach as many citizens and stakeholders, such as: the restorative lunch, the restorative aperitif<sup>115</sup>, the flash-mob "Legami"<sup>116</sup> of students in the main square of the city, scientific seminars and workshops and theatre performances with restorative content.

<sup>114</sup> For further details see: [https://www.giustizia.it/giustizia/it/mg\\_3\\_8\\_16.page](https://www.giustizia.it/giustizia/it/mg_3_8_16.page)

<sup>115</sup> <https://www.youtube.com/watch?v=s8TUzP6kAKo>

<sup>116</sup> <https://www.youtube.com/watch?v=YR3bsiHN9vE>

So far, the activities were mainly or exclusively centred around the prison and its relationship with society, but since October 2018, the project has expanded its boundaries and horizons, also involving eight municipalities adjacent to the city of Tempio Pausania. A Restorative Counselling Service was established by the Tempio Pausania Municipality. The new service is primarily engaged in projects in schools. The aims of the project are the development of a culture of relationship between school and family, for a better management of relationships and everyday life. The service is implementing laboratories for the activation of restorative circles in primary schools with the general objective of raising awareness and training teachers and parents in restorative practices that lead to increased respect, tolerance, non-discrimination, legality and constitutional values, which all enhance educational well-being.

The activities mentioned previously contribute to the aspirations of Tempio Pausania Città Riparativa (Tempio Pausania Restorative City).

The project of Tempio Pausania Restorative City continues to have as main objectives the following:

- Developing a range of communication tools to promote a restorative culture and good practices.
- Informing citizens, professionals, institutions about restorative justice.
- Working in partnership with key stakeholders and institutions to strengthen the use of restorative approaches in all places of the city where people live, work, operate (prison, schools, social services, institutions, third sector).
- Continuing to develop innovative ways of using restorative approaches, with particular attention to conflicts that may arise in the community, to promote social peace, solidarity, inclusion, and social cohesion, as instruments of well-being for all parties involved.
- The process of building Tempio Pausania Restorative City was impacted by Covid-19. The main effects were the suspension of meetings in person with schools and the prison. The online meetings, however,

allowed the project to maintain the link with schools and with the municipal administration and it was possible to plan future actions once the health emergency ended.

### 8.3 With whom?

The project piloted in Tempio Pausania involved the penitentiary institute (inmates and prison staff), the City Council, local NGOs, the Surveillance Magistracy, schools and citizens.

Participation was voluntary, which allowed us not to exclude any party. Some members of the community, although they had joined the sharing/building phase of the project, chose not to take part in the proposed activities (e.g. police).

When it comes to collaborations with other cities, it is worth mentioning that Tempio Pausania was the first restorative city in Italy and the cities of Lecco and Como were inspired by it. The fundamental ideas defining the project are still extending their influence to other projects of restorative communities in Italy (e.g., Verona). In Sardinia, another town is working to become a restorative city: Nuoro, in the centre of the island, regularly cooperates with Tempio Pausania and the TRJP of Sassari.

With regards to the financial contribution of public authorities, for the first two years, the project was supported with funding from the Sardinia Region. In the following years, it was carried out on a voluntary basis and from 2020 the Municipality of Tempio Pausania allocates funds to carry out the project through a Convention between the Municipality and the University of Sassari. There is no support by the state or national policies.

### 8.4 Which results were achieved/expected and why?

The main achievements are:

- Conflict reduction (the prisoners involved in outdoor activities were not anymore underlined in local news as unfair or unjust).
- Greater acceptance of families of prisoners (a group of citizens started to host for free members coming from the continent to visit prisoners)
- For the first time a City Council meeting was organised inside Nuchis prison.
- Establishment of the Restorative Counselling service for schools.
- Restorative-oriented teaching module, as part of the learning programme of high school students.
- Inclusion of the restorative approaches in the City Council social projects (e.g., “Fermenti – Fili in Comune”<sup>117</sup>).
- Involvement and participation of other 8 neighbouring municipalities in the new projects with respect to the themes of restorative justice, with the coordination of the Municipality of Tempio Pausania.
- Ongoing work to build a restorative school community in high schools of Tempio Pausania.
- The school of the city are working to build a restorative school community

The main beneficiaries of these results are citizens, including prisoners, students and professionals.

- The above results were influenced by the following factors:
- Funding, because from 2014 to 2016 the project was supported by the Sardinia Region and, although until 2020 the project was carried out on a voluntary basis, from 2020 the Municipality of Tempio Pausania has been allocating funds for the realisation of the project through an agreement between the Municipality and the University of Sassari.

- Participation and involvement of the penitentiary institute (inmates and prison staff), the City Council, local NGOs, Surveillance Magistracy, schools and citizens.

When it comes to difficulties faced, these consisted of:

- The types of crimes committed by detainees belonging to the Italian organised crime organisation (it is in fact a maximum-security prison with special surveillance tools), which has led to a general stigmatisation of this target group and their families; media attention has encouraged polarising vision, etc.).
- Lack of accessibility to a wider number of detainees.
- Impeding prisoners’ participation in the circle organised outside the prison after an initial opening.
- Lack of continuity of financial resources, because, as mentioned above, from 2016 to 2020 the project was carried out on a voluntary basis and without funding.
- Changes in the governance of the Penitentiary Institute, which have led to discontinuity and temporary suspension of the actions to involve the new directors in the project so that they continue to approve it.

## 8.5 Which lessons for future implementers?

Building a restorative city is a long-term project. It needs many steps, time, budget, perseverance and calm. It is not a top-down or a bottom-up process. It is a multilevel process: top-down, bottom-up, horizontal. It requires attention to the top management of governance, so that managers are prepared to support ongoing restorative initiatives and invest interest, energy and resources in the wider goal of building a restorative city. Furthermore, it also requires specifically trained professionals.

Summing-up, the main issues to pay attention to can be divided into issues related to the good practice of restorative justice and

117 [https://www.comune.tempiopausania.ot.it/attachments/article/5324/Fili%20in%20Comune%20\(estratto\).pdf](https://www.comune.tempiopausania.ot.it/attachments/article/5324/Fili%20in%20Comune%20(estratto).pdf)

issues specifically related to the construction of a restorative city (systematically, methodologically).

Good practice of restorative justice:

- Involving organisations as members.
- Involving more people and communities to keep the project alive.
- Promoting greater ownership within local authorities and maintaining the involvement of senior city leaders.
- Obtaining the support of local authorities/administrations.
- Collaborating with other contexts and cities.
- Facilitating dialogue between all those affected by an offence/conflict/harm.
- Promoting responsibility/accountability for actions that have caused harm.
- Promoting well-being.

Construction of a restorative city (systematically, methodologically):

- Identification, dissemination, and promotion of good practices at local level in relation to restorative justice programs and mediation.
- Exploration of the strengths and critical elements in implementing a restorative community model.
- Creation of networks between the agencies involved to share experiences and practices aimed at implementing the model.
- Inclusion of trained restorative justice professionals.
- Effective planning.

## 8.6 Want to know more?

### CONTACT

Team delle pratiche di giustizia riparativa dell'Università degli Studi di Sassari, [tempiocittariparativa@gmail.com](mailto:tempiocittariparativa@gmail.com)





9

**Tirana**

RESTORATIVE CITY

## 9 Tirana Restorative City

AUTHOR: RASIM GJOKA<sup>118</sup> AND MERITA BALA<sup>119</sup>

### 9.1 Where and why?

#### 9.1.1 Social, economic and political context

Tirana, the capital city of Albania, is located in the centre of the country. During the last 30 years it has undergone significant changes in population, demographic structure, urban infrastructure improvement, and a high increase in the construction sector, such as residential and commercial, government buildings, schools, etc.

Inhabited by 28.0000 citizens in the 1990's, according to latest official statistics, the population of Tirana has doubled, with an annual increasing trend of 1%. Among other factors, this increase has been due to population migration from rural areas to urban ones after the fall of communism. The migration towards the capital city has been and continues to be a major trend inspired by a desire for better employment opportunities, services and living standards.

Considering the population structure, about 17% of the population are 0–14 years old, and 46% of the population is under 35 years old<sup>120</sup>. The uncontrolled migration of population towards Tirana has been associated with some negative impacts, such as illegal constructions in the city and suburban areas, and the establishment of new communities in those areas, which used to be agricultural land. These changes were associated with

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118 Executive Director, Albanian Foundation of Conflict Resolution and Reconciliation of Disputes (AFCR)

119 Programme Manager, AFCR

120 Data from the Institute of Statistics – INSTAT

planning of infrastructure development, public transport, social, health and education services.

Meanwhile, disparities were noticed in many vital sectors, such as inequalities in income, and poverty.

The above situation led to increased conflicts and criminality, particularly among juveniles and youth groups, whose unemployment rate is high, leading to their involvement in narcotics trafficking, illegal immigration, and sometimes even human trafficking, thefts and robbery, violence, even injuries and killings.

### 9.1.2 Restorative justice legal and institutional context

- The first Victim–Offender Mediation Programme in Albania was introduced in 2001, consisting of introductory sessions to the School of Magistrates Students. An important element which contributed to the further development of restorative justice in Albania has been the long-term cooperation of the Albanian Foundation for Conflict Resolution and Reconciliation of Disputes (AFCR) [Fondacioni “Zgjidhja e Konfliktëve dhe Pajtimi i Mosmarrëveshjeve”] with Norwegian colleagues, particularly with the National Norwegian Mediation Service. The programme focused on promotion of the restorative justice concept, its philosophy and values and the areas of application. Pilot programmes focused on development and institutionalisation of restorative justice approaches for juveniles were undertaken in the framework of the Juvenile Justice Reform undertaken in 2006 by UNICEF, in partnership with the Ministry of Justice, supported by the EU and other donors. Various components like promotion and awareness raising activities, workshops, conferences and trainings, and management of cases through restorative practices had a great impact on the legal changes. This was particularly reflected in the Code of Criminal Justice for Children (CCJC, approved in 2017), which provides for diversion of cases to restorative justice programmes

and mediation. It contains a set of articles that regulate the referral mechanism to restorative programmes, particularly by the prosecution and the court to restorative, programme applying VOM and family/group conferencing for minors and juveniles in conflict with the law.

- Some projects have been undertaken aiming at increasing the awareness of stakeholders (institutions and the public) about the CCJC; capacity building in the area of restorative justice and increasing access to restorative justice programmes for minors.

### 9.1.3 Why build Tirana Restorative City?

The organisation of the 10th International European Forum for Restorative Justice Conference in Tirana in June 2018<sup>121</sup>, where AFCR was the host organisation, and the presentation of the restorative city concept and practice at a conference workshop were the inspiration to include Tirana in this initiative. Apart from international participants, the conference was attended by representatives of local institutions, and it served to increase their awareness and initiate the discussion on how to adopt this model in the Albanian context, and to contribute to this initiative. During the year 2019, AFCR conducted the first communication with Tirana municipality, informing them of the concept and values of restorative practices, which could influence in restoring Tirana from the social perspective as well, as it was happening in the urban and architecture perspective. Their reaction was positive; however, they needed more time to know the values and benefits of restorative justice initiatives, the social target groups, activities that could be developed. Considering the social context and the issues faced by the community centres of the municipalities, it was agreed that a first step would be to implement joint activities.

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121 [www.euforumrj.org/en/tirana-2018](http://www.euforumrj.org/en/tirana-2018)

During 2020 – 2021, the activities were mainly organised online because of the Covid-19 situation.

## 9.2 How?

Making Tirana part of the restorative cities movement aims at promoting cooperation between public institutions, organisations and citizens for the wide use of restorative approaches in conflict resolution.

- The project implemented in Albania to promote and develop restorative justice has mostly been focused on the cooperation with the justice institutions. However, given the philosophy of a Restorative City, as envisaged together with Tirana Municipality, we considered that the best approach to get closer to community was through the local government, which would take the leading role in coordinating the Restorative City initiative, getting together other actors (such as the probation service, schools, law enforcement agencies, etc.), and also getting closer to communities in need of restorative practices.

### 9.2.1 The process of building Tirana Restorative City

The main steps in building Tirana Restorative City are:

- Setting up a working group composed of representatives from Tirana Municipality and AFCR. The working group was first introduced to the practice of other European countries. An online tour of Como Restorative City was organised in June 2020 to be introduced to a model of a Restorative City.
- Initiating the first activities (information sessions with Tirana community centres staff) focusing on restorative approaches for juveniles in conflict and contact with the law in February 2021.
- Development of a matrix of interventions for Tirana Restorative City. It would serve as an implementing guide to build the Restorative City. It

describes the main partners, and other stakeholders, actors, the main components, including the awareness raising activities and the target groups, capacity building through trainings, experience exchange with other restorative cities, management of cases through restorative practices, and the potential donors.

- Launch of the initiative of Restorative Tirana. A joint activity was organised by AFCR and Tirana Municipality in November 2021, launching the initiative of making Tirana a Restorative City, with the focus on providing restorative practices to juveniles. The launch would be followed by interventions to expand restorative practices in communities, schools, other social environments, etc.

The figure below details the main activities implemented within Tirana Restorative City.

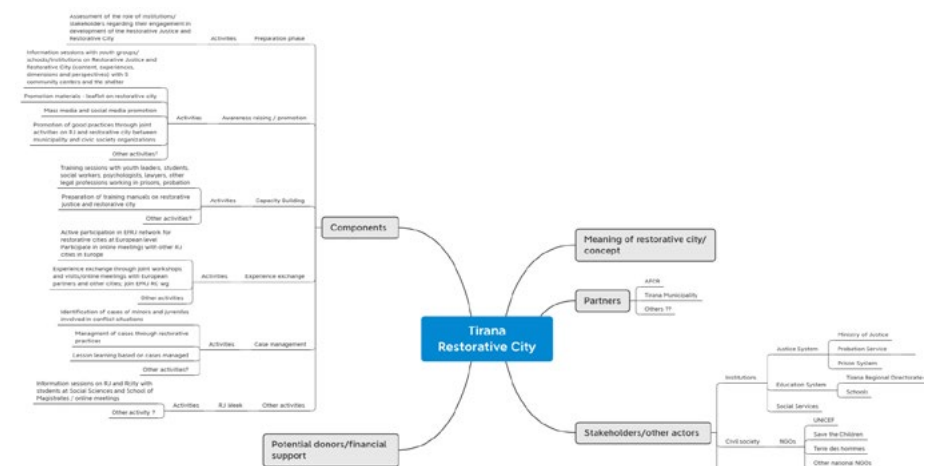


Fig. 6 – Tirana Restorative City: the conceptual framework

The development of Tirana Restorative City was negatively impacted by the Covid-19 crisis.

- A round of information activities at community level was planned in beginning of 2021, targeting 27 administrative units. However, the level of Covid-19 infections did not allow for the organisation of those activities with community members. Moreover, prior to Covid-19, Tirana was also impacted by the earthquake of November 2019, and Tirana municipality had a major role in dealing with the earthquake aftermath, and sometimes municipality resources were focused on such priorities.

However, despite these impacts, in order to move forward, the RC working group decided to organise some online meetings with staff of the municipality, and social workers and coordinators of community centres to increase their awareness about restorative approaches in the management of cases.

### 9.3 With whom?

The initiative to make Tirana a restorative city was undertaken by AFCR, approaching the municipality to be the main actor in leading the initiative, with the goal of promoting the cooperation among institutions, organisations and citizens in using restorative justice practices in conflict resolution, particularly in the conflicts involving juveniles in contact with the law. A joint working group was set up to discuss the strategy, its components, and implement the action plan.

The municipality contributed with human resources, facilitating the first activities, and provided the premises for the initiatives organised.

However, in order to have an overall impact, the initiative should be embraced by other actors, such as the education system, institutions of social care for children, youth groups, mediation services, probation service, prison system, police, universities. Indeed, at the moment Tirana Restorative City has been supported mainly by the municipality. However, the support by other institutions is crucial to make a city restorative.

While Tirana Restorative City has not received any state support, its strategy is in line with national policies, especially when it comes to restorative justice for youth, which is coherent with the National Strategy for Children, aiming at the application of a friendly and restorative justice for children.

### 9.4 Which results achieved/expected and why?

Even though the building process of Tirana Restorative City has started quite recently, the main results achieved so far are:

- A matrix of the Restorative City has been developed. It includes the main partners, other important actors, components (including promotional and information sharing activities, training, experience exchange with other cities, funding opportunities).
- Two online information sessions were organised in 2021 for the staff of municipality community centres and administrative units. The participants, made up from 40 social workers and psychologists were informed about the concept of Restorative City, the initiative undertaken in Tirana, the values of restorative justice and management of cases using restorative approaches for children in conflict with the law.
- A launch event was held in November 2021, attended by around 50 persons, mainly from the municipality structures, the Ministry of Justice, the Ministry of Internal Affairs, university, and AFCR. The aim was to promote the concept of a Restorative City, share the experience of other cities, such as Como, Italy, and present the matrix of intervention.

The creation of Tirana Restorative City has encountered some challenges:

- One main problem faced has been the lack of financial means to support the implementation of the strategy. In order to achieve more tangible results, there is a need to include other actors from the inception

phase of the strategy, and a more active role by the coordination institutions, which should be the municipality.

- As Tirana was the European Youth Capital (EYC) for the year 2022, Tirana Municipality focused mostly on the EYC2022 related activities, which, has slowed down the progress of the RC initiative.

## 9.5 Which lessons for future implementers?

The main lessons for future implementers are based on the challenges that Tirana Restorative City faced:

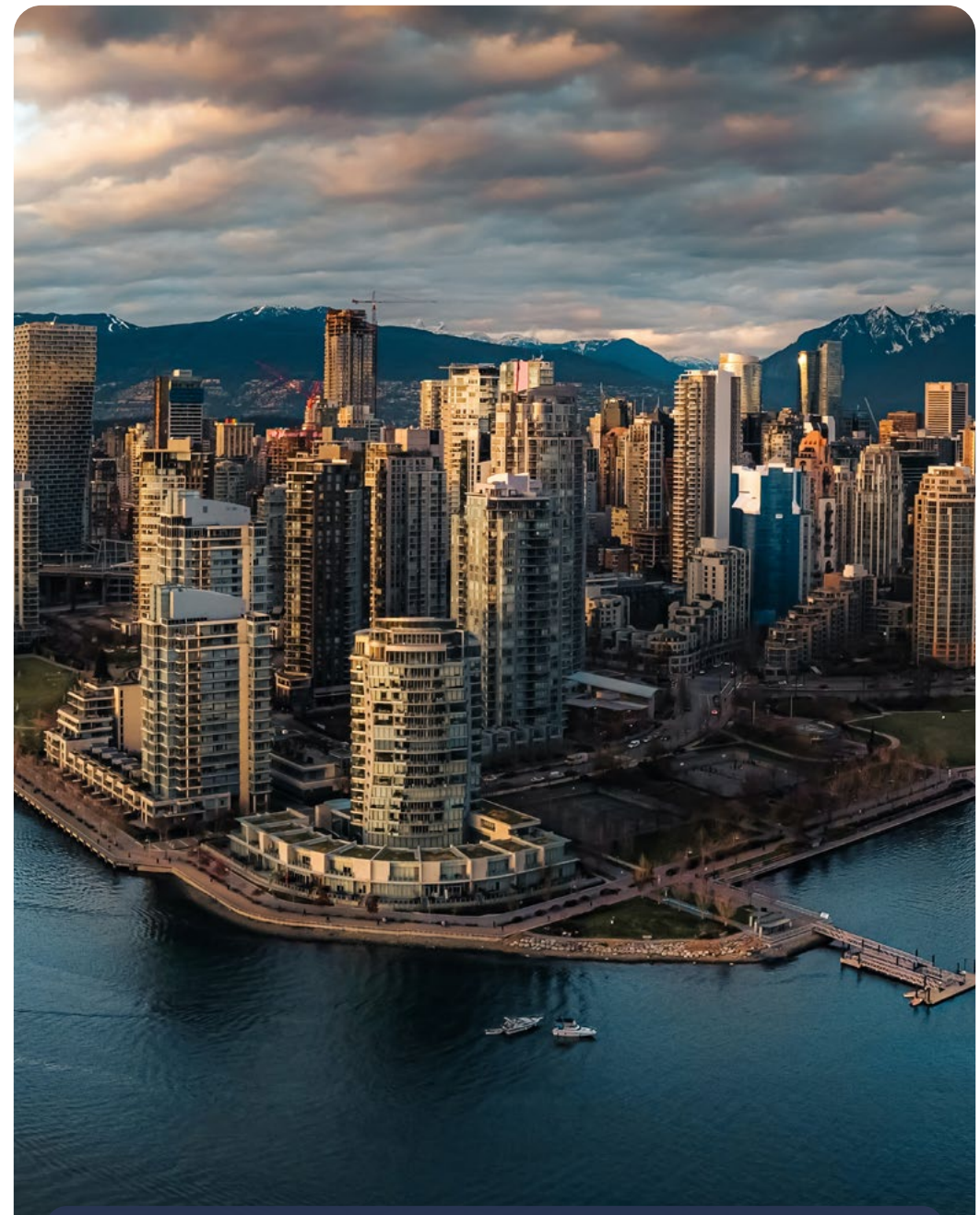
- The need to involve the highest level of representation by the core institutions. Indeed, in the case of Tirana the engagement of municipality representatives at leadership level was a factor that pushed the process forward.
- The need for commitment by public institutions, and the involvement of a larger number of stakeholders.
- The need for financial and human resources to implement the matrix of Tirana Restorative City.
- The need to include other institutions, besides the municipality.
- The need for increased responsibility by the members of the group for the development of the Restorative City.
- The need to expand the activities to other community groups, such as marginalised ones, and not only to youth.

## 9.6 Want to know more?

### CONTACT

For more information you can contact the AFCR team engaged with the initiative at: [mediation@afcr.al](mailto:mediation@afcr.al)





10 **Vancouver**  
RESTORATIVE CITY

## 10 Vancouver Restorative City

AUTHOR<sup>122</sup>; EVELYN ZELLERER<sup>123</sup> AND NORM LEECH<sup>124</sup>

### 10.1 Where and why?

#### 10.1.1 Social, economic and political context

Vancouver is a beautiful, diverse city on the west coast of Canada in the province of British Columbia (B.C.). It is a main port and economic, tourism and transportation centre. Vancouver is known for its natural beauty and recreational activities, with mountains, beaches, parks and more. While it is expensive to live here, the city continues to be rated as one of the world's most liveable.<sup>125</sup>

The 2021 census recorded 662,248 people in the city. The Greater Vancouver area had a population of 2,642,825, the third-largest metropolitan area in

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122 The authors thank members of the Restorative Collective Vancouver for their commitment, leadership and ongoing work. It was important that the Restorative Collective discussed, agreed to and had input to our submission for this publication. Thanking the six volunteers who gave feedback on an earlier draft of this chapter: Sonia Bianchi, Emilio Godoy, Sharon Lockhart, Clair MacGougan, Rena Soutar and Niru Turko.

123 Dr. Evelyn Zellerer is the Founder/Director, Peace of the Circle and provides services internationally as a facilitator, trainer and speaker (<https://peaceofthecircle.com>). She is the Coordinator of the Restorative Collective Vancouver and initiative to become a Restorative City.

124 Norm Leech is a founding member of the Restorative Collective Vancouver and Executive Director, Vancouver Aboriginal Community Policing Centre (<https://vacpc.org>). He also has many advisory roles and positions, such as Co-Chair of the Metro Vancouver Aboriginal Executive Council. Norm is from T'it'q'et, St'at'imc Nation.

125 There are various surveys and global rankings where Vancouver consistently places. For example, Vancouver was the third best city in the world for the Quality of Living Ranking released by Mercer (2019). Available: <https://mobilityexchange.mercer.com/insights/quality-of-living-rankings>

Canada. The population is very diverse and continues to grow; about 40% are immigrants.<sup>126</sup>

The Coast Salish peoples, and specifically the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) and səliłwətaʔ (Tsleil-Waututh) Nations, have lived on these lands since time immemorial.<sup>127</sup> The city also has the third largest urban Indigenous population who come from many communities across the country.

Vancouver was founded on Indigenous territory, built by immigrants and settlers through European colonisation starting in the 1800s. In 1886, this new city was incorporated and named after British Naval Captain George Vancouver, who was the first European to settle here on the coast in 1792.

This territory is unceded; the local Indigenous Nations did not freely give up the land nor sign treaties giving up any of their rights. Indigenous Nations have always had their own laws, governance, spiritual practices and ways. Indigenous peoples and communities were subjected to horrific crimes of colonization and genocide, including the creation of “reserves” and forced removal of children to residential schools. Tsleil-Waututh, for example, had up to 10,000 members before contact with Europeans. They were almost decimated, being reduced to 13 people. This Nation is now more than 500 people strong and growing.<sup>128</sup>

Canada is going through a reckoning. For example, the Truth and Reconciliation Commission was created through a legal settlement and had

a five-year mandate to inform Canadians about what happened in residential schools. Their final report includes 94 Calls to Action.<sup>129</sup>

Vancouver is struggling to address the impacts of multiple crises, including homelessness, drug overdoses, untreated mental health issues, and missing and murdered Indigenous women, girls & Two-Spirit people. In 2021, there were 40,239 crime incidents reported to the police, 18 were homicide.<sup>130</sup> Different neighbourhoods have vastly varying experiences. A recent study found a rise in violent crime in Vancouver’s poorer neighbourhoods.<sup>131</sup>

### 10.1.2 Restorative justice, legal and institutional context

The criminal legal system is itself in crisis. There are long court delays with mass overrepresentation and incarceration of Indigenous peoples and those who are poor, struggling with mental illness and marginalised. There are growing public protests and debates regarding crime, policing, justice and safety. It is clear that systemic changes and alternatives to the legal system are required, including calls for restorative justice.

Restorative justice has a rich and long history in Canada. For example, the first recorded restorative justice case is attributed to the “Elmira case” involving two youth who went on a vandalism spree in 1974 in Ontario and two probation officers who decided they ought to face the victims and worked out restitution and resolution. It inspired the development of the

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126 Canada Population: <https://www.canadapopulation.net/vancouver-population> and Statistics Canada: <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/page.cfm>

127 Learn about the three Indigenous Nations: <https://www.musqueam.bc.ca>; <https://www.squamish.net>; <https://twonation.ca>

128 Tsleil-Waututh Nation: <https://twonation.ca>

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129 National Centre for Truth and Reconciliation: <https://nctr.ca>

130 Vancouver Police Department Crime Statistics: <https://vpd.ca/crime-statistics>

131 Andresen, M.A. and Hodgkinson, T. “In a world called catastrophe: the impact of COVID-19 on neighbourhood level crime in Vancouver, Canada.” *Journal of Experimental Criminology* (January 2022). Available: <https://doi.org/10.1007/s11292-021-09495-6>

first restorative program, Community Justice Initiatives, in 1982.<sup>132</sup> Canada created and has been celebrating Restorative Justice Week in November since 1996.

In B.C., restorative justice has grown from grassroots, community-based movement. There are now many restorative programmes and practices in a variety of settings across the province. The evolution of restorative justice is owed to the contributions of Indigenous peoples, faith-based traditions, and tireless advocacy and work of many people.<sup>133</sup>

Legislation clearly allows for and supports the use of restorative justice. This includes the Youth Criminal Justice Act and Canadian Victims Bill of Rights, which gives victims the right to receive information about restorative justice programs.<sup>134</sup>

Remarkably, Vancouver does not have a restorative justice programme (due to lack of sustainable funding discussed below). Vancouver stands out as an anomaly amidst all surrounding municipalities that do have restorative justice programmes. Despite the evidence of its effectiveness as well as growing recognition, there are limited restorative services in Vancouver. There is an Indigenous justice programme for Indigenous peoples.<sup>135</sup> Youth Justice Services offers conferencing for youth who have been found guilty in court; participation is voluntary. In addition, some fee-for-services are available.

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132 Nyp, G. "Pioneers of Peace: The History of Community Justice Initiatives in the Waterloo Region 1974–2004." Pandora Press, 2004. Visit Community Justice Initiatives: <https://cjiwr.com>

133 Of note is the establishment of the provincial Restorative Justice Association of BC in 2018: <https://rjabc.ca>. The provincial Indigenous Justice Association was created in 2019: <https://indigenousjustice.ca>. We acknowledge the uniqueness of Indigenous justice, which is beyond the scope of this chapter to discuss.

134 Victims Bill of Rights Act, Section 6b, 2015. Available: [https://laws-lois.justice.gc.ca/eng/annualstatutes/2015\\_13/page-1.html](https://laws-lois.justice.gc.ca/eng/annualstatutes/2015_13/page-1.html)

135 Vancouver Aboriginal Transformative Justice Services Society: <http://vatjss.com>

The gap and clear need for more restorative services in Vancouver prompted our current journey, with an unexpected opening in a sort of perfect storm of crises and political pressures, along with larger changes going on in the world.

## 10.2 How and with whom?

### 10.2.1 Main activities, approach and process in becoming a Restorative City

This section describes the journey that led to Vancouver's aspiration to become a restorative city. No one started out with the goal or objective to become a restorative city. Rather, this unexpectedly emerged in the process of diverse, interested parties coming together to fulfil a clear need for restorative approaches and committing to collaboratively learn, vision and co-create. The main choices, activities, approach and process are explained below.

Peace of the Circle received a one-year grant for a project entitled, "Building Partnerships for Restorative Justice in Vancouver", in 2020 from the Civil Forfeiture Crime Prevention and Remediation Grant Program, Ministry of Public Safety and Solicitor General BC.<sup>136</sup> Three experienced restorative practitioners and colleagues came together to lead this project.<sup>137</sup>

The grant arrived with the start of the Covid-19 pandemic, so our start date shifted from April to September 2020. All activities were changed to meetings online via Zoom. The initial plan was to bring together 10–15 core justice

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136 Peace of the Circle is an independent, Vancouver-based organisation providing services internationally since 2004, founded by Dr. Evelyn Zellerer (Ph.D. criminology). Facilitation, training, presentations and consultation are provided in many settings, including with governments, Indigenous Nations, police, judiciary, corrections, workplaces, communities and schools. Visit: <https://peaceofthecircle.com>

137 Evelyn Zellerer, Catherine Barga and Aaron Lyons. Collectively we have about 60 years of restorative justice experience.

stakeholders to dialogue and advance the potential for restorative services in Vancouver.

The beginning phases of an initiative presents many questions and choices that shape what emerges. The key questions of “who” and “how” are ones to keep alive and continually revisit. Three initial big choices were made around “with whom”. First, rather than limiting engagement to the obvious justice stakeholders, we expanded to a broader, more diverse scope. Secondly, we chose to strategically engage with those who were at the top position of an organisation and who had access to decision-making and resources. Thirdly, we chose to ensure that potential funders were at the table from the beginning, particularly the City of Vancouver and Province of BC.

Our choices were influenced by previous experiences in trying to build restorative services in the city. For example, from 2006–2009, Dr. Evelyn Zellerer led an initiative to create the first restorative justice programme in Vancouver through a small grant obtained with the support of the Vancouver Police Department and BC Ministry of Children and Family Development. In brief, a steering committee was created, a pilot project launched, community partnerships formed, a memorandum of understanding created with the police, and 10 facilitators were trained. While we were applauded for all this work, it was not possible to get funding as there was not the political will (beyond \$2,500 for one year offered from the Province). The steering committee faced the difficult realisation that it could not provide the necessary services without funding, so could not continue.<sup>138</sup>

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138 It is noteworthy and gratifying that some key participants of that earlier initiative and steering committee have now joined the current Restorative Collective Vancouver. This illustrates the impact and power of relational, restorative work. A special thank you to Clair MacGougan for his tremendous contributions to both initiatives and his ongoing support.

The lesson was painful. This experience revealed a need for a change of approach: from believing, “build it and they will fund it”, to making requests for “fund it and we will build it”.

Funding is a massive issue. The single greatest challenge facing restorative justice throughout the province is lack of sufficient and sustainable funding.

Thankfully, outreach to representatives of the City of Vancouver and Province of BC was successful and they engaged from the beginning of this initiative. For example, 7 out of 10 City Councillors attended one or more group meetings; one councillor chose to become an ongoing participant.<sup>139</sup> This political support is due to a variety of factors, including the crises as previously noted, pressing need for alternatives to the criminal legal system, growing awareness of restorative justice, as well as appreciation for how the lead team with Peace of the Circle were focusing on being relational, respectful and inclusive in developing this initiative.

The first few months of the initiative were spent on extensive outreach (2020–2021). This turned out to be extremely time consuming, yet worthwhile and crucial to the success thus far. Over 70 stakeholders were contacted. About 40 participants attended the “Restorative Justice Orientation” session in April 2021. At this first meeting, a round of self-introductions was done and then an educational presentation about restorative justice was provided. The session concluded with an invitation to join the next meeting to embark on a journey to collaboratively determine how to bring restorative approaches and practices to Vancouver.<sup>140</sup>

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139 Thanking Councillor Michael Wiebe for participating in our Restorative Collective Vancouver and initiative.

140 Catherine Barga and Aaron Lyons had committed for a one-year project; they did not continue with this initiative after our second group meeting and completion of the grant in May 2021 due to busy lives with their company Just Outcomes. Evelyn Zellerer continued as the lead person. Aaron, Catherine and Evelyn remain colleagues and friends.



The result became an unprecedented, impressive, influential team of diverse voices and wisdom with representatives from Indigenous-led organisations, community service providers including for youth, women, and seniors, LGBTQ2S+, Parks & Recreation, housing, policing, community corrections, business associations and more. At the time of writing, representatives from 25 organisations have committed to participating.<sup>141</sup> Outreach continues, and an ongoing question is who else to invite.

This new group is not a legal entity but rather an independent body. The city already has so many NGOs (some of whom are participating) and, at this time, the group does not feel it is helpful to create another one. Peace of the Circle continues to be the host organisation providing coordination and a second one-year provincial grant was received in 2021 to continue this initiative.<sup>142</sup>

The group became the Restorative Collective Vancouver. Our strategic approach is that each representative brings to the Collective the experiences, voices and wisdom of all whom they work with and serve within their organisation, group or network. In turn, each representative brings what we discuss, learn and choose as a Collective back to their organisation and network. This aims to exponentialize the number of people we are engaging with. Among us there are hundreds of people within rippling circles.

The Coordinator facilitates monthly Restorative Collective meetings and uses a peace circle process. This helps us “walk our talk” and also offers experiential learning. Peace Circles are a powerful, effective way of communicating, building relations and making decisions. Participants have thus far

been meeting virtually for three hours. In person site visits have also been offered by a few organisations.

The Restorative Collective is guided by our shared values, principles of restorative approaches as well as Indigenous teachings.<sup>143</sup> Our approach is to be relational and holistic, and decisions are made by consensus. There is so much polarisation and strife in Vancouver. Coming together across our differences in respectful dialogue is required to bring change. Our initiative is an invitation for people to get out of silos, build relations, vision and collaborate. A wide spectrum of all perspectives is welcomed. A profound Indigenous teaching and way of being is captured by the phrase, “All My Relations”. It guides us to remember that we are literally all related and interdependent. Not only with our human relatives, but also with all of life – animals, land, water.

At the end of 2021, the Restorative Collective discussed its strategic direction and explored several options. The Collective came to a consensus to go big and chose to become a restorative city! Councillor Michael Wiebe, a participant, forwarded a motion to the Vancouver City Council to support our consensus.

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141 Visit: <https://peaceofthecircle.com/rjvancouver>. Restorative Collective Vancouver continues to evolve.

142 This grant was also from the Civil Forfeiture Crime Prevention and Remediation Grant Program, Ministry of Public Safety and Solicitor General BC. Thanking the Victim Services and Crime Prevention Division, Brett Banks, Marcie Mezzarobba and all who are supporting restorative justice.

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143 We created our shared values through a guided exercise led by Dr. Evelyn Zellerer during our third group meeting. Available: <https://peaceofthecircle.com/rjvancouver>



On January 26, 2022, after hearing from speakers and receiving letters of support, the City Council passed the motion called, “Working Collaboratively to Become a Restorative City”.<sup>144</sup> There are four main parts to the motion:

- Endorse the aspiration of Vancouver becoming a Restorative City
- Create training opportunities for staff to learn about restorative justice
- Council commits to having a representative participate in the Restorative Collective as a stakeholder
- Allocate funding

The Council decided to vote on each of these points separately.

The first one passed with a unanimous vote by the mayor and all councillors who were present. This was a historic moment. Vancouver is the first city in Canada to proclaim and commit to becoming a restorative city!

City staff had requested the second part, to have opportunities to learn about restorative justice and to incorporate it into their projects and reports as appropriate. This too passed.

It felt important to request that Council commit to having a representative participate in our Restorative Collective. Building a partnership with the City

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144 Details of the meeting, motion and votes are available in the “Report to Council, Standing Committee of Council on Policy and Strategic Priorities, January 26 and 27, 2022”. Item 6. Working Collaboratively to Become a Restorative City (Member’s Motion B.7), pages 10–18. Available: <https://council.vancouver.ca/20220126/documents/pspc20220126min.pdf>

A copy of the final motion passed is available on our website: <https://peaceofthecircle.com/rjvancouver>

The full Council meeting was livestreamed and a recording is available: <https://www.youtube.com/watch?v=e0eBberJvMo>

requires coming to the table. This third part of the motion also passed and was fulfilled.<sup>145</sup>

The last crucial part of the motion, funding, was contentious. There are questions about who should fund restorative justice based on different governmental departments and jurisdictional separations of responsibilities. Some councillors argued the provincial government, not the municipality, should provide funding. Other councillors contend this does also fall within the mandate of the City. It was tense witnessing this discussion and a massive relief when this fourth component of the motion also passed, creating another historic moment for our journey. While the Restorative Collective Vancouver’s initiative to become a restorative city does not yet have ongoing, sustainable funding, this is a hopeful start.

## COMMITMENT TO DECOLONISATION

A central feature of the initiative is that the Restorative Collective Vancouver early on committed to decolonising. The fourth Collective meeting was dedicated to learning about decolonisation.<sup>146</sup> Determining what decolonising means and what a decolonised future for justice might look like and translating it into action is ongoing work.

A simplified definition of colonisation is that it is about seizing and maintaining control over land and resources, determining who profits. Colonialism seeks to replace local Indigenous laws, governance and ways with its own, with an aim to control and exploit people, land and resources.

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145 At the time of writing, Councillor Michael Wiebe and a designated City staff person, Sonia Bianchi, Senior Social Planner, Social Policy and Projects, are participating in our Restorative Collective. We also acknowledge the support of Mary Clare Zak, Managing Director, Social Policy and Projects. For an organisational chart of the City of Vancouver: <https://vancouver.ca/your-government/organizational-structure.aspx>

146 Facilitated by Indigenous leader Norm Leech.

Colonisation brought many ongoing injustices, harms and traumas. It brought written laws that legalised colonisation and imposed what was called a “justice system”. Police forces were created to enforce those laws, courts to impose sentences and prisons to punish. Foreign governance, economic, education and health systems were also all imposed. Colonisation also brought churches with rules and beliefs that demonised and punished Indigenous peoples for practising their spirituality and ceremonies. One of the most horrific acts of colonisation was the forced removal of Indigenous children from families to attend church run residential schools that perpetrated all forms of abuse and where thousands of Indigenous children died. To Indigenous peoples, these systems were never designed or intended to provide respect and justice for them. They were designed to advance and complete colonisation, which included policies of assimilation and elimination.<sup>147</sup>

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147 There is a tremendous amount written about colonisation and what is briefly highlighted. A few resources include:

Truth and Reconciliation Commission of Canada. Reports, publications as well as resources: <https://nctr.ca>

Berger, Thomas. “A Long and Terrible Shadow: White Values, Native Rights in the Americas since 1492.” 2nd Ed. University of Washington Press, 1999.

Milloy, John S. “A National Crime: The Canadian Government and the Residential School System, 1879–1986.” 2nd Ed. University of Manitoba Press, 2017.

Sellers, Bev. “They Called Me Number One: Secrets and Survival at an Indian Residential School.” Talonbooks, 2013.

Joseph, Bob. “21 Things You May Not Know About the Indian Act.” Indigenous Relations Press, 2018.

Daschuk, James. “Clearing the Plains: Disease, Politics of Starvation, and the Loss of Indigenous Life.” University of Regina Press, 2019.

National Inquiry into Missing and Murdered Indigenous Women and Girls. Final Report and more information: <http://mmiwg-ffada.ca>

Department of Justice Canada, “Understanding the Overrepresentation of Indigenous people in the Criminal Justice System”, April 2022: <https://www.justice.gc.ca/socjs-esjp/en/ind-aut/uo-cs> and also “Indigenous overrepresentation in the criminal justice system”, September 2021: <https://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2019/may01.html>

Royal Commission on Aboriginal Peoples, Final Report, 1996. Available: <https://data2.archives.ca/e/e448/e011188230-01.pdf>

First Nations Studies Program, University of British Columbia. “Indigenous Foundations, an information resource on key topics relating to the histories, politics, and cultures of the Aboriginal peoples of Canada.” Available: <https://indigenousfoundations.arts.ubc.ca>

The land on which Vancouver now resides was colonised starting in the 1800s. Indigenous peoples have collective memory of the time before colonisation and remember their ways worked well for over 15,000 years before contact, as their systems were designed to be sustainable for the people, animals, land and water. Colonised ways have led to the forests and salmon being depleted, ocean and rivers being contaminated, and far too many people being sick, poor and in custody.

The journey of decolonisation involves facing unsettling, painful truths and recognising the ongoing impacts of colonialism. Relationships with Indigenous peoples and lands that colonisers have unjustly claimed, redefined, repurposed and harmed need to change. It is unreasonable to expect that colonised systems can solve problems caused by colonised systems. By understanding the roots and foundations of the differences between colonised worldviews and Indigenous worldviews, we are learning what might offer true justice. Colonised legal justice seeks to impose punishments for crimes while Indigenous justice and restorative justice seek to heal as well as restore balance, harmony and right relations.

Restorative justice at its heart is about being relational. In contrast to transactional relationships that mark a colonial approach, reciprocity is at the centre of Indigenous relational work. It is embarking together on a profound healing process.

Decolonisation is perhaps better described as a direction away from something rather than a specific destination. It calls for us to also acknowledge intersectionality and impacts of racism, sexism, homophobia, ableism and more. It is an invitation to create new, truly just systems for all.

This complex, multifaceted, ongoing journey has barely begun. Brief examples of what the Restorative Collective is doing thus far:

We acknowledge we are on the unceded, traditional territories of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) and səliłwətaʔ (Tsleil-Waututh) Nations. We acknowledge Indigenous sovereignty. While we have presented to the City Council of Vancouver, we have also requested to meet with the Councils of the three Indigenous Nations.

We continue to invite and welcome more Indigenous peoples and Indigenous-led organisations to participate. We are listening to Indigenous voices, learning, and honouring the uniqueness of Indigenous justice and ways. We recognise that building trust, respectful right relations and partnerships takes time.

We also continue to invite, welcome and honour a diversity of voices, including LGBTQ2S+, racialised peoples, and people from all nationalities and backgrounds. We are doing our best to live “All My Relations”. While colonisation is about separation, divide and conquer, we are actively coming together across all our differences with respect, compassion and love.

We have faith that the people of Vancouver are willing to engage in this work in a thoughtful, peaceful and meaningful way. Our challenge as a Restorative Collective is to provide brave spaces and a framework to support this work.

### 10.3 Which results achieved/expected and why?

Vancouver is at the beginning of the journey toward becoming a restorative city. Yet it can proudly share some preliminary results.

One of the greatest achievements thus far is the creation of the Restorative Collective Vancouver. As previously shared, months of extensive outreach and building relationships led to an impressive, influential, unprecedented team of diverse voices and wisdom. A strong foundation of respectful relations has been built from which to grow.

The first year of the Restorative Collective has been immersed in building our foundation and relations. This process itself has also been providing important though less obvious results, such as experiential learning and growth, impacting people personally and professionally which ripples outward.

Another achievement is building relations with the municipal government and raising awareness and support for restorative justice. We offered the City a strong team of leaders willing to do the work, partnerships, information, research and credibility that resulted in a motion being passed by City Council.

Vancouver is the first city in Canada to choose and proclaim to become a restorative city!

Getting funding through provincial grants and the City is yet another celebration of success. The funding is still only one-time and thus a challenge going forward is to gain ongoing, sustainable funding. A related challenge is the turn-around of political leaders; a new Mayor and Council will be elected by the end of 2022 for a four-year term. Significantly, they will be inheriting the motion and commitment which will support us going forward.

The Restorative Collective is developing a draft framework of what becoming a restorative city means for us, imagining how restorative values, principles and practices might be implemented in neighbourhoods, schools, parks, housing, policing, governance and more. Our commitment is to a relational, holistic, decolonising approach and collaborating across multiple spaces and sectors. Indigenous wisdom and ways also guide us toward healing, balance, stewardship and harmony. Our journey is about moving towards a more connected, healthier, safer city that is invested in uplifting the humanity of all people and creating respectful relationships with each other as well as with the animals, land and water.

## 10.4 Which lessons for future implementers

The Restorative Collective Vancouver is new and on a steep learning curve, willing to experiment and doing its best knowing everything is emergent. There is certainly no one right way nor any clear, simple steps to becoming a restorative city. Some further reflections and suggestions are offered based on experiences thus far:

It takes a lot to spark and continue a movement towards a restorative city. It can often feel overwhelming. Be aware of and prevent exhaustion and burn-out. Resources and support, especially funding, need to be identified and available as early as possible.

There is always a tremendous amount to consider, discuss, choose and do. It is important to have at least one lead coordinator and facilitator who is knowledgeable, skilled, respected, innovative and committed for a long period of time. Choosing to have an independent host organisation is working well for us.

Engage, form partnerships and create a strong, core, diverse, committed team. Having the endorsement and involvement of influential leaders makes a big difference. Gain political support while maintaining autonomy.

Go beyond the criminal legal system and prioritise diversity. Do outreach with a wide range of people and organisations/networks, considering the justice field very broadly. Generally, people are responsive to having a conversation, especially with no required commitments to begin. This also provides valuable opportunities to raise awareness about restorative justice and approaches, planting seeds and expanding support. Outreach, raising awareness, educating, building relationships and partnerships are ongoing, endless work to be recognised, supported and resourced.

Success flows from building a strong foundation, aligning with and living the values, principles and teachings of Indigenous and restorative ways. We must “walk our talk”.

Attention to both process and achieving results is required. The ‘how’ is as important as ‘what’. Continually ask questions, deeply listen, stay open and engage respectfully in brave spaces. Peace circles are a powerful, effective process we use for meetings, building relations, dialogue and making decisions by consensus.

As previously discussed, it is vital to commit to decolonizing and anti-oppression. Be ever mindful not to impose or replicate colonial, punitive, non-restorative thinking or structures, especially when that is what people are used to or what is expected. This is a deep, ongoing practice as everyone has somehow been impacted by global colonisation, racism and various forms of discrimination and power.

Be willing to stretch, innovate, not have answers, dream big. Suspend assumptions and limitations. Also be willing to request what is desired and required to move forward. At the beginning, for example, there was a question of whether to ask people to meet for 3 hours virtually during a pandemic. Yet why assume a pandemic means we cannot still connect and create? For over a year all through a pandemic and government restrictions, a group met monthly, built relations and co-created.

Be willing to immerse in an evolving, unfolding, nonlinear co-creation. Becoming a restorative city is an incredibly complex, multi-faceted, political, challenging, fascinating and exciting journey!

## 10.5 Want to know more?

### CONTACT

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11

**Whanganui**  
RESTORATIVE CITY

# 11 Whanganui Restorative City

AUTHOR: JENNY SAYWOOD, DAVID ALEXANDER AND LORRAINE SHEENAGH<sup>148</sup>

## 11.1 Where and why?

### 11.1.1 Social, economic and political context

Whanganui is the first city in New Zealand to apply the restorative approach to schools, workplaces, organisations and the community in general. The next paragraphs describe in detail the context of the Whanganui Restorative City.

Whanganui is a city located on the west coast of the North island at the mouth of the Whanganui River, New Zealand's longest navigable waterway. The Whanganui river has recently been recognised as Te Awa Tupua – an integrated, living whole from the mountains to the sea and intrinsically connected to the people. Te Awa Tupua is recognised as a legal person with corresponding rights, powers, duties and liabilities. This legislation is of international significance, the Whanganui River being recognised as having its own legal personality and rights.

Whanganui is the 19th most populous urban area in New Zealand. It has a population of 48,500 made up of 26% Maori, 4% Asian, 4% Pacifica and 79% Pakeha (European).

It is known for its heritage buildings and a very lively arts community particularly excelling in glass. There is a small University Campus which comes under the auspices of Universal College of Learning, which is situated in the nearest city an hour away. The cost of housing is cheaper than in the main big cities and as a result the population has increased over the last three years

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<sup>148</sup> Jenny Saywood and David Alexander are founding members and former chairpersons of Restorative City Whanganui Trust. Lorraine Sheenagh is the current Chairperson.



and younger families are returning to Whanganui. However, Whanganui has above average levels of unemployment and lower wages than other parts of New Zealand.

Maori are the indigenous people of Aotearoa New Zealand. The social indicators and statistics for Maori in crime, violence, imprisonment, health, education and welfare are disproportionately high. This raises the whole question of how services, including restorative, are designed and delivered to meet their needs.

In 1840, when Aotearoa New Zealand was becoming a British colony, The Treaty of Waitangi (Te Tiriti o Waitangi) was signed between the British Crown and Maori. This Treaty is still seen today as a critical part of our country's pathway. One of the tenets of the Treaty is that there should be partnership between the Crown (our Government now) and Maori.

### 11.1.2 Restorative justice legal and institutional context

In 1997, a meeting was initiated by the local judge at the time, Judge Andrew Becroft, to discuss how to enhance Youth Justice practice. As a result of the discussion that followed this meeting, the idea of adult restorative justice was raised as a possibility and Judge Becroft offered a challenge to the people attending to go away and come up with a plan. Over the next year, with much work involving representatives from local government departments and community leaders, an adult restorative justice process was developed and the Whanganui Restorative Justice Trust (as it was then called) was formed. It was a community-led organisation and not funded by a government department until several years later. Initially the programme targeted offenders aged 17 – 25 years old and with low-level crimes. As it evolved and legislation responded, the criteria broadened. Judiciary are now by law required to refer all offenders who have pleaded guilty, to restorative justice. There are also limited opportunities to hold post sentence restorative justice conferences funded by the Department of Corrections.

### 11.1.3 Why build Whanganui Restorative City?

Having provided a restorative justice service to the Criminal Justice system for twelve years, it was obvious to the Restorative City Whanganui Trust that the restorative philosophy had relevance in all aspects of community life. In 2012, the Trust began to explore this idea, aware that Hull and Leeds (UK) were also working in this field at that time albeit from different starting points. In 2017, the name of the Trust changed to Restorative City Whanganui to reflect our vision.

The objective behind this initiative was to dispel the idea that the restorative approach was only applied when there was conflict and harm done. Its vision was to build social capital by encouraging restorative conversations within all community interactions and relationships. It was seen as promoting positive, inclusive connections, creating a cohesive, resilient community that could manage diversity and conflict within it and one that when harm is done, the restorative healing processes would be second nature or the default position.

Social capital is frequently found to be the attribute that is most strongly correlated with subjective well-being.

A report on Living Standards of New Zealanders by the Treasury in 2012, included its list of the most important factors to be considered:

- Social capital areas, notably issues like social support, corruption levels and the level of freedom, which have the most impact on an individual's sense of well-being.
- Income, both the absolute level of income, but also its distribution volatility over time, as unemployment in particular has a significant and prolonged impact on the sense of well-being.
- Health, both physical and mental.
- The quality of the environment in which people live affects both their physical and mental well-being.

The Trust saw that the restorative approach embodied to some extent all of these factors.

## 11.2 How?

Key to the initial success of the Restorative Justice concept was that it had the support of Judge Becroft, who later went on to become Principal Youth Court Judge and then Commissioner of Children. It also had representatives from crucial Government departments, Social Welfare, Corrections and the Police.

In the early days of the restorative city vision, the Trust held a meeting with leaders in the community to promote the idea. It was met with enthusiasm and this encouraged the Trust to continue. It was at this time that the Trust was made aware of the work Jennifer Llewellyn, a Professor of Law at Dalhousie University, Nova Scotia, Canada, was doing in the field of restorative justice. She was invited to come to Whanganui and introduced the Trust to the idea of relational theory (Downie & Llewellyn, 2012), which “holds at its heart the idea that the human self is fundamentally constituted in terms of its relation to others.” This theory helped underpin and explain restorative justice/practice and at the same time provided a theoretical framework for us.

The Trust was also supported by the Whanganui Mayor at that time and the District Council Chief Executive and the Kaumatua (Maori elder) John Maihi, who translated our vision “Towards a Restorative City: creating the environment for Whanganui people to thrive and succeed together through respectful relationships” into Te Reo (Maori language). “Honoa kia Rongo ki Whanganui”.

As it will be further explained (see Which results achieved expected/why), the construction of Restorative City Whanganui has relied on the spread of restorative practices beyond the criminal justice system, at the community level (e.g. schools, neighbourhoods, organisations). Promoting restorative

practices within the workplaces has represented a particular area of intervention of Restorative City Whanganui to broaden restorative principles, values and practices.

## 11.3 With whom?

In an effort to promote the city – wide restorative approach we enlisted the help of Margaret Thorsborne, an Australian expert in restorative training for school teachers. She provided training for both the local teaching fraternity and workplaces in the city, adapting her sessions to the broader audience.

In 2012, the Trust met the Chief Social Worker of the then Child, Youth & Family, the governmental Child Protection Agency based in Wellington. His sister was the Director of Hull Centre of Restorative Practice in the UK. He subsequently supported the Trust both with advice and initial funding and introduced it to his sister. Later she and colleagues attended a Restorative Justice Conference held in Whanganui.

Jennifer Llewellyn continued to support and share research and knowledge. She visited Whanganui several times, once bringing a delegation from Halifax, Nova Scotia. Visits were undertaken to Halifax, Vermont and Hull, and the Trust entered into the membership of an International Community of Learning with various representatives from Vermont, Halifax, Hull, Leeds, Canberra and Wellington.

In an endeavour to obtain the support of other key people in the community, the Trust formed an Advisory Group, made up of senior managers of both local and national government, and leaders in various social service agencies. The Trust had hoped that this group would help drive the concept and provide funding. However, although very supportive, they looked to the Trust to be the drivers and were not in positions to provide financial help. Albeit this group helped to keep the vision alive in their own organisations to some extent and we did receive some requests for intervention.

## 11.4 Which results achieved/expected and why?

The Trust's vision progressed sporadically across various areas of the city. Coming across the Goodwin Development Trust's research report<sup>149</sup> helped the Trust identify that the path of implementation of the vision was organic, but the challenge would be to manage and evaluate it. Professor Chris Marshall, Diana Chair in Restorative Justice and the team at Victoria's School of Government took up the evaluation challenge in 2015. Unfortunately, for a variety of reasons, this evaluation did not eventuate.

The growth of understanding and practice of the restorative approach in our community has taken the Trust and its facilitators in many directions. The original idea was to promote the restorative approach in addressing or transforming conflict. After several years of facilitating a range of conflicts (relationship breakdowns within families, neighbours and roaming dogs, neighbours complaining about trucks parked at a motel complex, conflict in workplaces) both successfully and less so, the Trust broadened its focus to concentrate on the positive aspects of the restorative approach by promoting healthy relationships within workplaces. The skills we promoted in our training package were to encourage a process for the people in that organisation to respectfully challenge bad behaviour or conflict when it occurred. It would also create a safe environment where people felt able to do this with the knowledge that they would be supported.

The negative connotations of the word "conflict" and a reluctance of management/ senior leadership to admit to problems in workplaces and organisations impedes progress. In some cases, the philosophy was understood, the process was regarded as having merit, but the commitment to undertake

the restorative approach often did not fit into the established way of doing things. Policies and other processes including human resources were not a good fit with this approach.

Despite difficulties to promote restorative justice beyond the criminal justice system, requests to help facilitate and address issues range from government, non-profit or corporate organisations, the local District Health Board, schools and families. The cases range from barking or escaping dogs upsetting neighbours, unacceptable behaviour within a pensioner housing complex, relationships between the police and families or an individual, staff relationship breakdowns impacting on the culture of an organisation to deep seated serious workplace conflicts resulting from poor management.

Requests are also received to provide an "Introduction to Restorative Practice – a practical session explaining the restorative approach and providing tools for people to engage in restorative conversations to "nip problems in the bud."

Furthermore, working towards broadening its scope, in line with the restorative city concept, the Trust has successfully obtained Level 2 Social Services Accreditation. This is a more complex accreditation that allows them to provide services wider than the current restorative justice provision. A challenge is that services and contracts come from different sources, for example the Ministry of Justice and the Ministry of Social Development. As they operate in a "silo" approach and are not addressing issues in a combined and comprehensive manner, funding becomes difficult.

Restorative City Whanganui has just come out of a period of three years, where staffing circumstances meant the focus changed to building a pool of facilitators for our Criminal Justice service. Consequently, the community restorative approach has been less visible. Recently however there has been a resurgence of interest. This is a positive sign that the Trust has sown a seed that re-emerges when the time is right.

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149 Lambert, C., Johnstone, G., Green, S., and Shipley, R. 2011. Building Restorative Relationships for the Workplace: A research report with recommendations for organisations seeking to implement restorative approaches. Hull: Goodwin Development Trust, [http://www.restorativejustice.org.uk/resource/building\\_restorative\\_relationships\\_in\\_the\\_workplace\\_goodwin\\_development\\_trusts\\_journey\\_with\\_restorative\\_approaches/](http://www.restorativejustice.org.uk/resource/building_restorative_relationships_in_the_workplace_goodwin_development_trusts_journey_with_restorative_approaches/) — last accessed 16/10/13

This resurgence is partly a result of the effects of the Covid-19 pandemic where isolation, anti-mandate beliefs and uncertainty have caused disquiet and tension.

## 11.5 Which lessons for future implementers?

Several lessons stem from the experience of building Whanganui Restorative City:

- The need for the management team or senior leadership teams to commit to the philosophy of the restorative approach. Whether Restorative City is implemented in the workplace or in other settings it needs to be driven from the top. Unless there are policies and systems in place to support the approach, it can flounder even though there can be a committed workforce.
- The need to institutionalise the restorative approach so that it cannot be lost in case promoters/leaders change role/leave. When applied in the organisational context, it implies drafting codes of conduct, policies and HR manuals to avoid losing the restorative approach when key people driving it move to a different position in the organisation or out of that workforce entirely. An example is the District Council. The District Councillors had adopted a restorative approach in their code of conduct and the HR Manager was working through policies to introduce a restorative approach to communications and relationships within the staff. However, once the Chief Executive changed, the idea went cold for several years. Very recently with a new Chief Executive the idea is once again being pursued.
- The need to ensure adequate and sustainable funding to the Restorative City implementation. The Trust receive funds from the Ministry of Justice for Criminal Justice work but that does not include the restorative work in the community. Lack of funding has also

impacted on recruiting Restorative Practice Facilitators. A fee for service system proved to be a challenge as it did not allow for all the extra work involved in driving the vision in the community. Requests for assistance made to the Trust were often related to historic conflicts in workplaces and the restorative approach was often the last resort. In some cases, Managers/Senior Leadership had come and gone without addressing the issues, and the consequent unpicking of the narrative and then addressing the core problem became lengthy and costly. Furthermore, embarking on a conversation with the requestor which is necessary to assess the nature of the issue and the safety of the people involved, often sets up an expectation that the matter will go ahead, prior to any costings being discussed. It has produced a chicken – and – egg situation. Often the organisation baulks at the expense or in some cases management/senior leadership are not prepared to accept accountability, or worry how the organisation or they, themselves may be portrayed through the restorative process, so they decide not to go ahead.

- The need to broaden the scope of the restorative action beyond the criminal justice system, as in the Whanganui case.
- The Trust has in the past and wants to continue, to provide training/ education/ mentoring to organisations to encourage the introduction of the restorative approach both in HR processes and in workplace/ school culture to combat the worrying trend of bullying featured in the media in recent times.
- Gaps have also been identified in services related to Restorative Justice and the Trust wants to provide a more comprehensive and seamless service to victims and their whanau/family, offenders and their whanau/family and the community. An example of this is the recent pilot of a women's programme undertaken for victims of family

harm. These are victims that have come through the Courts and Restorative Justice processes but need more support.

- In addition, the Trust has been exploring possibilities of providing restorative services in the Family Court. Coincidentally, the Family Court Judge has recently requested that the Trust provide a restorative conference and process for clients in that Court, but no funding exists. The Trust believes that there is potential and benefit for different approaches in the Family Court and considers that this approach should be developed to meet the needs of Maori, a whanau/family approach rather than the more individual one that occurs at present.
- Te Aorerekura, the New Zealand Government's strategy to eliminate Family Violence and Sexual Violence states that in applying an indigeneity lens, the three elements of Te Tiriti o Waitangi (the Treaty) te ao Maori (the Maori world) and whanau-centred thinking are considered. It is a rational family – and – whanau centred approach to restoring well-being, an approach that considers past trauma and the unique strengths, circumstances and moemoea (dreams) of each person, family/whanau and community they belong in, helping to mobilise communities through sustainable, trust-based relationships. This approach has the potential to address intergenerational abuse and issues. It can also be enhanced by incorporating an approach where the social agencies involved are part of restorative conferences. Although this is a Maori model it would benefit all cultures.
- The need to develop a sustainable vision of the Restorative City. In the Whanganui case, regardless of the direction the Trust takes in promoting the restorative approach within the Criminal Justice system or the community, the sustainability of the vision is the biggest challenge. Community awareness of restorative principles, promotion of the Trust's service, funding, partnering with other agencies are all areas the Trust recognises must be addressed to make progress.

- Last, but not least one needs to be aware of the fact that a Restorative City is an aspirational vision and may never be fully realised. In Whanganui, it is however a goal the Trust continues to think well worth pursuing, to enable Whanganui people to thrive and succeed together through respectful relationships.

## 11.6 Want to know more?

### CONTACT

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12

**Wrocław**

RESTORATIVE CITY



## 12 Wrocław Restorative City

AUTHOR: HONORATA CZAJKOWSKA<sup>150</sup>

### 12.1 Where and why?

#### 12.1.1 Social, economic and political context

Wrocław is the capital of Lower Silesia and the third most populous city in Poland – officially with 672.929 inhabitants. Wrocław, as a dynamically developing city is perceived as an attractive place to live, mainly due to its economic situation. It is a thriving city with a well-developed economy and new investments coming in.

Wrocław, as a city of bridges, has proved more than once that it is also a place of dialogue. It is a large European city with remarkable and incredibly rich history, influenced and shaped by four nations. Over the past years, Wrocław has become a multicultural city, with lots of citizens from different nations and with different religions. The 1990s were also the time of strengthening the idea of dialogue. In 1996 the Neighbourhood Council of Mutual Respect was established, which contributed to strengthening the cooperation of four religious communities (located at a distance of 300m from one another): Roman Catholic, Evangelical-Augsburg, Orthodox and Jewish (integration was promoted through mutual visits in churches and synagogues, common prayers, charity campaigns, etc.).

Key feature of Wrocław is a long tradition of non-governmental (NGO) activity and offender rehabilitation initiatives, supported by local policymakers. The crime rate in the city is relatively high, so the priority for policymakers is to curtail it. The past decade has shown a decrease in recorded crimes

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<sup>150</sup> Honorata Czajkowska is a researcher, academic teacher and practitioner in the fields of probation, community safety and youth support.

in some categories (e.g. against life and health, against property) and a slight increase in others (e.g. against the family and guardianship/domestic violence, against sexual freedom and morals).

### 12.1.2 Legal, policy and institutional context

Restorative justice in Poland is mainly associated with mediation (in criminal matters) and is regulated in the Polish law. In 2003, mediation was included in the general part of the Code of Criminal Procedure (initially introduced in the Polish penal system in 1997, but to a very limited extent). The new provision gave the power to use mediation at all stages of criminal proceedings – from the disclosure of a crime, through preparatory and court proceedings, until the enforcement proceedings.<sup>151</sup>

Mediation proceedings are also possible at the post-sentence stage, pursuant to a decision of a penitentiary court, or may be initiated ex officio or at the initiative of the victim and the offender. The 2015 amendment to the Penal Code introduced a new category of compensation measures, which included the obligation to redress the damage, compensation for the harm caused and taking the interests of the victim into account<sup>152</sup>.

Despite the lack of a restorative justice policy in Poland at a national level, there are several activities in Wrocław that can be classified as restorative practices, and a growing will and understanding of the restorative potential.

Over the decades a system of mechanisms has developed that serve as both prevention and response to a crisis/conflict occurring in the Wrocław urban landscape. The common feature of these two types of activities is

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151 Sułkowski K., (2017) Mediacja w polskim prawie karnym, Mediation in Polish Criminal Law, Studenckie Zeszyty Naukowe, Vol. XX, nr 35., 83–96.

152 Urbanowicz, K., (2016) Sprawiedliwość naprawcza w Polsce. Szansa na zmianę polityki rozwiązywania konfliktów, Internetowy Przegląd Prawniczy TBSP UJ 2016/2, 168–182.

the multi-stakeholder cooperation of the city authorities with NGOs and other partners. Many of the Municipalities' policies and strategies, leading institutions, flagship practices and initiatives are civic-oriented and strongly resonate with restorative values and principles<sup>153</sup>. However, the key moment that significantly shaped the restorative journey in Wrocław took place in November 2021, when the Mayor of the city launched the Restorative Justice Board. A team of 8 people, including probation officers as well as the Mayor's plenipotentiary for tolerance and combatting xenophobia, deputy director of the Wrocław Centre for Integration, deputy director of the Wrocław Centre for Social Development, House of Peace Foundation worker (NGO), the district court judge (mediation coordinator) and the public prosecutor of the Wrocław City Guard. The long-term goal for the Board was to gain by Wrocław the status of a restorative city. Another objective of the Board is to popularise restorative justice through two strategic orientations and assigned taskforces: dissemination of restorative justice programmes (namely mediation); optimisation and spreading of restorative practices. The founding document, Ordinance No. 2073/19, was the first official document in Poland, in which the term "restorative justice" was used.

### 12.1.3 Why build Wrocław Restorative City?

Wrocław proclaimed its "Restorative City" status to acknowledge the variety of ongoing and well-embedded initiatives in the city that have been applied in the spirit of restorative values and principles (e.g. development of deliberative democracy, community engagement and participation). Due to unfavourable political climate in the Polish criminal justice system and limited use of mediation in criminal matters, there was a need to go beyond criminal justice and promote restorative justice at a regional level and in the community. There was a need to restore the language of justice, which, in conditions of unfavourable national policy, could be achieved mainly at the local level.

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153 Matczak, A. 2022. Wrocław: stad van honderden bruggen als Restorative City. Tijdschrift voor Herstelrecht.

Wroclaw was a natural area for activities due to the potential for restorative justice in the community. The Wroclaw pathway to become a restorative city has included a variety of organic and bottom-up local initiatives. Several events and partnerships have played a crucial role in leading to this point.<sup>154</sup>

For example, restorative values and principles have been noticed in the citizens' functioning for decades. The Great Flood experience in 1997<sup>155</sup> was an impulse for the local community to unite and show solidarity. In addition, in 1996 – the Wroclaw Society for the Care of Prisoners was one of the driving forces behind the introduction of mediation into the legal system in Poland. More recently, restorative actions were undertaken by the House of Peace (in collaboration with the Wroclaw Municipality) to support Roma families in the process of integration with the local community (to prevent polarisation and hate) by using mediation.

## 12.2 How?

### 12.2.1 Restorative approach

The development of the Restorative Wroclaw project was guided by the framework below. The nature and purpose of the framework was to assist the Wroclaw Restorative Justice Board, as well as local policy and decision makers, to envisage practical steps on how the restorative city can be developed.

Phase		Auxiliary questions
Introduction	Context	How did the idea of a Restorative City appear in our city? Why did we want our city to become restorative?
	Conceptual/theoretical framework	Which principles, models, and philosophies will guide/guided us during the process of becoming a Restorative City?
Declaration/event initiating (or committing to) the process of implementing the idea of a Restorative City		When and how do we declare that we have become (or commit to become) a Restorative City?
The institutionalisation of cooperation (degrees of formalisation, terms and conditions in relation to partnerships, budget, support from local authorities)		Who do we work with to implement the concept and how? What kind of partnerships do we form?
Action plan (trainings, communication strategies, online presence, communication through arts, restorative justice design)		How do we make our city restorative and what do we do? How do we popularise restorative justice in our city? How do we build a restorative culture across different sectors in our city?
The sustainability and stability of the project (securing long-term budget, mention of the project in the long-term strategy for city development)		What is the long-term plan for our initiatives? Is the concept of a Restorative City reflected in the official city development strategy?

Table 2 – Framework at the basis of Wroclaw Restorative City. Source: Matczak, 2021 and 2022

The dynamic of the implementation processes has been irregular and patchy. For example, the theoretical/conceptual element of the framework requires further discussion and more intensive collaboration with a local university and other academic partners. Despite quite a few effective and promising initiatives aimed at diffusing restorative justice in the city, there is still a necessity to clarify and launch a more comprehensive action plan.

There is wide cooperation (partnerships, support from local authorities) in many fields in the city. It is close to the idea assuming a conflict management

154 Matczak, A. (2022), Wroclaw: stad van honderden bruggen als Restorative City. Tijdschrift voor Herstelrecht

155 This Great Flood affected Poland, Czech Republic and Germany in 1997, causing the death of 114 people. In Poland, this was the most disastrous one in the country's history. In Wroclaw, there is a memorial honouring those who worked hard to save the city during the flood (i.e. a woman carrying books to the upper floors of the university).

paradigm in the urban space, which proposes introducing mechanisms of cooperation with city residents and local organisations and communities.<sup>156</sup>

In individual areas of the city's functioning, the use of restorative values, principles and practices is noticeable. However, it is not obvious to identify unambiguous restorative justice programmes in the activities carried out in Wrocław (and in Poland in general). There are practices close to restorative justice as well as activities that relate to the principles of this idea. Actions undertaken in Wrocław reflect the nature of deliberative democracy, defined as a kind of democratic balance built from the ground up, taking into account the voices of citizens<sup>157</sup>. There are, for example, citizens' panels and social consultations (social participation – co-implemented by NGOs), which constitute one of the institutions of direct democracy and share the restorative values and principles, space design in the spirit of restorative justice, programmes assimilating the foreign community, educational programmes of an intercultural nature, cultural activities integrating the local community. Within the legal system, there are restorative practices such as community service and mediation. In the field of education, the most commonly used restorative practices include peer mediation, school mediation, restorative circles, non-violent communication, learning social and emotional competence.

These examples are further detailed in the next sub-chapter.

### 12.2.2 Main activities delivered, methods and tools

Wrocław implements restorative justice by using all the possibilities which the city gives: city authorities supporting the idea of restorative justice; a

restorative past (a history, which made society a deliberative democracy), a multicultural society, effective cooperation of the local government with the judiciary (especially probation officers).

One of the main goals in the city was to make the word "restorative" more familiar and easier to understand for Wrocław's citizens. While preparing to become a restorative city, Wrocław organised an informative campaign aimed at introducing the idea of restorative justice. Billboards were set up in the city centre and at the same time, the conference "Restorative City – Building a Bridge of Understanding" held in 2021<sup>158</sup> was reported in the local (traditional and social) media.

One local initiative that has played important role in introducing a restorative justice perspective is Wrocław Centre for Restorative Justice (WCRJ)<sup>159</sup>. Since 2016, WCRJ has been optimising the conditions for the wrongdoers of minor offences to perform community service. That activity shows the potential of a communicative, inclusive orientation to community punishment that has been inspired by a number of progressive concepts, and the restorative justice perspective is one of them.<sup>160</sup> The restorative justice philosophy was introduced by the WCSN to emphasise the need for community engagement and to popularise restorative justice among probation officers.

Restorative justice, although included in the name of the institution (WCRJ), is not a directly used programme in WCRJ activities. However, these are activities inspiring the delivery of restorative values and principles. There is a need of reflection that WCRJ needs to accommodate better in model

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156 Straker (2019), Conclusion: The Restorative City – a challenge about means and ends. The International Journal of Restorative Justice 2(2), s. 325–331.; Matczak, A. (2021). What is a Restorative City? Archives of Criminology. 43(2), 399–427.

157 See Braithwaite (2015), Deliberative Republican Hybridity Trough Restorative Justice, „Raisons politiques. Etudes de pensée politique” 2015, No. 59, s. 42.; Zalewski, W. (2016.), Sprawiedliwość naprawcza – formą demokracji deliberatywnej? Białostockie Studia Prawnicze, z. 21, 25–35.

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158 <https://www.restorativewroclaw.pl/>

159 <https://www.wcsn.pl>

160 Matczak, A. (2021). What is a Restorative City? Archives of Criminology. 43(2), 399–427. Matczak 2021.

of community service the basic restorative justice principles (of dialogue, victim-focus and reconciliation)<sup>161</sup>.

Another flagship point is the House of Peace Foundation<sup>162</sup>, an NGO operates in three areas: local development; peer mediation and conflict transformation. The main areas of the Foundation's educational activities are Peer Mediation and Conflict Management programmes in schools, the aim of which is to change the systemic paradigm of communication in schools and teach students how to replace aggression with conversation. Its overall aim is to positively change the atmosphere and relations in the school community.

In 2021, the Department of Ethnology and Cultural Anthropology of the University of Wrocław implemented the Protecting and Defending the Rights of Victims of Anti-Lesbian, Gay, Bisexual, and Transgender (LGBT) Hate Crimes: Innovative Paths through Restorative Justice (LetsGoByTalking<sup>163</sup>) grant. The project aims to promote restorative justice in the EU as a means of redressing victims of hate crimes against LGBT people. The assumptions of the projects include preparing and implementing trainings for persons professionally involved in restorative justice as well as increasing awareness of the effectiveness of restorative justice.

There are many initiatives and programmes – especially in the broad social field. It is worth noting that all these initiatives are not directly related to restorative justice, but are supporting or preparing restorative justice developments and the dissemination of a restorative culture in the city, such as:

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161 Matczak, A. (2021). What is a Restorative City? Archives of Criminology. 43(2), 399–427. Matczak 2021.

162 <https://www.dompokoju.org/>

163 <https://www.letsgobytalking.eu/>

## URBAN STRATEGIES, POLICIES AND PROGRAMMES

Wrocław Strategy for Intercultural Dialogue 2018–2022 – a document creating conditions for building new bonds, improving intercultural competences; it also contains a vision of Wrocław as a community of residents who live in mutual respect.

## CITY PARTICIPATION AND COOPERATION WITH NGOS

Wrocław Accession to the European Coalition of Cities against Racism – Wrocław was the first city in Poland that joined the Coalition. Additionally, a Social Advisor for Tolerance and Counteracting Xenophobia was appointed by the Mayor of Wrocław.

## NON-GOVERNMENTAL ORGANISATIONS, ASSOCIATIONS, FOUNDATIONS

A Culture of Equality<sup>164</sup> – an NGO implementing projects supporting intercultural dialogue among children and adolescents and enabling them to live in harmony without verbal violence, regardless of culture, skin colour.

Other institutions promoting and implementing mediation in Wrocław (e.g. Wrocław Mediation Centre, Society for The Care of Prisoners, Lower Silesian Mediation Centre)<sup>165</sup>.

Wrocław NGOs are linked by a network of cooperation, the permanent element of which is the annual Congress of NGOs. It is an opportunity to exchange experiences and ideas of people from different backgrounds (representatives of associations, foundations, city movements operating

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164 <https://kulturarownosci.org>

165 Further information is included in a report gathering most of the restorative friendly initiatives taking place in Wrocław (in translation process).

in Wrocław) and to establish intra and intersectoral cooperation with the Wrocław Commune. The main goal of the congress is to create a space for meetings and dialogue on the development of the city, counteracting marginalisation and social exclusion, as well as improving relations in local communities.

Wrocław's declaration as a restorative city does not mean that the process of developing the implementation and promotion of this idea has ended. On the contrary, the city and its community are only beginning a new, long and multi-stage path towards progressive actions, enabling generally acceptable cultural change of a restorative nature.

### 12.2.3 Main steps in the design and delivery of the Restorative City

The activities that generate the process of implementing the restorative justice values and standards were carried out on many levels of the city's functioning. The main look at Wrocław as a city with restorative potential, came from scientists<sup>166</sup>, who were connected with Wrocław and stayed in relation with some city activists. Both academics were inspired by the European Forum for Restorative Justice (EFRJ) conference in Tirana in 2018 and saw that potential in Wrocław. The key stage in Wrocław's restorative journey was the mapping of restorative practices (or restoratively-oriented activities and institutions) in Wrocław by two core members of the Restorative Justice Strategies for Change (RJS4C)<sup>167</sup> project, whose expertise, local knowledge and commitment gave the significant impulse to introduce the restorative

city concept to other key stakeholders in the city. The initiative to declare Wrocław restorative was made one of the priorities for the RJS4C project. In 2019 the RJS4C team, in cooperation with the House of Peace Foundation, organised the Wrocław Debate, which created a space for sharing knowledge in the field of restorative justice, exchanging observations, and searching for and diagnosing the city's resources to implement the idea of restorative justice.

In the same year, during a seminar, the Director of the Department of Social Affairs of the Municipal Office (now the Mayor of Wrocław), declared on behalf of the city his will to make Wrocław a restorative city in the near future. Two years later, in November 2021, the Mayor of the city launched the Restorative Justice Board (Ordinance No. 2073/19). It was the key moment in building official aspects of Restorative Wrocław and one of the main goals for the Board was to gain for Wrocław the status of a restorative city<sup>168</sup>. Additionally, information workshops were given to the Board and other practitioners in Wrocław about the concept and its implementation.

The aforementioned activities and events had built up the momentum for the 2021 international conference "Restorative City – Building a Bridge of Understanding", at which the Mayor of Wrocław announced that Wrocław was joining the network of restorative cities, and this was accompanied by the launch and presentation of a report that outlined the flagship policies, practices and initiatives which are either carried out in the spirit of restorative justice and/or have a potential to cultivate restorative values and principles.

The past two years have been challenging to develop further restorative justice practices in the city due to the Covid-19 pandemic. Covid-19, in its first stage of the pandemic, has slowed down the development of Wrocław Restorative City and also actual restorative practices in Wrocław. The main

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166 Dr. Anna Matczak and Dr. Beata Czarnecka-Działuk – Polish academics engaged in restorative justice research and active members of the EFRJ, respectively as former Chair of the Research Committee and former Board member.

167 RJS4C is an international project, coordinated by Dr. Ian Marder (Maynooth University), Gert Jan Slump (Restorative Justice Nederland) and the EFRJ; the main aim is to implement the assumptions of *Recommendation CM/Rec(2018)8 concerning restorative justice in criminal matters*. The Polish team of core members: Dr. Anna Matczak, Dr. Beata Czarnecka-Działuk, Grzegorz Miśta and Dr. Honorata Czajkowska.

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168 Matczak, A. (2021). What is a Restorative City? *Archives of Criminology*. 43(2), 399–427. Matczak 2021.



problem was with in-person meetings, especially in face-to-face methods of solving problems and in local events, which required gathering people. Still, it has been noticed that the number of people, who needed to talk and discuss all concerns related to Covid-19 and the unknown future, has actually increased.

Despite the Covid-19 difficulties, the Wroclaw Restorative Justice Board is currently in the process of implementing short – and long-term action objectives (e.g. to hire paid by municipality an restorative justice coordinator, preparing for 2022 Restorative Justice Week, plan workshops and trainings dedicated to specific professions).

## **12.3 With whom?**

### **12.3.1 Governance model adopted for the design and delivery**

The design and delivery of the restorative city concept in Wroclaw has been applied through a multi-level and multi-agency governance model in particular at the local level. The Wroclaw Board for Restorative Justice, represents the central node in this model that is connected to other stakeholders in the city (including the Municipality). The contribution of the Wroclaw Municipality concerns predominantly financial aspects (mostly with funding the 2021 conference and other smaller events) as well as the continuous political support for the restorative city project.

There are still not enough effective campaigns to deliver knowledge and understanding of restorative justice to a number of different publics. There is still a lack of victims' participation in building restorative procedures. This could be caused by the reason mentioned above, or by the low engagement of justice system – especially lawyers (advocates, judges) and police – in restorative justice procedures.

When it comes to collaboration with/support from national authorities, although the project has neither received any support or attention at the national level, in 2022 the core members of the RJS4C – Polish Team, were invited to write a publication for the Polish Ministry of Justice about their involvement in this European partnership, and their views on the development of restorative justice in Poland, including the development of Restorative Wroclaw. In addition, in 2022, the RJS4C team shared its recommendations with the Ministry on how Polish Probation can participate and assist with the implementation of restorative justice services at a post-sentence stage in Poland.

As for collaborations with other restorative cities, before the outbreak of the Covid-19 pandemic, there was a plan for a closer cooperation between Wroclaw and the Italian city Como. The planned study visit had to be postponed until further notice. Nonetheless, there are still areas/fields of connection between Wroclaw and other European cities (not only restorative cities) in enhancing the restorative city project e.g. through the involvement in the EFRJ Restorative School Working Group.

## **12.4 Which results achieved/expected and why?**

One of the main goals that has been achieved is the formation and activities of the Wroclaw Board for Restorative Justice. The team's activities raise the residents' awareness of restorative justice, as well as help in developing interdisciplinary cooperation.

The implementation of restorative values requires coordination. Thus, the city is preparing to appoint a coordinator responsible for the development of the idea of restorative justice in the city.

The main factor supporting these results is the favourable approach of the city authorities, recognising the potential of restorative justice and implementing its principles and values as part of their own activities in the city

area. Moreover, there are numerous active NGOs operating in the city, often financially supported by the local government. An important element in the networking of resources was the city's strategy (formal document), leading to constant cooperation with NGOs (Long-term cooperation program of the City of Wrocław with non-governmental organisations in the years 2018–2022 and 2023–2027).

However, the journey of Restorative Wrocław has not been without challenges. The main problems are at the stage of implementing systemic solutions and consist in particular, of a lack of political will at the national level (punitive penal policy; lack of funds and financing). Most of the implementation of the principles and values of restorative justice are based on pro bono activities. The lack of central solutions means that we reach for local resources. A leader responsible for the development of the idea of restorative justice in the city could be the solution for that problem.

In Poland, we observe many different ways of understanding restorative justice and practices referred to as restorative justice, which do not necessarily adhere to its basic principles. There are still many practices that do not consider victim participation in criminal cases; these are processes that do not follow restorative values, that do not include any reparative element to those who have been harmed and do not require the consent of the offender. It is also important to start teaching and practising restorative justice from an early age. Thinking in this direction, we have one more practice area to consider: the school system, which is one of the top priorities for Wrocław.

## 12.5 Which lessons for future implementers?

Three main lessons stem from the building of Restorative Wrocław:

- It seems necessary to raise public awareness of both possibilities and limitations of restorative justice. For this purpose, it is worth

implementing educational activities, including social campaigns informing about restorative justice.

- There is need to implement and promote the value of restorative justice in the school space – it is worth teaching these principles from an early age.
- The implementation of the restorative values requires specific coordination. For this purpose, it seems reasonable to appoint a leader who oversees the implementation of the idea of restorative justice in the city.

## 12.6 Want to know more?

### CONTACT

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## 13 What's next?

The current travel guide is the first step of the tour undertaken by the Working Group on Restorative Cities around European/international restorative cities. The tour will continue in the coming years, including meetings and debates with other restorative cities around the world. If you are working on becoming a restorative city and want to meet the cities of the EFRJ Working Group on Restorative Cities do not hesitate to get in touch with the Group.

We also plan to widely disseminate the current guide to support cities in setting-up their restorative adventure through creating a series of blogposts on the journey of restorative cities included in the guide and through translating the summary of the restorative journey of cities included in the guide in national language and disseminating the blogposts and translations on the communication channels of the EFRJ and restorative cities.

Many new adventures are waiting for us! Follow us on our website to find out more: <https://www.euforumrj.org/en/working-group-restorative-cities>

