



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

Editorial

In 2002 Christa Pelikan conducted a follow-up study of recommendation R (99) 19 of the Council of Europe on mediation in penal matters. One of the main conclusions is that the recommendation has been influential to a remarkable degree. Moreover a European document such as the recommendation becomes influential, her study has shown, when dedicated people get together, perceive the document as supporting and promoting their cause and when they start using it.

Concerning the way the influence of the recommendation on the criminal policy came to bear in different countries, she divides the Czech Republic, Bulgaria and Russia in the group of countries where the recommendation was mainly noticed and used by NGOs and professionals outside the criminal justice system. It is precisely this dynamism of Eastern European NGOs which we find reflected in the further content of the Newsletter. Dagmar Dergelova of the Czech Probation and Mediation Service reports on an international workshop CEP has held in May of this year in Prague. Boris Abrashev com-

ments on the outcomes of a Bulgarian seminar which Help Foundation - a local NGO - set up in order to discuss the introduction of VOM in the criminal justice system. And Rustem Maksudov, representative of the Russian Judicial and Legal Reform Center gives an account of how a Russian delegation found out about restorative justice in prisons during a study visit in Belgium.

In our series of overviews of restorative justice in different countries, Paul Schroeder presents the state of affairs in Luxembourg. With VOM legislation for adults since 1999 and five years of experience with a VOM project for juveniles, the author concludes however that the concept of restorative justice has not made a major break-through yet. One of the reasons is that VOM for adults has been introduced in the law mainly for practical considerations concerning the management of the case flow.

The editorial board wishes all the readers an enjoyable summer and we hope to meet you in large numbers at the General Meeting of the Forum on September 13 in Lisbon.

Katrien Lauwaert

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Restorative justice developments in Luxembourg

1. Introduction

The present article presents a short overview about restorative justice practices in Luxembourg. While victim-offender mediation has been developing constantly over the last years, other restorative justice practices take more time to emerge. The only notable exception is peer mediation in secondary schools.

2. Victim-offender mediation

a) History

The idea of introducing victim-offender mediation started to emerge from the middle of the 90s onwards. The prosecutors of the judicial districts of Luxembourg and Diekirch¹ mentioned from 1995 on the possibility to formally introduce VOM in the penal procedure. Their main reason to promote VOM was to reduce the important number of cases where no action was taken

by the prosecution. The prosecutor of the district of Luxembourg, M. Robert Biever, was convinced that the lack of action is difficult to accept for the victim and the public opinion and at the same time, it encourages the author to re-offend. He considered that it is not necessary that every incivility needs a penal sanction, but that an offence where there is no action taken by the prosecution will have harmful consequences for the victim and the offender, especially if the number of dismissed cases is too high and concern facts that constitute a real breach of the public order².

At the same time, the head of the department for legal and social information of the National Youth Service, M. Jos Bewer, was confronted with a growing number of requests for information from young people who encountered real social and relational

problems that often resulted in the breaking-off of the social and family ties. In many cases, a judicial solution was not the appropriate answer to the problem. therefore, M. Bewer was looking for other means to help his young applicants. He believed that mediation would be the most appropriate way to help resolve the problems between the young people and their parents or the society. Concerning young offenders, the mediation process ensures that they can assume their responsibilities by facing their victims. For the latter, mediation has the advantages to understand what happened and permits quick reparation of their moral or material damage. Above all, the mediation process should (re-)establish the communication between the persons involved, so that their future relation is not harmed in a lasting way. The first steps on the field of restorative justice were undertaken from September 1997 onwards. M. Jos Bewer was able to gain the support of the prosecutor of the district of Luxembourg, M. Robert Biever, and of the deputy prosecutor in charge of the juvenile protection department, Mme Mariette Goniva. They agreed to start a pilot project for mediation with juveniles. A mediation centre ("Centre de Médiation a.s.b.l.") was established under the form of a non-profit organisation. After the first encouraging experiences in the field of VOM with juvenile offenders, the public prosecutors of the two judicial districts of the Grand Duchy suggested to formally introduce VOM for adult offenders in the code of criminal procedure. The Minister of Justice, on 18 February 1999, submitted a bill concerning penal mediation to the parliament. Only two months later, on 21 April 1999, the bill has been discussed and voted by the parliamentarians.

b) Victim-offender mediation with juveniles

VOM with juvenile offenders is for the moment only offered in the judicial district of Luxembourg and carried out by a single mediation centre. There is no explicit reference to VOM with juveniles in Luxembourg law. The magistrates of the juvenile protection department of the prosecutor's office will recommend to the young offender to contact the mediation centre. The recommendation of the prosecuting magistrate results from his power to decide on the appropriateness of the proceedings. On the one hand, the lack of a legal basis permits a rather flexible use of mediation without any restrictions concerning the referrals. On the other hand, mediation is not offered in all the judicial districts, which results in an unequal treatment of the offenders depending on where they committed the offence.

Even though there are no formal recommendations for referrals, VOM with juveniles remains restricted in general to minor offences. The following table represents the cases dealt with in the "Centre de Médiation a.s.b.l." during the last three years.

Offence	2000	2001	2002	Total
Theft	44	73	44	161
Assault & battery	30	29	22	81
Damaging/vandalism	10	21	11	42
Injury	7	3	8	18
Possession of stolen goods	0	3	1	4
Threat	0	1	1	2
Blackmail	0	1	1	2
Fraud	0	0	2	2
Burglary with forced entry	1	0	0	1
Sexual offence	0	0	1	1
Slander	0	0	1	1
Neonazism	0	0	1	1

After almost five year of experience with VOM with juveniles in Luxembourg, one can say that the results are encouraging, as in about 70% of the cases, people managed to find an mutual acceptable arrangement. The time has come to extend VOM with juveniles over the whole country, in order to give the opportunity to all young offenders and their victims to benefit from restorative justice practices.

c) Victim-offender mediation with adults

VOM with adults is for the moment the only mediation practice in Luxembourg that is governed by a specific law³. The law gives the possibility to the public prosecutor to refer a case to mediation if such a measure permits the reparation of the damage caused to the victim, or puts to an end the trouble resulting from the offence, or contributes to the reintegration of the offender. The Luxembourg law is largely inspired by the French law of 1993.

According to the preamble of the parliamentary bill, the aim of the law is to give a supplementary instrument to the prosecution to deal with petty crimes, in order to reduce the number of cases where no action was taken. The bill considers that mediation presents the following advantages:

- the rapidity of the procedure;
- the flexibility of the outcome which allows a personalised response for each offence;
- the possibility to offer a consensual answer to an offence, based on the dialogue and the free participation of the parties.

The law says furthermore that the mediator must inform the prosecutor at the latest eight months after the referral of the outcome of the mediation. Under exceptional circumstances, the mission may be extended for 4 months. Mediators in penal matters must be accredited by the Ministry of Justice. The law requires that the mediator satisfies the conditions of respectability, competence, training, independence and impartiality. Unfortunately, the law does not specify what the training requirements are. This leads inevitably to major differences in the qualifications of the mediators. While some mediators set themselves standards of quality, others have followed no training at all. There is no doubt that the lack

of qualification criteria is harmful to the credibility of mediation in general and to the reputation of the mediator. Criteria of quality and qualification which are serious, controllable and controlled are simply essential for mediation to become a real instrument of restorative justice in Luxembourg.

VOM with adult offenders is offered in the whole country since it has been introduced in the code of criminal procedure. Most mediators who have been accredited are lawyers. The "Centre de Médiation" is the only NGO which is working in the field of VOM. All the mediators working for the centre have been accredited on an individual basis. They come from different professional backgrounds (social workers, psychologists, educators, legal professions, etc.) and they all received training in mediation.

Statistics concerning the use and results of penal mediation are difficult to obtain. For 2002, the number of cases referred to mediation can be estimated at about 120. Compared to the impressive number of complaints lodged every year (about 40.000), one must admit that penal mediation remains a marginal instrument of dispute resolution. Of course, this conclusion must be moderated by the fact that many complaints are not suitable for mediation (e.a. offender unknown, lack of a victim, etc.).

3. Other restorative justice practices

For the moment, there are no programmes in Luxembourg that offer family group conferences or circles and there are no projects to introduce such practices in a near future. Penal mediation is restricted to the prejudicial stage of the procedure. Restorative justice practices in prisons do not exist either.

The only non-judicial form of restorative justice that exists in Luxembourg is peer mediation in schools. Such programmes exist in about 12 secondary schools throughout the country. The pupils are trained by external trainers to mediation in conflicts between other

Russian delegation finds out about RJ in Belgian prisons

A Russian delegation visited Belgium in April to find out how restorative justice (RJ) programmes are organised there in prisons. This visit was made possible with the support of Penal Reform International (which helped in translating preparatory documents), the Catholic University of Leuven and the European Forum. During the visit, meetings were organised with the co-ordinators of the RJ initiative in prisons, mediators who organise meetings with victims and prisoners, as well as prison staff. An important part of the visit was also participating in the Tour of Belgium (see vol. 4, issue 1) together with the students of the European Master in Mediation. In the RJ initiative in prisons, conducted by the Belgian Ministry of Justice, it is clear that the role of the co-ordinator is very important. She does not organise RJ programmes in prisons, but primarily works with prison

pupils. The training is organised by the National Youth Service, in collaboration with the Ministry of Education. Beside the mediating skills, the pupils learn how to deal with conflicts and violence in their everyday life. Thus, the aim of the project is not only conflict management, but also to develop the social competencies, the self-esteem and the empowerment of the pupils and to stimulate their participation in school life. The peer mediators are accompanied by adult coaches in their schools. The biggest challenge for the mediators and the coaches remains to receive cases to mediate and thus, to convince the teachers, the pupils and the administrative personnel of the benefits of peer mediation for improving the climate within the schools.

4. Conclusion

The present summary shows that the concept of restorative justice has not made a major breakthrough yet. Probably, the concept is unknown to most policymakers and judicial professions. The introduction of VOM with adults in the criminal procedures was mainly guided by practical considerations concerning the management of the case flow. Nevertheless, elements of restorative justice principles can be found in the essence of the law. It belongs now to the practitioners to act accordingly to those principles and to help to develop high standards of restorative justice in their mediation activities.

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Further information may be found at the following web sites:

www.mediation.lu (for information on the "Centre de Médiation")

www.legilux.lu (for legal references)

1. Luxembourg is divided into two judicial districts: the district of Luxembourg city, which is competent for the South and the centre of Luxembourg, and the district of Diekirch, which is competent for the northern part of the country.
2. Ministère de la Justice, Rapport d'activité, Service Central des Imprimés de l'Etat, 1996.
3. Loi du 6 mai 1999 relative à la médiation, Mémorial A - N° 67 du 11 juin 1999, Service Central de Législation, 1999.

staff and prisoners, and creates conditions for the positive perception of the ideas and techniques of RJ. Supporting their work is an alternative to the administrative forms of promoting RJ. Experience of working with prisoners in crime victim programmes was also of immense interest to the Russian delegation.

The discussion about the Belgian situation with the students of the European Master in Mediation was interesting. An important topic in the discussion was the professionalisation of mediation as a form of activity.

The Belgian initiative of RJ in prisons is undoubtedly one of the most important and interesting elements in the world movement for RJ.

**Rustem Maksudov, Director of the RJ programmes
Judicial and Legal Reform Center, Moscow, Russia**

Readers' Corner

- *La médiation pénale*, Mbanzoulou, P. (2002). This small book briefly presents the laws regulating victim-offender mediation in France and its practices. It is meant to be a guide for all those who would like to get a first view on the subject. Available from L'Harmattan, <http://www.editions-harmattan.fr>.
- *Restorative Justice Initiatives in the Garda Síochána. Evaluation of the Pilot Programme*, O'Dwyer, K. (2001). This report presents the results of an evaluation of the Garda pilot programme of restorative justice cautions and conferences for juvenile offenders. The purpose of the pilot was to explore the process and build up skills and experience. Available from Garda Research Unit, e-mail: gru@iol.ie.
- *Repositioning Restorative Justice. Restorative justice, criminal justice and social context*, edited by Walgrave, L. (2003). The central theme of this book is the positioning, or repositioning, of RJ in contexts where it can offer hope to communities both fearful of crime and looking for more socially constructive responses to crime. At the same time RJ practitioners seek definition in relation to the kinds of crime it is appropriate to apply RJ to, how it relates to different forms of punishment, to rehabilitation, and how it fits in with criminal justice systems and the law of different countries - how to reconcile the informal, participatory philosophy of RJ with formal legal processes and the need for legal safeguards. Available from Willan Publishing, e-mail: sales@willanpublishing.co.uk, fax: +44 1884 840 251, <http://www.willanpublishing.co.uk>.
- *Youth Offending and Restorative Justice. Implementing reform in youth justice*, by Crawford, A. and Newburn, T. (2003). This book provides an informed account of recent changes to the youth justice system in England and Wales. Focusing on the introduction of elements of RJ in the criminal justice system, the authors show how these RJ elements fundamentally change the underlying values of the system. Available from Willan Publishing, e-mail: sales@willanpublishing.co.uk, fax: +44 1884 840 251, <http://www.willanpublishing.co.uk>.
- *Restorative justice in context. Internal practice and directions*, edited by Weitekamp, E. and Kerner, J. (2003). This book includes a selection of papers originally presented and discussed at the 4th international RJ conference held in Tübingen. It provides an interesting review of international practices and their context of development. Available from Willan Publishing, e-mail: sales@willanpublishing.co.uk, fax: +44 1884 840 251, <http://www.willanpublishing.co.uk>.

Restorative justice seminar in Varna, 16-17 May 2003

On 16-17 May 2003 a seminar entitled 'Towards Restorative Justice - introducing Victim-Offender Mediation into the Criminal Justice System' was held in Varna, Bulgaria. The seminar was organised by the Help Foundation, a local NGO working in the field of crime prevention and rehabilitation of ex-offenders. The seminar was supported financially by the Council of Europe within the framework of Integrated Projects 2 - Against violence in everyday life in a democratic society.

The aim of the seminar was to raise public awareness and to discuss with Bulgarian criminal justice professionals the potential of alternative dispute resolution methods such as victim-offender mediation (VOM). It also aimed at introducing restorative justice (RJ) principles and at opening discussion towards their application in the Bulgarian legal context. A further aim was to adopt practical steps to move the implementation of the idea forward and to initiate changes in the law to enhance the application of VOM and RJ.

The Help Foundation sent invitations to around 60 people, including the Minister of Justice, MPs, the Directors of the Prison Service and the Police and Investigation Department, the Mayor of Varna, judges and prosecutors of different courts, and the prison governors and senior staff of several prisons. Local and

central NGOs working in the field of crime prevention and protection of rights as well as volunteers from the pilot probation centre in Varna were also invited. The Minister and Deputy Minister of Justice apologised for not being able to attend, but sent the Chief Expert of Foreign Liaison of the Ministry to attend. The Council of Ministers was represented by the Secretary of the Commission for fighting anti-social behaviour of young offenders. The Mayor accepted to address the seminar but could not come at the last minute. The seminar was addressed by Mr Nasko Rafailov, a Varna MP from the ruling majority, member of the Parliamentary Commission for Public Order and Security and former Director of the Varna Police Department. On behalf of the Council of Europe the seminar was addressed by Mr Jean-Pierre Titz, manager of the above mentioned Integrated Projects 2, who conveyed the greetings of the Secretary General.

The seminar was opened by Mr Jean-Pierre Titz who acquainted the audience with the objectives of the project 'Against violence in everyday life in a democratic society' and who pointed to the effects of RJ and VOM in reducing violence in the community and in society.

Mrs Iliana Taneva of the Criminology and Penology Department of the Council of Europe presented VOM

from the perspective of the Council of Europe and explained the concept of RJ and future opportunities for Bulgaria to make use of the recommendations of the Council of Europe in this respect.

Dirk Dufrain of Suggnomè (Belgium) and Niall Kearney of SACRO (Scotland), the two foreign experts, presented background information, principles and applications of VOM and the way this works in their countries.

The presentations were well structured and clear in terms of the practical application of this approach. They were also highly professional when addressing legal or theoretical issues. The presenters were very open to discussions and took as many questions as the participants had. In fact, the fact that people were open for discussion was one of the great merits and successes of the event. The participants had the opportunity to exchange ideas and verify concepts, and to clarify what the advantages and disadvantages are of VOM for their specific line of work.

A Bulgarian Court of Appeal judge, Violeta Boyadjieva, gave a lively presentation on the traditions and application of RJ principles drawing from Bulgarian custom law. She recommended the legislative initiative to go into the direction of extending the meaning of art. 414 of the Bulgarian Penal Code, which for the time being only allows for an agreement between the offender and the prosecution. She pointed to the need of penal mediation becoming statutory and of cases being referred to mediation centres by the courts.

In the end a SWOT analysis was carried out to identify the strengths, weaknesses, opportunities and threats in the introduction of VOM in the criminal justice system. A lot of questions were asked by the participants concerning the various aspects of the approach, the qualifications and training of the mediators and the way to measure success. Apart from one participant's opinion, showing doubts about the effectiveness of VOM, most participants were positive and optimistic about the success of the method.

It was generally agreed that:

- VOM gives an opportunity to the victim to take part in the process more actively than in the traditional formal trial.
- It gives an opportunity to the victim to ask questions and request the restoration of damages.
- It gives an opportunity to the offender to apologise and offer reparation of damages.
- It gives an opportunity to the offender to better understand the consequences of his offence and to better address his offending behaviour.
- It saves the criminal justice system time, costs and efforts in dealing with cases of non-serious crime by referring them to mediation.
- It helps the community to deal with their own prob-

lems in a more efficient way.

- It should be applied alongside the criminal justice system.
- Steps should be taken to promote and encourage the introduction and adoption of other countries' good practices in the area of RJ and VOM.

In their attempt to form a vision for the future, the participants decided to set up a Steering Committee which is to include members from various professions - a politician, judge, prosecutor, prison officer, teacher, psychologist, lawyer, social worker, youth worker, foreign consultant, etc. - to advocate and promote the idea of RJ and VOM. The Committee will also have some practical jobs to do, such as:

- agree on cases suitable for reparation or diversion from the courts;
- agree on aims and objectives for a mediation centre;
- work out procedures and standards for practice;
- decide on the structure of the service (interagency or independent);
- recruiting, appointment, training of staff, payment and job description.

To communicate the effects of the seminar to a wider audience, to maintain the momentum and to bring forward the process, the Help Foundation is to post a website on RJ and VOM (in Bulgarian). This will feature information on events, translations of articles to raise awareness, provide a discussion forum for different professional groups, have a message board and provide links to other organisations or access to resource rooms. A small brochure will be published to give initial information on RJ and VOM to a wider public. The Help Foundation is also planning to organise a short (one-week) study visit of a small group of Bulgarians (up to eight people) to a West European country where the participants will have the opportunity to gain hands-on experience of good practice. Financing of this initiative is required and we will apply to interested donors for funding.

The seminar was covered by the local and central press and TV media. A half hour press conference was planned which stretched well over an hour and a half due to the great interest of the journalists in the application of non-custodial sentencing as means of reducing the prison population. The issue whether this approach will bring about a reduction of crime and re-offending was much debated too. The National TV Channel 1 broadcast a short briefing of the event in the evening news.

To conclude, the seminar was a definite success and enjoyed by participants, presenters and organisers. We do thank our partners once again and hope for further opportunities to work together.

**Boris Abrashev, Project co-ordinator
Help Foundation**

Follow-up study of Recommendation No R(99)19 of the Council of Europe

In September 1999 Recommendation No R (99) 19 on 'Mediation in Penal Matters' was adopted by the Committee of Ministers of the Council of Europe. The group of experts that had drafted the document brought together representatives not only of different member states but also of different professions: judges, state prosecutors, researchers and civil servants. In the course of two and a half years' work they had proved a dedicated group, many of them willing to invest more of their time and energy into the further development of victim-offender mediation (VOM). The foundation of the 'European Forum for Victim-Offender Mediation and Restorative Justice' in December 2000 was partly stimulated by some of the same experts wanting to contribute to the implementation of VOM and of what has come to be known as restorative justice.

In 2002, the Criminological Scientific Council, an advisory body of the European Committee of Crime Problems (CDPC) within the Council of Europe commissioned a follow-up study of Recommendation No R (99) 19, and I was, as the former chair of the Committee of Experts, entrusted with the task to investigate what had become of VOM in Europe and to what degree and in which way the Recommendation had exerted an influence; finally: what were the preconditions of the document to be experienced as useful and helpful.

To answer these questions, I decided to turn to the former members of the Committee of Experts and to those colleagues I had got to know in the European Forum and ask them through a short questionnaire about the situation in their country and about the ways the Recommendation had been implemented. The responses provided the basis for a seminar held during the 2nd conference of the European Forum, held in Oostende, October 10-12, 2002.

The main result of the investigation and of the discussion at the seminar can be summarised thus: **The Recommendation had been influential to a remarkable degree.**

We found considerable variation with regard to the strength of the influence and precisely how it came to bear upon a country's criminal policy. We discerned four different types of influence:

1. *The Recommendation served as an important instrument of orientation and support and even puts its mark on national legislation.* The following countries can be seen as coming into this category: Finland, Slovenia, Cyprus, Poland, Belgium, and to some degree also Italy.

2. *The Recommendation has mainly been noticed and used by NGOs and individual professionals outside the criminal justice system and thus exerted some limited*

influence. The Czech Republic, Albania, Bulgaria and Russia provide examples of countries where the influence of the Recommendation was exerted exclusively via NGOs.

3. *The Recommendation has contributed to and enhanced a national policy establishing VOM.* Within this group we find most of the countries of Western and Northern Europe, together with Germany, Austria and Spain. In some of these countries (Austria, Germany, Norway, France, UK) the development of VOM practices and of VOM legislation was taking place in the years - or even decades - prior to the issuing of the Recommendation.

4. *The Recommendation has contributed to the introduction of VOM.* Here I would include the Netherlands, Sweden, the Republic of Ireland and Portugal.

There remain a few countries where the Recommendation has not been taken much notice of or has even been neglected - at least until recently: Denmark now seems to be making an effort to try out VOM at various stages, at the police level as well as the court level; Greece still remains 'untouched' by VOM.

Turning to the second main question posed in the study, namely the ways the influence of the Recommendation as an international European document came to bear upon a country's criminal policy, I will put forward a somewhat trivial (or rather, tautologous) statement: **A document becomes influential - and thus useful - when it is made use of.** In other words: People dedicated to a cause have to get together; where and when they perceive the document as supporting and promoting their cause, they will use it. Or in the words of Ivo Aertsen answering the questionnaire for Belgium: *"The Recommendation is an effective instrument, when you have people in a country picking it up and working with it effectively"*.

There are different paths towards starting action and movement, and towards promoters drawing on the support of the Recommendation:

1. *The users and promoters can be individuals that stand in close relationship to the government and/or are representatives of criminal law professions, e.g. state prosecutors.*

2. *NGOs that are active in the field of VOM take up the Recommendation and 'confront' their respective governments with its content to support their cause.*

3. *There is a special case for the Recommendation in the Eastern European countries:* Their governments, when challenged by NGOs, are often quite ready to comply with European standards and values as enshrined in the documents of the Council of Europe. But the example of these countries also illustrates the difficulties of

taking on board the new paradigm contained in the Recommendation by the agencies of the criminal justice system and its representatives.

4. Finally, we find the Recommendation as reinforcement of national developments already on their way to implementing VOM. This type of influence cannot be measured.

CEP workshop, Prague, 15-16 May 2003

'Justice and Balance: Victim, Offender and Community Perspectives' was the theme of the CEP workshop held in Prague on 15-16 May 2003. The participants came from various European countries. They were mostly members of Probation Services, but there were also judges, public prosecutors, prison service staff and social service staff.

During the first day following speakers presented their contributions: Restorative Justice: Theory, Strategy and Contribution to Justice (Eithne Wallis, UK), Restorative Justice and the role of the prosecutor (Gordon Petterson, Norway), Victim oriented work with offenders post-sentence (Ivo Aerten, Belgium), Probation and Mediation - under the roof of one organisation (Pavel Stern, Czech Republic).

The second day the workshop was based on circles of participants which gave a great opportunity for discussion, exchange of views and experience. We were left with much to think about.

Representatives of probation and mediation services (PMS) came from more than 10 European countries. In some of them PMS have a long tradition and a quite stable position in criminal justice. Other PMS have been operating only for a short time and in several countries are being established even nowadays.

Differences in practice came up both during the introductions about each country and during work in small groups on particular cases. These differences arose from national legislation and from the different cultural contexts. In some countries probation activities start pre-sentence, in the others post-sentence. There are also differences in working with offender or victim. We also discovered differences in the level of special-

Newsflash

- The UNICRI website (http://www.unicri.it/annual_workshop_2002.htm) includes the papers of the UN Crime Prevention and Criminal Justice Programme Network: Annual Workshop 2002, 'Criminal Justice Reform: Lessons Learned, Community Involvement and Restorative Justice', held last year in Vienna during the 11th session of the UN Commission on Crime Prevention and Criminal Justice.
- In Denmark, a report on the pilot experiment which started in 1994 in three police districts and which

In general these developments point to a specific quality of work in a European and international context. They point to the potential of discourse and exchange that can inspire local and national discourse.

Christa Pelikan, Institute for the Sociology of Law and Criminology, Vienna

isation among probation staff - from people focused only on one particular type of punishment (e.g. community service) up to the global conception when the probation officer is practising probation and mediation together. Other variations concerned voluntariness, client's obligation to co-operate with the probation service and corresponding sanctions, etc.

In spite of all differences stated above, discussions were not only about persuading others of the advantage of one's own way. On the contrary, the discussion flowed in admirable harmony. The reason seems to be very simple - in the core of each individual approach we can always find some general idea of restorative justice which everyone tries to carry out by their own practice. All the various approaches agree on a general need for compensation for damages caused by criminal activities as well as moral support for the victim, for balancing the relations between offender and the community he lives in, and for helping the community understand criminal acts as conflicts of parties and interests.

This seems to be a task to which a lot of approaches aspire. It is not possible to find one universal method; it might even be counter-productive by losing unique approaches that are effective in our particular circumstances. But on the other hand, it is useful to be aware of many other possibilities; approaches that have worked properly in one country can also work elsewhere. We can learn from each other.

The workshop gave us a great opportunity to do this with helpfulness, friendliness and with good humour.

**Dagmar Dergelova - probation officer
Probation and Mediation Service, Czech Republic**

is run by the 'konfliktråd' (council of conflict), was sent recently to the Minister of Justice. Project leaders expect VOM to be developed in a permanent and nation-wide way after this long period of experimentation. The Minister of Justice has not taken her decision yet.

- The European Forum has been nominated for the 2003 Restorative Justice Award. The Restorative Justice Award is run by the Prison Fellowship International Centre for Justice and Reconciliation.

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Bulletin Board

- September 11-12, 2003, Lisbon (Portugal), 'Protection and Promotion of Victims' Rights in Europe', International Dikê Seminar, organised by the Portuguese Victim Support Association (APAV). The seminar envisages promoting a joint reflection on victims' issues, in a comparative perspective of the different procedural systems, on the protection and promotion of victims' rights, particularly in what refers to legal assistance, VOM and witness protection. For more information contact APAV at apav.sede@apav.pt.
- September 13, 2003, Lisbon (Portugal), Annual General Meeting of the European Forum for Victim-Offender Mediation and Restorative Justice. For more information contact the Secretariat at jolien@euforumrj.org or visit the website <http://www.euforumrj.org>.
- September 24-27, Vienna (Austria), 3rd Vienna Conference for Mediation 'Culture meets culture. Mediation in the 21st Century'. The focus of the conference will be on: understanding cultures (1st day), 'Whom does this world belong to?' (2nd day), examples of conflict resolutions with mediation in different cultures and of different cultures of mediation (3rd day), and 'Where to? Future in conflict' (4th day). For more information see http://members.magnet.at/argesozaed.akad.psych/culture_meets_culture.htm.
- September 26-27, 2003, Sion (Switzerland), 'Victim-Offender Mediation and Restorative Justice Symposium', 2nd International seminar on restorative justice and mediation from a comparative Franco-phone and Anglophone perspective, organised by the Institut Universitaire Kurt Bösch and supported by the European Forum for Victim-Offender Mediation and Restorative Justice. For more information contact cdfc@iukb.ch or look at the calendar section of the European Forum website.
- October 15-17, 2003, Bordeaux (France), 'Mediation and Politics', International Symposium organised by the CERVL. For more information visit <http://www.cervl.u-bordeaux.fr>.
- November 2-5, 2003, Nashville, Tennessee (USA), 20th Annual VOMA International Training Institute and Conference. More information available at <http://www.voma.org>.
- November 28, 2003, London (UK), the 5th Annual Restorative Justice Consortium conference, 'Restorative Justice. The Future'. For more information contact info@restorativejustice.org.uk or visit <http://www.restorativejustice.org.uk>.
- April 18-25, 2005, Bangkok (Thailand), the 11th UN Congress on Crime Prevention. Enhancing criminal justice reform, including RJ, will be one of the topics to be addressed at the congress workshops. For more information see <http://www.unis.unvienna.org>.

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Submissions: The European Forum welcomes the submission of articles and information for publication. Please contact the co-ordinator. Submissions may be edited for language and length.

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