



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

## Editorial

During the hot summer of 2003 the international restorative justice (RJ) community did not rest and continued on its way. For over three decades this journey has continued to be an exciting challenge and even an adventure, and to attract new adherents.

Everyone needs a good friend during a long journey. Luckily, RJ supporters are always good and true friends who will never abandon you in times of need.

Anyone who ever starts a journey would hope to reach their destination some day. We are all confident that this march will reach its goal, despite the hindrances, and the next, even more ambitious goal is already on the horizon.

As far as the summer and the fall of 2003 are concerned, they really were packed with events, both on European and world level, and from this issue of the Newsletter you will learn a lot about many of them.

Theo Gavrielides draws your attention to his analysis of the eternal dichotomy between theory and practice, in our case: RJ theory and practice. You can decide for yourselves whether the abyss has become wider or a bridge has been built.

## Meeting of the European FGC Network

Just recently, on 28-29 of November 2003, practitioners, researchers and policy-makers met in London to discuss the possibilities and developments with regard to Family Group Conferences (FGC) in Europe. The seminar was limited to five presenters per country, with the following countries represented: Belgium, Denmark, England, Finland, the Netherlands, Northern Ireland, Norway, Poland, Russia, Scotland, Sweden and Wales. Four main themes were discussed in small groups: mainstreaming FGC; research and evaluation; children and young people; and co-ordinators. A remarkable point: most presenters work in the field of social work and youth justice was overly underrepresented with only Belgium, the UK and the Netherlands.

Vira Zemlyanska informs us about the latest developments in RJ practices in Ukraine. Jolien Willemsens presents some details from “the kitchen” of the European Forum - the decisions taken during the Annual General Meeting of the Forum. She also presents the two projects that the Forum is running with the help of the European Commission.

And, finally, from Ivo Aertsen you will learn about the flying start of the COST Action A21 “Restorative justice developments in Europe”. The fruitful deliberations and the outstanding willingness to work together for RJ, without any doubt serve as a guarantee for further positive developments.

Furthermore, a relatively great number of new people and organisations have joined the RJ community recently. Some of them have already successfully passed through the first tests of the long journey. On behalf of the Editorial Board I wish to welcome the new comers and to assure them that we will support and rely on them.

Let's continue our journey in this European landscape of RJ ...

**Dobrinka Chankova**

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# Restorative Justice Theory and Practice: Mind the Gap!

## A new era for RJ; but where to go?

In the light of the numerous international and European legislative changes, policy documents, position statements, background papers and research findings advocating in favour of Restorative Justice (RJ), the UK government has finally acknowledged that it is now time to move RJ to a different level. Its first official step was taken with the release of a consultation paper (Strategy Document) on its policy on RJ.<sup>1</sup> In the foreword, the Home Secretary noted: “We are still learning about where RJ works best ... good research evidence is important ... if [RJ] provides better quality justice, it could be an investment worth making”.

This call for additional evidence led to the carrying out of a new qualitative study with practitioners, researchers and policy makers in the RJ field. In fact, its impetus came from initial fears of discrepant patterns in the way RJ's theory and practice have developed in the last thirty years.<sup>2</sup>

## Showing the Way

The survey started in June 2002 and finished in August 2003, only days after the release of the Strategy Document. It was divided into two phases. The first included the analysis of forty questionnaires that were sent to practitioners, researchers and evaluators from the criminal justice systems of eight countries. All respondents, irrespective of what their current profession is, had experienced RJ on a practical level, while at the time of writing, almost no one had their views on the questionnaires' themes published. The survey also found it important that it addressed a sample that would represent both models in which Western criminal procedures have been divided: *Adversarial/Common Law* (Sample from: the UK, New Zealand, USA, Canada, Australia, South Africa) and *Inquisitorial/Continental* (Sample from: Spain, Austria, Italy).

The analysis of the questionnaires had three main outcomes. First, it generated data that allowed the testing of the central hypothesis. In particular, it provided direct and indirect evidence, which showed that a great number of RJ practitioners are not interested in its theoretical principles. In fact, it appeared that many believe that if practice is to move forward then it should only be informed by previous or additional practice and empirical evidence on ‘what works’. Others believe that there has been a lot done in the theoretical world of RJ, and that what is really needed now is to shift the focus to its actual application. On the other hand, theoreticians were accused of being distant or even detached from reality. They sometimes expound philosophies that do not take into account the day-to-day mundane problems of practice, and this usually results in producing theories that are weak in their applicability, or some-

times defective. Second, it identified four themes that appeared to be problematic in RJ's development, and which occurred due to the discrepancy. These included:

- (a) the way RJ is understood and defined
- (b) the way it is funded by governmental and private funding bodies
- (c) the way facilitators are trained and
- (d) the way programmes are put into practice, and the effect that the process has on the restorative nature of their outcomes.

Finally, it made suggestions on how to bridge the gap between the theoretical and practical development of RJ, addressing the above four problematic themes.

The second phase included interviews with almost all major stakeholders in RJ's current and future development in England and Wales. These included: the Home Office, the Youth Justice Board, Victim Support, Mediation UK, Thames Valley Police, the Restorative Justice Consortium, the Justice Research Consortium, CONNECT and Prison Reform Trust. The questions followed up the above four themes, and aimed at collecting information as to what these organisations thought about them. Each interviewee stressed what appeared to be most problematic in their eyes, and this was usually associated with their organisational responsibilities and primary interests.

In general, phase two of the study confirmed the overall conclusion of the questionnaires about a discrepancy in RJ's development. In addition, by focusing on the criminal justice system of England and Wales it provided further evidence relating to this system. The discrepancy was mainly attributed to the difference that exists between the practical priorities of the various schemes and mediation programmes and the abstract theoretical norms of RJ's concept. In other words, a great number of the practical problems that are associated with the every day application of RJ:

- (a) are not dealt with by applying the theoretical principles that are available in the literature
- (b) are sometimes caused because people that implement RJ do not always use the principles in the first place
- (c) even if when some practitioners seek guidance from the theoretical work that has been done in the field or from empirical research on ‘what works’, the first is sometimes too distant from reality while the latter is not updated or well carried out.

The result of this is having practice walking most of the times without theory by its side, and vice versa. One interviewee said: “My impression is that practitioners are leading practitioners...” while someone else claimed: “The RJ theory doesn't suit practice ... I think practice should be now driving evaluation and additional practice ... theory is holding practice back...”.

The study concluded by attempting suggestions in how to move RJ forward keeping in mind the importance of addressing all the above organisations' concerns without putting at stake RJ's original normative values. Overall, the conclusions drawn address most of the consultation questions of the Strategy Document.

**Theo Gavrielides, Researcher,  
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## Newsflash

- A British member of parliament, John McDonnell, introduced a Bill into the House of Commons on 14 October 2003, to propose that the government should establish a Ministry of Peace. This would provide within government an expertise in non-violent conflict resolution, and promote greater understanding of it. It would support research into the

## Dikê seminar, *Protection and promotion of victims' rights*

The Dikê seminar, *Protection and promotion of victims' rights in Europe*, organised on 11-12 September 2003 in Lisbon, brought together the two European organisations particularly concerned with victims and offenders in the criminal proceedings: the European Forum for Victim Services (EFVS) and the European Forum for Victim-Offender Mediation and Restorative Justice (EFVOMRJ). The Portuguese victim services' organisation APAV hosted the seminar. Thus the seminar was opened by the chairs, Manuel António Ferreira Antunes (APAV), Dame Helen Reeves (EFVS) and Ivo Aertsen (EFVOMRJ), clearing out issues which were common to or difficult to agree upon between the organisations.

Reeves reviewed the standing of the victim in criminal proceedings. She stated that an independent monitoring of victim support (VS) is needed in each country. There is a lack of funding, training and provisions for the implementation of victims' rights in every country. Even if there is a law it does not necessarily work. Aertsen underlined that legal rights are not sufficient, there is a need for a supportive framework. Restorative principles may be implemented at all stages in the criminal proceedings. One may look upon restorative justice (RJ) as a 'grass root movement'.

The seminar was organised in 5 different panels, presenting:

1. The state of affairs in European policies concerning legal assistance, witness protection and compensation.
2. Assymetric developments in RJ in Europe.
3. Key issues in developing penal mediation and other RJ practices.
4. Victims' rights to mediation.
5. VS in Eastern accession countries.

The full report will be published soon. For further information contact: T.Gavrielides@lse.ac.uk

<sup>1</sup> Home Office 2003 'Restorative Justice: The Government's Strategy', London: Home Office. The document can be downloaded from <http://www.crimereduction.gov.uk/workingoffenders42.htm>

<sup>2</sup> Theory was defined as the group of the core normative values that form RJ's backbone, while practice is understood as the collection of the programmes through which it is put in action as well as the empirical projects that are conducted to evaluate its effectiveness.

causes and impacts of conflicts and the avoidance of violence, through methods such as community peace-building initiatives. It would aim to educate children to ensure that mediation become the automatic response to a problem; domestic and international policies would be tested by the central question of whether they reduce conflict and violence, or reduce the risk.

Having listened to the presenters in the panels and the comments/questions afterwards, some observations and conclusions emerged to me:

- There seem to be obvious differences in interests between the 'VS people' and the 'RJ people'.
- It seems obvious to the VS people that
  - the dichotomy victim/offender is a useful one, whereas this is not the case for RJ people
  - victims need help and treatment (which is often, but not always, the case), but offenders always receive it (although they often do not)
  - the risk of revictimising the victim is present in criminal proceedings, whereas the problem of re-penalisation of the offender is non-existent.
- There are considerable differences in definition, implementation and practices of both VS and of RJ in the various European countries. Thus the level of understanding of each others' knowledge, opinions and arguments may be surprising to many and needs thorough investigation, such as:
  - the different ways in which VS and RJ are implemented in or outside criminal proceedings, laws or rules
  - the differences in experience concerning professionalism in VS and RJ, especially paid legal and health/social professionals versus non- or symbolically paid lay people as assistants, helpers or mediators/conference facilitators. This is particularly interesting when discussing 'grass root movements' and horizontally or vertically organised justice etc.

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## Readers' Corner

- *40 cases. Restorative Justice and Victim-Offender Mediation*, Mediation UK, edited by P. Crosland and M. Liebmann (2003). This collection of case studies provides accounts of a restorative approach being used at all stages of the criminal justice process (from cases that are diverted up till post custody interventions) and with a very wide range of offences (from theft of a handbag to manslaughter). The cases provide a good overview of the difficulties that one may encounter in restorative approaches, as well as the elements for a successful 'encounter'. This book is of tremendous value in training new mediators/facilitators (in order to show them at what different levels restorative justice can work, to illustrate that restoration does certainly not mean the same thing to everyone and to provide information on how to overcome difficulties), but also in explaining policy makers and criminal justice professionals what RJ is and how it can work. Available from Mediation UK, <http://www.mediationuk.org.uk>.
- *La médiation pénale. Guide déontologique et méthodologique*, Citoyens et Justice (2003). This updated guide on penal mediation in France concentrates on the deontology of mediation, places mediation in relation to other methods of conflict resolution and discusses the different legal texts that provide the framework for penal mediation. Available from Citoyens et Justice, <http://www.citoyens-justice.fr>.
- *Restorative justice. Critical issues*, E. McLaughlin, R. Fergusson, G. Hughes and L. Westmarland (eds.) (2003). This book brings together key international writings that trace the development of RJ from its diverse beginnings to today's global policies and practices. The collection is constructed around the themes of: the theoretical and ideological origins of RJ, key principles and substantive practices associated with RJ, controversial issues and debates, and future directions and possibilities. Available from Sage Publications, <http://www.sagepub.com>.
- *Accountability in Restorative Justice*, D. Roche (2003). To answer concerns that RJ programmes may degenerate into 'kangaroo courts' in which participants bully and humiliate each other, this book draws upon extensive fieldwork to explore the nature, function and effectiveness of the accountability within this kind of informal justice. It suggests a new approach, in which judges become more involved in monitoring the quality of deliberation in RJ conferences than with enforcing traditional sentencing principles. This is a very useful book for anyone who is interested in the critiques of RJ. Available for Oxford University Press, <http://www.oup.com>.
- *Eigen Kracht. Family Group Conference in Nederland. Van model naar invoering*, R. van Pagée (ed.) (2003). In this book, the strength of conferences are described from different perspectives: the New Zealand experience and the English experience. In the Netherlands conferences were developed in the framework of youth care. The first Dutch results confirm the positive data from research in other parts of the world. 'Eigen-kracht' (own strength) conferences have the potential to change the system of youth care in an essential way. Available from Uitgeverij SWP Amsterdam, <http://www.swpbook.com>.

## Restorative justice developments in Ukraine

Since 1994 the Ukrainian Centre for Common Ground has built and strengthened individual and institutional capacity in Ukraine to deal with conflicts constructively and cooperatively. Informing all of UCCG's work is the vision of transforming Ukraine by cultivating a sense of possibility and personal stake in the future of Ukrainians and by promoting the attitude and skills necessary for them to identify and solve their problems and conflicts in a peaceful and non-adversarial way. The UCCG is a programme of Search for Common Ground and the European Centre for Common Ground, registered as a Ukrainian Philanthropic Organisation. Within this broader vision, UCCG has launched the Restorative Justice Initiative to develop and institutionalise the movement to reform the judicial sector in Ukraine. This pilot project is being supported by the Institute for Sustainable Communities and has been financed for two years (2003-2004).

The initiative seeks to introduce restorative justice into

the Ukrainian legal system by developing a group of specialists able to advance the project and pilot the Victim-Offender Mediation Programme. This team of specialists will also design and develop a model applicable to the Ukrainian legal system and, once developed, implement and institutionalise relevant models into the legal system to supplement the existing system. The pilot project will be implemented in Kiev to provide better opportunities for UCCG and the Ukrainian legal system officials to evaluate and monitor the process. The project is divided into five phases and will run over two years.

The first phase of the project entails developing a system designed to establish a set of rules and procedures by which cases will be outsourced and a number of practitioners (mediators) will be trained in victim-offender mediation. A website for restorative justice in Ukraine will be designed during the first phase of the project. The second phase is the implementation of the system

as a pilot project. The third phase will include an assessment of the system in an evaluation seminar and the development of the report, including recommendations on the future progress. During the fourth phase the improved model will be tested. In the fifth and final stage, the UCCG executive director will present the model at the Open Conference on Restorative Justice Approaches.

The partners in this project are: the Supreme Court, the General Prosecution Academy within the Prosecutor General's Office, the Kiev City State Juvenile Affairs Services, the Academy of Judges, the School of Social Work of the Kyiv-Mohyla Academy, the Public Centre for Legal and Judicial Reform (Russia), and the Polish Centre of Mediation in Warsaw (Poland).

### **Concept of restorative justice**

The restorative justice approach exhibits key elements that make it a promising alternative system. "Restorative justice" is based on the concept of providing adequate restitution to the victim for the physical and emotional harm caused by the crime as well as the restoration of the sense of responsibility for the offender. The latter is especially important in juvenile cases. Victim-offender mediation is one of the most widespread forms of restorative justice. It has been passed into law in a majority of European countries as a modern approach to achieving criminal justice.

Ukraine is still lagging behind other countries in the process of developing modern views of crime and punishment and especially in adopting restorative approaches to crime, which are increasingly recognised as essential in most western countries.

### **The goal of the project**

To develop a pilot restorative justice programme in Kiev that would provide opportunities for restoration to victims and offenders and would serve as a model for evaluation and future institutionalisation.

### **Project tasks**

- Establish partnership relations with justice system institutions
- Raise the awareness of restorative justice approaches within the legal system of Ukraine
- Train a team of victim-offender mediators for the pilot programme
- Develop a mechanism to determine how cases would be outsourced and proceed in alliance with judicial procedures
- Develop an evaluation mechanism to assess the effectiveness of the process and to adopt it so as to address the needs of the society and justice system in the best way
- Disseminate the information about the results of the project through the Internet and publicise and distribute the final report

- Prepare an Open Conference on Restorative Justice Approaches.

### **The progress achieved by December 2003**

- 20 volunteers have been trained as victim-offender mediators.
- A group of experts in legislation and victim-offender mediation including representatives of UCCG, the Ministry of Interior Affairs, the Academy of Prosecution Office of Ukraine and the Academy of Judges conducted an assessment and developed a legal algorithm for the use of VOM within the Ukrainian legal system on the stages of inquiry, preliminary investigation and court proceedings. This algorithm was submitted for approval to the Supreme Court of Ukraine and the Ministry of Foreign Affairs.
- UCCG has established partnership with the Supreme Court of Ukraine (the contact person is the Deputy Chairman on Criminal Matters), the Ministry of Interior Affairs (Department for Criminal Investigation), the Prosecutor General's Office of Ukraine, the Academy of Judges, the Academy of Prosecution Office of Ukraine, Darnitskiy and Desnyanskiy District Courts in Kiev, the Kiev City State Juvenile Affairs Services and the Centre for Judicial Studies within the Ministry of Justice.
- Presentations of the restorative justice pilot programme were made for investigation officers, for school administrators in one district of Kiev, for the Supreme Court of Ukraine and for the Ministry of Internal Affairs. A half-day workshop on alternative dispute resolution was delivered to participants of the Academy of Judges.
- An agreement on co-operation between UCCG and Darnitskiy District Court was signed and on the ground of this agreement volunteer mediators check criminal cases to see if they are appropriate for mediation.
- The website for restorative approaches to conflict has been completed. The goal of the website is to provide information on restorative approaches to conflicts and existing restoring practices and methodologies in conflict resolution. You can visit the website at <http://www.commonground.org.ua> or <http://www.sfcg.org>.
- A one-week study visit to the Polish Centre of Mediation was organised for 8 representatives of the Ukrainian legal system.

For more information about the project, contact the Ukrainian Centre for Common Ground, k.7, 8 Pecherskiy uzviz, Kyiv 01023, Ukraine, tel/fax 290-39-18, e-mail: [uccg@uccg.org.ua](mailto:uccg@uccg.org.ua).

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## COST Action on restorative justice research

COST stands for 'Co-operation in the field of Scientific and Technical Research' and is an intergovernmental partnership of 34 European countries, supported by the European Science Foundation (from January 2004 onwards). As already reported earlier in the Newsletter (March 2003), a COST Action has been approved for the period of 4 years, to establish a network of researchers actively involved in the study of RJ. 17 countries have entered the Action so far, and others are in the process of doing so. This means that these countries can delegate researchers to participate in the Management Committee (MC) or in one of the three Working Groups (WG's): evaluative, policy oriented and theoretical research. The scientific programme of the Action, the names of the people involved, the contact details of the national COST coordinators and much more information can be found via [http://cost.cordis.lu/src/action\\_detail.cfm?action=A21](http://cost.cordis.lu/src/action_detail.cfm?action=A21).

Because of the restructuring of the whole COST programme, the Action was not able to start effectively in the period between November 2002 (official start) and September 2003. But then activities developed quickly. The three WG's met for the first time on 15-16 September

in Lisbon, the second time on 4 and 6 December in Freiburg, with a meeting of the MC on 5 December. In a first phase of the Action, the WG's are mainly oriented at collecting basic information and research going on or already done in European countries. In the first meetings, templates were elaborated to make this gathering of information possible. These data will be discussed and analysed, gaps will be identified and new research projects will be developed.

The WG's will meet again on 21-22 March (place to be determined) and on 18-19 October 2004 (in Budapest), the MC on 23 March and 20 October. Besides the funding of the WG's and MC meetings, other activities can be financed by COST: workshops and conferences, publications and short term scientific missions. A first book with an overview of empirical research on RJ in Europe will be published with the support of COST in spring 2004. Since COST Actions are open and flexible networks, all those interested in RJ research are more than welcome to contact us.

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## The European Forum has been awarded two AGIS projects

This and next year, the Forum is organising two projects that are co-financed by the European Commission under its AGIS programme.

### Training

The first project consists in organising four seminars. Two seminars, one in December and one in February, concern the exchange of training models for mediators. A small group of people with considerable experience in the training of mediators will exchange and analyse information on training models. A final report will give an overview of the different training models that exist in the countries represented in this project, will describe what works and what doesn't, and will develop recommendations concerning training.

The other two seminars, which are being organised with the co-operation of the Academy of European law in Trier, will be devoted to the development of training for legal professionals. They should result in the creation of two training modules: one for judges and one for prosecutors. Again a small group of experts have been asked to participate in these seminars which will take place in December and January.

To help with the organisation of this project, Regina Delattre (TOA-Servicebuero, Germany) has been contracted by the Forum for 4 months (November-February). She can be reached at [rd@toa-servicebuero.de](mailto:rd@toa-servicebuero.de) for more information about this project.

### Introducing restorative justice in Central and Eastern Europe

This project, which runs over a period of two years (start-

ing from December 2003) intends to provide an effective support to the development of restorative justice practices in Central and Eastern European countries.

The project provides funding to organise four events:

- An expert meeting concentrating on the current situation in Central and Eastern Europe: which RJ initiatives have already been taken, what factors impede the implementation, what are specific challenges and needs?
- A seminar that will attempt to apply the experience that already exists in Western Europe to the specific challenges and needs defined in the first expert meeting. This seminar will be integrated into the third conference of the Forum, on 14-16 October 2004 in Budapest. Concretely, this means that some 40 Central and Eastern Europeans will get financial help to attend the conference.
- An expert meeting that will look into what can concretely be done to give an impetus to the policy development around RJ in Central and Eastern Europe.
- A seminar at which the results of the project will be presented and where it will be discussed how the conclusions and recommendations of the project can be used in a practical way to further the development of RJ in Central and Eastern Europe.

For this project a half-time staff member will be added to the Secretariat for one year and a half, starting from March 2004. For more information, please contact Jolien Willemsens at the Secretariat: [jolien@euforumrj.org](mailto:jolien@euforumrj.org).

Jolien Willemsens

## Bulletin Board

- January 28-30, 2004, London (UK), Probation 2004. A Conference on the future of Crime and Punishment. A wealth of international speakers will highlight experiences from around the globe and will lead the debate on the key themes of Restorative Justice, Social Inclusion, Radical Alternatives to Prison, and Risk and Dangerousness. For more information see <http://www.livegroup.co.uk/probation2004>.
- March 23-26, 2004, Winchester (UK), "Restorative Justice Approaches - From Inspiration to Results", 2nd Winchester International Restorative Justice Conference. For more information see <http://www.neilstewartassociates.com/li165/index.html>.
- June 6-9, 2004, Harrisburg, Pennsylvania, The American Humane Association's 2004 Family Group Decision Making Conference and Skills-Building Institute. For more information visit <http://www.fgdm.org>.
- August 5-7, 2004, Vancouver (Canada), the Fifth International Conference on Conferencing, Circles and Other Restorative Practices: Building a Global Alliance for Restorative Practices and Family Empowerment, Part Two, organised by the International Institute for Restorative Practices. More information, including a call for presenters, can be found on the website <http://www.iirp.org>.
- **October 14-16, 2004, Budapest (Hungary), Third bi-annual conference of the European Forum for Victim-Offender Mediation and Restorative Justice. More information will be made available as soon as possible.**

## Report on the fourth General Meeting of the Forum

On 13 September 2003 the fourth annual General Meeting of the Forum was organised in Lisbon. Next to recurrent items like the approval of the accounts and the budget, following items were discussed:

- The Information Committee has done a wonderful job on collecting an update on the state of affairs regarding restorative justice in 17 countries. These texts will be published by the Forum in 2004.
- The Forum will start discussing issues of common interest with the European Forum for Victim Services. A working group will be established.
- The next conference of the Forum will take place on 14-16 October 2004 in Budapest, Hungary.
- Since three members of the current Board will need

to be replaced during the 2004 General Meeting, a Selection Committee composed of David Miers, Terje Eimot and Lenke Fehér was appointed.

- It was mentioned that the Forum should try to present a clearer profile to the outside world.
- The Forum has received funding from the Council of Europe to write a policy-oriented booklet about the implementation of restorative justice. It will be published by the Council of Europe in French and English in 2004.
- The Forum is receiving funding from the European Commission to set up two projects (more in this Newsletter).

Jolien Willemsens

## Restorative justice and mediation from a comparative Francophone and Anglophone perspective

On 26-27 May 2003, the 2nd International seminar on restorative justice and mediation from a comparative Francophone and Anglophone perspective was organised at the Institut Universitaire Kurt Bösch (Sion, Switzerland) with the support of the European Forum. Each day was divided into plenary conference sessions on mornings and specialised workshops on afternoons.

The international perspective of the seminar was truly achieved, with 22 speakers coming from different parts of the world, and the participants (speakers and audience together) coming from 12 different countries. Communication was largely eased by the active work of two translators.

Many issues were discussed during the presentations. Since it is impossible to fully enumerate those, I chose to broadly summarise them into general categories.

Several speakers examined the main theoretical and

institutional frameworks or principles of victim-offender mediation (Deklerck, Belgium; Lalonde, Quebec; Faget and Bonafé-Schmitt, France; Tamanza, Italy). The articulation of mediation processes within legislation was also investigated (Zermatten, Switzerland; Tausk, Argentina; Charbonneau, Quebec; Schroeder, Luxembourg). Some researchers explored the debate between restorative justice and criminal justice by focusing on the reconciliation or competition of desert-oriented and restorative processes or ideologies (Jaccoud and Bartkowiak, Quebec; Broudeur, France). Two scholars worked on the social and psychological perspectives of mediation processes (Shabmane Monnot, France; Gomez, Columbia). One purpose of the symposium being the coming together of theory and practice, some presentations especially focused on restorative programme evaluations (Becker, USA; Williams, Great-Britain) while others described some practical state-based or

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*The European Forum wishes you a  
Merry Christmas and a very happy  
New Year*

local initiatives (Scatolero, Italy; Hafdane Hakima and Wickey, France; Chicoine and Leblanc, Quebec; Knoepfler, Switzerland; Demaret, Luxemburg).

One would have appreciated the mixed speakers during the seminar. Though the contributions were sometimes unequal (in time or contents), the international perspective and the gathering of researchers and practitioners focusing on empirical and theoretical research or evaluation greatly helped the exchange of information. The debates following each presentation gave everyone the opportunity to express opinions and ideas. The active involvement of justice professionals (judges, prosecutors, mediators, lawyers) in the seminar greatly helped in focussing the discussions on justice needs, or on the obvious obstacles victims and justice professionals could meet in restorative processes. Even after the closure of the meetings, discussions went on late at nights, which proves the involvement of participants in those issues and shows the passion emerging from those sometimes different points of view.

Though the meeting unmistakably helped clarify or define lots of issues, one could regret a few things. Some topics were not or little discussed, which somehow might have been disappointing (this is only my point of view, and I sure hope that no one will be offended: after all, two days are not enough to explore every facet or nuance of a broad subject such as restorative justice and victim-offender mediation). First of all, little was said about offenders, mainly because the question of (restorative but also general) outcomes was barely approached. My second and more general comment is that though the title of the symposium was "Restorative Justice and Victim-Offender Mediation",

most contributions actually focused on victim-offender mediation, having left restorative justice as a secondary item. Of course, restorative justice was often a framework or an undercurrent issue in presentations. However, one should not forget that restorative justice is not all about victim-offender mediation (and the other way around), which some outsiders to both fields might have been inclined into believing. The following seminars, which will be focusing on different issues, will surely remind us of that fact (apparently the next symposium will concentrate on restorative justice and family conferences). This formula is nonetheless a very good option to dedicate a conference to a specific field of research.

However, lots was said on mediation processes: communication, conflict resolution and police initiatives, for example, were thoroughly described. Speakers dug deep into the questions they had asked themselves, and many interesting ideas, approaches or perspectives have emerged. Each participant has surely found lots of substantial and enduring material for his or her own thoughts. Furthermore, a typology of mediation procedures or processes was established at the end of the second morning. It will certainly be an efficient platform for the following seminar, which will be held in France in 2005. The people who attended the meeting will undoubtedly look forward to the next one. I am.

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Note: The proceedings of the first symposium (which took place in Quebec, Canada, in 2002) are now available - Jaccoud, M. (2003), *Justice réparatrice: convergences ou divergences?*, Paris, L'Harmattan. This book includes the contributions of J.-P. Bonafé-Schmitt, R. Cario, L. Walgrave, J. Faget, etc.

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